



2013004359

AMEND/REST  
6 PGS  
Page 62-67

January 16, 2013 02:20 20 PM

Book DE 2418

Rec \$12.00

Cnty Tax:\$0.00

State Tax.\$0 00

FILED IN GREENVILLE COUNTY, SC

STATE OF SOUTH CAROLINA ) Notice of Amendment To Declaration  
County of GREENVILLE ) of Covenants, Conditions and Restrictions  
Applicable To Kenwood Subdivision

PURSUANT to the Declaration of Covenants, Conditions and Restrictions Applicable to Kenwood Subdivision recorded in Deed Book 1829, page 426, as amended, having complied with the provisions of Article IX General Provisions of Section 3 Minor Violations and Amendments. The attached changes are to be recorded as an amendment to the original document Deed Book 1829, Page 426 on file Greenville County SC Records and Deeds Office dated April 1, 1999.

Approved by President James Rayot signature  
January 14, 2013

### SC Probate

State of South Carolina

County of Greenville

Personally appeared the undersigned witness and made oath that (s)he saw the within named Grantor/Mortgagor, sign, seal and, as their act and deed, deliver the within written instrument and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this 14  
day of January, 2013.

Bonnie B. Pearce  
Notary Public For South Carolina  
My Commission Expires: 11/30/22

Jimmie Ray A. Kenwood HOA President  
One of the two witnesses that witnessed the  
signature of the person(s) executing the  
document

Gwen Miller Property Manager  
C. DAN JOYNER  
PROPERTY MANAGEMENT

**Amendments to Declaration of  
Covenants, Conditions and Restrictions  
Applicable to Kenwood Subdivision**

**Book 1829 Beginning page 426 Filed April 1, 1999**

Article IV, Section 2a

**Book 1829 Page 433**

*Current:* The assessments levied by the Kenwood Association shall be used exclusively to promote the health, safety and welfare of the Owners and Occupants of the Property owned by its Members and in particular for the improvement and maintenance of properties, services and facilities devoted to this purpose or for maintenance of the Property and the Common Area, including but not limited to, the cost of repairs, replacements and additions, the cost of labor, equipment, materials, management and supervision, the payment of taxes assessed against the Common Area, maintenance of entrance areas, **sidewalks** and beautification easements.....

**Approved change: "sidewalks" to "walking path"**

Article IV, Section 3a

**Book 1829 Page 434**

*Current:* The maximum annual assessments for the calendar year 1999 shall not exceed \$450 per Lot for each Lot upon which a residence and associated landscaping has not been completed during 1999. For each Lot upon which a residence and associated landscaping has been completed during 1999 the maximum annual assessment for the calendar year 1999 shall not exceed \$1,800 per Lot to be prorated according to the portion of the year during which the residence and landscaping on the lot have been completed.

**Approved change: delete item (a)**

Article V, Section 3

**Book 1829 Page 439**

*Current:* **Declarant** shall designate two or more persons to serve as an Architectural Committee for the express purpose of insuring compliance with the provisions of this Article. In the event any member of the Committee should, in **Declarant's** opinion, for any reason cease to be able to perform his duties properly, a replacement shall be selected by **Declarant**.

**Approved change: "declarant" to "Board of Directors"**

*(This item only)*

Article V, Section 4a (7)

**Book 1829 Page 440**

*Current:* The minimum documents required for the design approval process are....., landscaping plan of **front yard, side yards and rear yards**

**Approved change: "front and side yards".**

## Article V, Section 4d

**Book 1829 Page 441**

**Current:** Application for design approval as required herein shall be made to the Committee at the principal office of Windsor Aughtry Company

**Approved change:** Application for approval as required herein shall be made to the Kenwood Architectural Committee, and at the time such application is made, the building plans, specifications, plot plans and landscape or recreational plans shall be submitted in duplicate. The chair of the Architectural Committee will provide a written recommendation to the HOA Board of Directors. All exterior changes, including fences and garage doors, must be submitted to the Architectural Committee for approval.

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## Article V, Section 4e

**Book 1829 Page 441**

**Current:** Upon the approval by the Committee of any proposed construction or alteration, the Committee shall issue to the applicant a written permit. No construction or alteration including clearing, grading, or site work of any kind shall be carried on until and unless such permit is obtained. If construction based upon the approved plans has not commenced within six (6) months of the date of issuance of the permit, all plans must be resubmitted in their entirety for approval by the Architectural Committee, there has been no change in circumstances which would warrant disapproval or modification of the resubmitted plans.

**Approved change:** At the end of the section... **Delete the clause** "there has been no change in circumstances which would warrant disapproval or modification of the resubmitted plans. **Add** "In the event the homeowner disagrees with the recommendation of the Architectural Committee, the homeowner has the right to appeal to the Board of Directors." The homeowner and the Architectural Committee representative should be present for the discussion with the Board.

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## Article V, Section 4g

**Book 1829 Page 442**

**Current:** All residential buildings must be completed in a workmanlike manner and the construction site at all times must be kept clean and free of debris.....

**Approved change: Add at the end of the paragraph....."Construction materials must be stored off the street". Any short-term street storage must be approved by the Board**

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## Article V, Section 4i

**Book 1829 Page 443**

**Current:** When 80% of the numbered Lots have been sold by Declarant, Declarant may, at its option, turn over the functions of the Architectural Committee to the Kenwood Association. That Kenwood Association shall thereafter appoint the Architectural Committee.

**Approved change: Delete section (i)**

## Article VI, Paragraph 3

**Book 1829 Page 444**

**Current:** Declarant anticipates that approved materials for installation on exterior walls of residences shall be predominantly brick, stucco or wood siding. In no case will vinyl or metal siding be permitted. These materials are selected to allow for some individual preference, but are limited to provide for the consistency of appearance discussed above. Colors of exterior materials should be submitted for approval by the Architectural Committee at as early stage as possible.

**Approved change:** The Architectural Committee anticipates that approved materials for installation on exterior walls of residence shall be predominantly **brick or wood siding. Vinyl or metal siding and stucco are not permitted.....**"

## Article VI, Section 2b

**Book 1829 Page 445**

**Current:** Each purchaser of a lot in Kenwood will be required to construct a privacy fence along the inside of their lot on the foot set-back side yard lot line as shown on the recorded plat. ...

**Approved change: Add to section (b).....**"All wood fencing, both perimeter and interior shall be considered common property."

## Article VI, Section 2m

**Book 1829 Page 448**

**Current:** Property Owners will be required to keep all shrubbery or hedges trimmed to reasonable limits so that air circulation or views from surrounding property will not be adversely affected and so traffic hazards will not be created. Further, all Owners shall be required to maintain their lots and any Improvements thereon at all times in a neat, attractive and presentable manner so as not to detract from the overall appearance of the subdivision or the surrounding Property. Clotheslines shall not be allowed. No bird baths, vegetable gardens, frog ponds, flag poles, lawn sculpture, artificial plants, birdhouses, rock gardens or similar types of accessories and lawn furnishings, and no sandboxes or other children's play equipment shall be permitted in the front or side yards of any lot.

**Approved change: Change line 7 to read....**"No vegetable gardens, frog ponds, birdhouses or similar types of accessories and lawn furnishings, and no sandboxes or other children's play equipment shall be permitted in the front or side yards from the street to the gate."

**Move the statement to the beginning of item 2(m). Add at the end of Section 2(m)....**"Accessories should be reasonable and tasteful. Concerns should be directed to the Landscaping Committee."

## Article VI, Section 2r

**Book 1829 Page 449**

**Current:** No satellite dishes or outside antennae of any kind shall be allowed on any Lot.

**Approved change: Delete item (2r);**

Article VI, Section 2u

**Book 1829 Page 449**

**Current:** Only fences approved by the Architectural Review Committee are allowed. Adequate access must be provided to all grassed and landscaped areas in order to allow for the efficient common maintenance of such areas on all Lots.

**Approved change:** Add at the end of Section 2(u)..... "Changes in fence color must be approved by the Architectural Committee."

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*Timothy J. Manney*