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FILED IN GREENVILLE COUNTY, SC *Timothy J. Hanney*

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

ASSIGNMENT OF DECLARANT'S RIGHTS
PURSUANT TO CONSERVATION RESTRICTIVE COVENANTS AND CONSERVATION
EASEMENT FOR OPEN SPACE IN SHELLBROOK PLANTATION SUBDIVISION,
COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS
FOR SHELLBROOK PLANTATION SUBDIVISION PHASE I, AND AMENDMENT TO
DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS
FOR SHELLBROOK PLANTATION SUBDIVISION

WITNESSETH:

WHEREAS, Shellbrook Plantation, LLC was the Declarant pursuant to that certain Conservation Restrictive Covenants and Conservation Easement for Open Space in Shellbrook Plantation Subdivision recorded July 20, 2006 in Deed Book 2217 at Page 689 in the Office of the Register of Deeds for Greenville County, South Carolina (hereinafter "Conservation Restrictive Covenants"); and

WHEREAS, Shellbrook Plantation, LLC was the Declarant pursuant to that certain Covenants, Conditions, Restrictions, and Easements for Shellbrook Plantation Subdivision Phase I recorded July 20, 2006 in Deed Book 2217 at Page 694 in the Office of the Register of Deeds for Greenville County, South Carolina (hereinafter "Original Declaration"); and

WHEREAS, Mark III Properties, Inc. became the Declarant in that certain Amendment to Declaration of Covenants, Restrictions and Easements for Shellbrook Plantation Subdivision recorded on August 30, 2011 in Deed Book 2393 at Page 1743 in the Office of the Register of Deeds for Greenville County, South Carolina (hereinafter referred to as "Amendment to Declaration"); and

WHEREAS, Mark III Properties, Inc. merged with Mark III Properties, LLC, on April 26, 2018, with Mark III Properties, LLC being the surviving entity; and

WHEREAS, the rights, duties, and obligations of Mark III Properties, Inc. under the Conservation Restrictive Covenants, Original Declaration, and the Amendment to Declaration

were automatically transferred to and assumed by Mark III Properties, LLC at the time of the above-referenced merger; and

WHEREAS, the Conservation Restrictive Covenants, Original Declaration, and the Amendment to Declaration shall hereinafter be collectively referred to as the "Declaration"; and

WHEREAS, Mark III Properties, LLC shall hereinafter be referred to as "Mark III"; and

WHEREAS, by conveyance and agreement between Mark III and Shellbrook Plantation Homeowners' Association, Inc. (hereinafter "Shellbrook HOA"), Shellbrook HOA is succeeding as the "Declarant" pursuant to the Declaration, and to all attendant rights, duties and obligations of the same; and

WHEREAS, Mark III and Shellbrook HOA desire to hereby memorialize such assignment;

NOW, THEREFORE, Mark III hereby assigns, conveys and transfers to Shellbrook HOA, and Shellbrook HOA assumes from Mark III all rights, duties and obligations as the "Declarant" under the Declaration, said assignment and assumption to be effective upon the date hereof.

[Signature Pages Below]

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed as the 29th day of April, 2019.

Mark III Properties, LLC

By: [Signature]
Name: Laura B. Henthorn
Title: Secretary

WITNESS 1:
Sarah Castle
Sarah Castle
(Print name)

WITNESS 2:
Melody S. Terpack
Melody S. Terpack
(Print name)

STATE OF SOUTH CAROLINA)
COUNTY OF Spartanburg)

I, Melody S. Terpack, the undersigned Notary Public, do hereby certify that Laura B. Henthorn as Secretary of Mark III Properties, LLC, being duly authorized, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and seal this 29th day of April, 2019.

Melody S. Terpack (SEAL)
Notary Public for SC
Print Name of Notary Public: Melody S. Terpack
My commission expires: 9/25/28

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed as the 1st day of October, 2019.

Shellbrook Plantation Homeowners' Association, Inc.

By: Robert D. Jones
Name: Robert D. Jones
Title: Parliamentarian

WITNESS 1:
[Signature]

(Print name)

WITNESS 2:
Melody S. Terpack
Melody S. Terpack

(Print name)

STATE OF South Carolina)
COUNTY OF Spartanburg)

I, Melody S. Terpack, the undersigned Notary Public, do hereby certify that Robert D. Jones as Parliamentarian of Shellbrook Plantation Homeowners' Association, Inc., being duly authorized, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and seal this 1st day of October, 2019.

Melody S. Terpack (SEAL)
Notary Public for South Carolina
Print Name of Notary Public: Melody S. Terpack
My commission expires: 9/25/28

