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Document Prepared By:

Pearce Law Firm, LLC 1476 Ben Sawyer Boulevard, Suite 1 Mount Pleasant, South Carolina 29464

DECLARATION OF RESTRICTIVE COVENANTS FOR LOT CV-9, CHARLESTON COUNTY TAX MAP NO. 535-06-00-828 OWNED BY THE I'ON COMPANY, LLC

THIS DECLARATION OF RESTRICTIVE COVENANTS FOR LOT CV 9, CHARLESTON COUNTY TAX MAP NO. 535-06-00-828 OWNED BY THE I'ON COMPANY, LLC (hereinafter the "Declaration") is made this _______ day of June, 2015, by The I'On Company, LLC, a South Carolina limited liability company (hereinafter the "Declarant").

RECITALS

WHEREAS:

Declarant is the owner of the real property described in <u>Exhibit "A"</u>, which is attached and incorporated by reference (hereinafter the "<u>Property</u>"). This Declaration imposes upon the Property (as defined in Article I below) mutually beneficial restrictions under a general plan of improvement for the benefit of the Owners of the Property and for the benefit of all owners of lots in the I'On Neighborhood and establishes a flexible and reasonable procedure for the overall development, administration, maintenance and preservation of the Property; and

Section 156.007 of the Zoning Code of the Town of Mount Pleasant, South Carolina defines 'Civic Use' as: "Utility, educational, recreational, cultural, medical, protective, governmental, and other uses that provide public or quasi-public services and are strongly vested with social importance"; and

Examples of permitted civic uses are further described in Section 156.007 and other sections of the Zoning Code of the Town of Mount Pleasant; and

The Property is zoned for Civic Use; and

Declarant has represented in marketing materials and other correspondence that the area constituting CV-9 is to be "I'On Memorial Park"; and

Since 1996, Declarant has renovated, constructed, and maintained structures and landscaping on CV-9 consistent with those associated with a Memorial Park.

The I'On Assembly Board of Trustees acknowledges that CV-9 is zoned for Civic Use, and supports use of the property as a Memorial Park as described above and in Article I, Section A of this convenant.

NOW, THEREFORE, the Declarant hereby declares that all of the Property described in Exhibit "A" shall be held, mortgaged, transferred, sold, conveyed, leased, occupied and used subordinate and

subject to the following restrictions which are hereby imposed for the purpose of protecting the value and desirability of the Property and protecting the value and desirability of the lots in the I'On Neighborhood and which restrictions shall be appurtenant to, touch and concern and run with title to the Property subjected to this Declaration and which shall be binding on all parties having any right, title or interest in these described properties or any portion of them. This instrument also binds the respective heirs, devisees, fiduciary representatives, successors, successors in title and/or assigns, and shall inure to the benefit of anyone or anything who/which purchases or takes any interest in real property within the Property subject to this Declaration.

This document does not and is not intended to create a condominium within the meaning of the South Carolina Horizontal Property Act, South Carolina Code Annotated, Section 27-31-10, et seq.

ARTICLE I

Section A. The Property may only be used for a memorial park and related activities, including but not limited to monuments, pedestrian walkways, gazebos, historical markers, walls, fences, gateways, cenotaphs, places of interment, and other hardscaping, landscaping, and complimenting structures with building footprint no greater than 850 square feet that would customarily be found in a memorial park.

Section B. This Declaration may not be modified or amended, in whole or in part except by written consent of The I'On Company, LLC and the majority of lot owners in the I'On Subdivision, their heirs, successors and assigns, and such shall be evidenced by an amendment to this Declaration that has been fully executed and acknowledged and recorded in the Charleston County RMC Office.

IN WITNESS WHEREOF, The I'On Company, LLC, a South Carolina Limited Liability Company, has caused these presents to be executed in its name by <u>Vincent G. Graham</u>, its Manager, this <u>Ythe</u> day of June, in the year of our Lord Two Thousand Manager Fifteen and in the Two Hundred and Thirty-Ninth year of the Sovereignty and Independence of the United States of America.

| SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF: | |
|--|---------------------------------------|
| Witness #1 Amela 4. Martm Witness #2 | By: VINCENT G. GRAYAM Its: MANAGER |
| STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON |) } |

| The foregoing instrument was acknowledged Impent G. Grabam, its Manager | before me, this 44 | by THE I'ONday of June, | COMPANY, LLC, by 2015. |
|--|--------------------|-------------------------|------------------------|
| Notary Public for SOUTH CAROLINA My commission expires: 8/28/18 | | | |

EXHIBIT A

ALL that lot, piece, or parcel of land, situate, lying and being in the Town of Mt. Pleasant, in the County of Charleston and State of South Carolina shown and designated as CV-9 Civic, Phase 9, I'On, on a plat prepared by Thomas & Hutton Engineering Company and entitled "FINAL SUBDIVISION PLAT OF PHASE 9 I'ON OWNED BY: THE I'ON COMPANY, LLC " dated October 26, 2006 recorded in the RMC Office for Charleston County, SC in Plat Book EK, Page 180-181, said lot having such size, shape, location, buttings and boundings as are shown on said plat.

RECORDER'S PAGE

NOTE: This page MUST remain with the original document

Filed By:

PEARCE LAW FIRM 1476 BEN SAWYER BLVD SUITE 1 MT. PLEASANT SC 29464 (COURIER)



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