

Attachment 4
Exhibit A

STATE OF SOUTH CAROLINA) DECLARATION OF COVENANT
)
COUNTY OF BEAUFORT) Tax Map No. R610-036-000-1319-0000

THIS DECLARATION OF COVENANT (the “*Declaration*”) is made and entered into this _____ day of _____, 20___, by the Town of Bluffton, a South Carolina municipal corporation (“*Town*” or “*Owner*”).

WITNESSETH

WHEREAS, The Town owns that certain parcel of real property located within the Town of Bluffton, South Carolina, and identified as Parcel 4A-2 of New Riverside, containing 36.9 acres as shown on that certain plat recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 150 at Page 169, which parcel is more particularly described in the Exhibit attached hereto as EXHIBIT “A” and which is fully incorporated herein by reference (the “*Property*”); and,

WHEREAS, on October 18, 2021, the South Carolina Department of Parks, Recreation, and Tourism notified the Town of approval from the National Park Service for the award of a grant through its Land and Water Conservation Fund Project, identified as Project# 45-01131, for certain improvements to the Property to include site prep/grading/paving, asphalt drives, trails, walkways, paths, parking, event lawns, multi-purpose area, water, sewer, storm drainage, electrical, entry gate, fencing and restroom pavilion; and,

WHEREAS, the executed Project Agreement specifies that as a term of the award, the Town must record a deed restriction specifying that the Property shall only be utilized for public outdoor recreation; and,

WHEREAS, the Town desires to execute this Declaration to establish said restriction as required by the Project Agreement.

NOW, THEREFORE, the Town establishes the following deed restriction as follows:

1. The above “Whereas” clauses are incorporated herein as if repeated fully verbatim and are made an integral part hereof.
2. This Property has been acquired or developed with Federal financial assistance provided by the National Park Service of the Department of the interior in accordance with the Land and Water Conservation Fund act of 1965, as amended. Pursuant to a requirement of that law, this property may not be converted to other than public outdoor recreation uses (whether by transfer, sale or in any other manner) without the express written approval of the Secretary of the Interior. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.
3. This Declaration shall run with the property.

WITNESS the hand and seal of the undersigned the date and year first above-written.

WITNESSES:

OWNER
TOWN OF BLUFFTON, a South Carolina
municipal corporation

(Signature of First Witness)

Name: STEPHEN STEESE
Title: TOWN MANAGER

(L.S.)

(Signature of Second Witness or Notary Public)

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGMENT

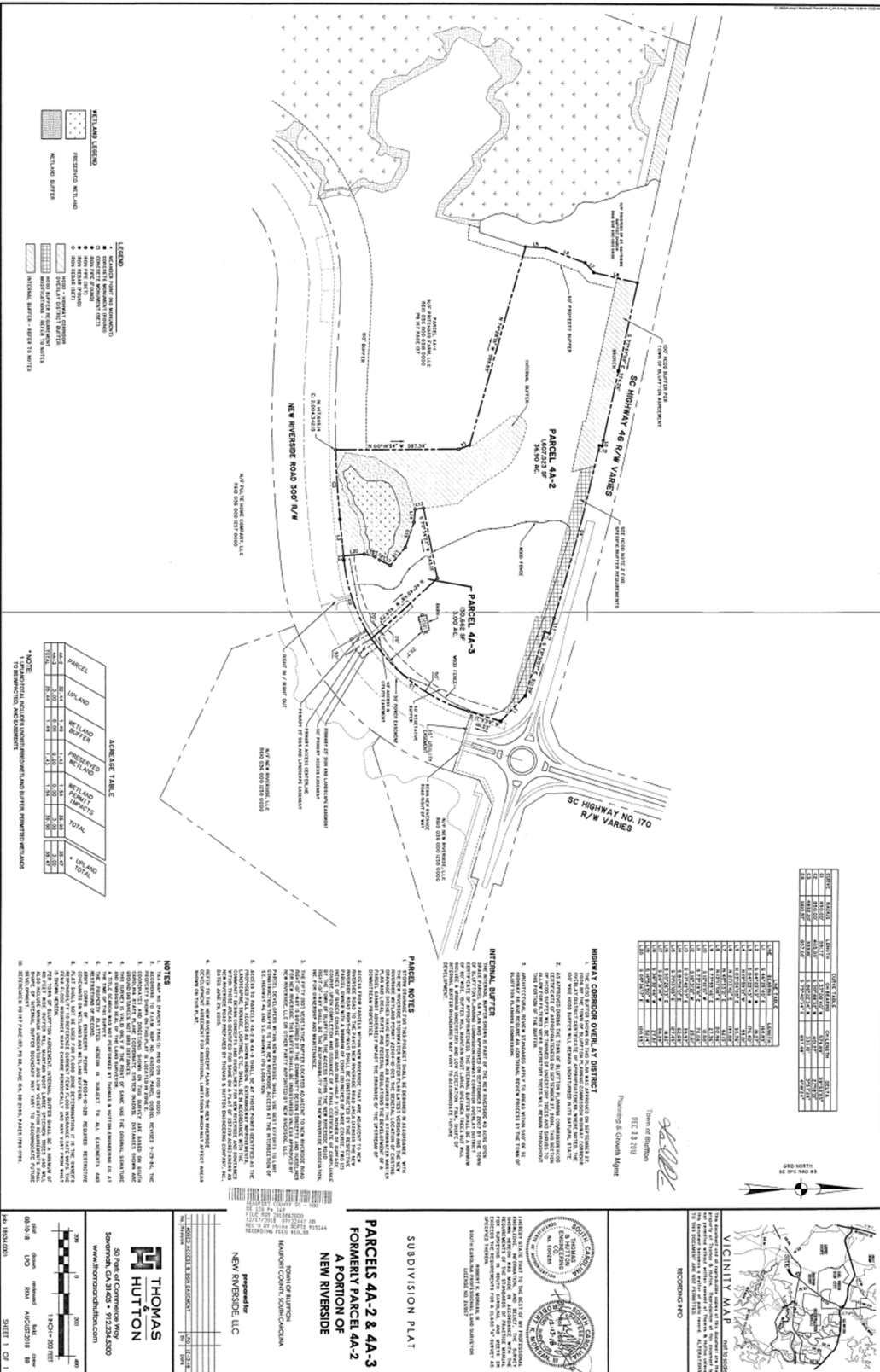
I HEREBY CERTIFY that on this ____ day of _____, 20 __, before me, the undersigned Notary Public of the State and County aforesaid, personally appeared STEPHEN STEESE as Town Manager for the Town of Bluffton, a South Carolina municipal corporation, known or satisfactorily proven to me to be the person whose name is subscribed to the within instrument, who, on behalf of the company, acknowledged the execution thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.

(Signature of Notary Public) (SEAL)

Printed Notary Name: _____
Notary Public for South Carolina
My Commission Expires: _____

EXHIBIT "A" (PLAT OF THE PROPERTY)



ACREAGE TABLE

PARCEL	UPLAND	WETLAND BUFFER	RESERVED WETLAND	RESERVED WETLAND IMPACTS	TOTAL	UP AND TOTAL
4A-2	35.26	3.00	0.00	0.00	38.26	38.26
4A-3	26.28	1.28	0.00	0.00	27.56	27.56
TOTAL	61.54	4.28	0.00	0.00	65.82	65.82

* NOTE: TOTAL RESERVED IMPROVED WETLAND BUFFER PERMITTED TO BE CROSSED TO THE WETLANDS PERMANENTLY.

LEGEND

WETLAND FROM THE WETLANDS	WETLAND BUFFER
RESERVED WETLAND	RESERVED WETLAND IMPACTS
RESERVED WETLAND BUFFER	RESERVED WETLAND IMPACTS BUFFER
RESERVED WETLAND IMPACTS	RESERVED WETLAND IMPACTS BUFFER
RESERVED WETLAND IMPACTS BUFFER	RESERVED WETLAND IMPACTS BUFFER

NOTES

1. THIS PLAT IS PART OF PROJECT TITLE: "NEW RIVERSIDE ROAD".
2. ACCORDING TO 16 CAR. CODE, ARTICLE 12, SECTION 12-214, THE "WETLANDS" ARE THOSE AREAS OF LAND THAT ARE EITHER: (A) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (B) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (C) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (D) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (E) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (F) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (G) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (H) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (I) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (J) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (K) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (L) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (M) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (N) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (O) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (P) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (Q) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (R) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (S) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (T) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (U) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (V) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (W) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (X) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (Y) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES; OR (Z) A WETLAND AS DEFINED IN SECTION 12-214 OF THE CAROLINA STATUTES.

THOMAS HUTTON
 83 Park of Champions Way
 Springfield, VA 22154-1000
 www.thomashutton.com

NEW RIVERSIDE, LLC
 Projected by
 THOMAS HUTTON
 ENGINEERING & SURVEYING, INC.

DATE: 11/12/19
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