

STATE OF SOUTH CAROLINA    )            AMENDMENT TO  
  )    MARSH WALK AT PARK WEST  
  )            ASSOCIATION, INC.  
  )    A PARK WEST NEIGHBORHOOD  
  ) DECLARATION OF COVENANTS  
COUNTY OF CHARLESTON       ) CONDITIONS AND RESTRICTIONS

WHEREAS, Pursuant to the authority granted under Section 5.4 of the "Marsh Walk at Park West Association, Inc. A Park West Neighborhood, Declaration of Covenants, Conditions and Restrictions" as recorded in the RMC office of the county of Charleston, at Book V351, Page 201, the Board of Directors hereby modifies, amends and clarifies certain provisions pertaining to the construction and composition of fences as set forth in Exhibit "C", Appendix C-2, Section 2.3 as augmented by the specific "Guidelines for Fences" incorporated therein effective 11/27/01 as follows:

- a. All fencing shall be either white in color, black "wrought-iron" or accurate, metallic representations of same, or natural smooth-finished pressure treated wood is acceptable, provided that all other structural and aesthetic requirements set forth in the Guidelines are met; and
- b. White vinyl covered wood or vinyl-wood products are also acceptable; and
- c. Fences can be built up to 4' in height (4'6" for columns) and is the maximum allowed along the rear lot line for any lot that backs up, in whole or part, to a pond or marsh. 6' fences (6'8" columns) will be considered on a case-by-case basis for Lots 2-20 and 60-61 and ARB a approval will depend on maintaining a harmonious appearance lot-to-lot.

- d. Only picket type fencing will be approved.
- e. Flat top fencing will not be approved. Rather, fencing should have spears, finials or other top-side decoration.
- f. Fencing should be as open as possible: no board on board or "privacy fencing" will be approved; individual slats should not exceed 5 ½ ".
- g. If a prior fence has been erected or approved along a side or back lot line, the applicant for the adjoining fence using similar materials will not be allowed to double fence on the side or back lot lines. If different materials are used (i.e. wood and wrought iron), double fencing will generally be permitted, subject to case-by-case review.
- h. Fences need not be erected to the side property line. However, if a fence is not erected on the property line, it must be a least 3" inside the property line, to provide room for proper lawn maintenance between the properties.
- i. Once installed, all fences must be regularly maintained to provide an aesthetically pleasing appearance; and
- j. All previously installed fences are, as a matter of convenience and in acknowledgement of prior inconsistent enforcement, approved ("grandfathered"), except for those already held in violation; and
- k. From this point forward, no variations to the Guidelines as herein or subsequently amended, will be permitted, notwithstanding the existence within the neighborhood of a fence that has been "grandfathered" in as the result of this Resolution; and
- l. Except as specifically amended or modified herein all other terms and conditions of the Guidelines remain unchanged

