



CHRISTOPHE HARBOUR
ST. KITTS

SECOND AMENDMENT

TO

AMENDED AND RESTATED FIRST SUPPLEMENT

TO

THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

FOR

CHRISTOPHE HARBOUR

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THIS SECOND AMENDMENT TO AMENDED AND RESTATED FIRST SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR CHRISTOPHE HARBOUR (this "**Second Amendment**") is made this 9th day of October 2015 (the "**Effective Date**"), by CHRISTOPHE HARBOUR DEVELOPMENT COMPANY LIMITED, a private ordinary company limited by shares formed under the laws of the Federation of St. Christopher and Nevis (the "**Master Developer**").

RECITALS:

WHEREAS, pursuant to the St. Kitts (Planned Community) Act, 2008, as amended, and the Master Covenants (hereinafter defined), the Master Developer has created a planned community commonly known as "Christophe Harbour" on the Southeastern Peninsula of the Island of St. Christopher, in the Federation of St. Christopher and Nevis, as described in the Master Covenants; and

WHEREAS, the Master Developer, by the Declaration of Covenants, Conditions and Restrictions for Christophe Harbour dated December 29, 2008, and registered on January 26, 2009, with the Registrar of Titles for the Saint Christopher Circuit in the Planned Community Corporations Index as Planned Community No. 1, made certain properties within Christophe Harbour subject to the aforesaid Declaration (said Declaration, as modified, amended and/or supplemented from time to time, being referred to herein as the "**Master Covenants**"); and

WHEREAS, the Master Covenants were modified, amended and/or supplemented by that certain First Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated December 31, 2008, and registered on January 26, 2009, with the Registrar of Titles for the Saint Christopher Circuit (the "**Original First Supplement**"), as modified, amended and/or supplemented by that certain Amended and Restated First Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated July 20, 2010, and registered on August 12, 2010, with the Registrar of Titles for the Saint Christopher Circuit (the "**Amended and Restated First Supplement**"), and further modified, amended and/or supplemented by that certain First Amendment to Amended and Restated First Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated November 1, 2013, and registered on December 11, 2013, with the Registrar of Titles for the Saint Christopher Circuit (the "**First Amendment to Amended and Restated First Supplement**," and collectively

with the Original First Supplement and the Amended and Restated First Supplement, the “**First Supplement**”); and

WHEREAS, the Master Covenants were modified, amended and/or supplemented by that certain Second Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated December 20, 2010, and registered on January 20, 2011, with the Registrar of Titles for the Saint Christopher Circuit (the “**Second Supplement**”); and

WHEREAS, the Master Covenants were modified, amended and/or supplemented by that certain Third Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated June 2, 2011, and registered on June 10, 2011, with the Registrar of Titles for the Saint Christopher Circuit (the “**Original Third Supplement**”), as modified, amended and/or supplemented by that certain First Amendment to Third Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated April 1, 2013, and registered on April 19, 2013, with the Registrar of Titles for the Saint Christopher Circuit (the “**First Amended Third Supplement**”), and as further modified, amended and/or supplemented by that certain Second Amendment to Third Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated January 22, 2014, and registered on January 23, 2014, with the Registrar of Titles for the Saint Christopher Circuit (the “**Second Amended Third Supplement**,” and collectively with the Original Third Supplement and the First Amended Third Supplement, the “**Third Supplement**”); and

WHEREAS, the Master Covenants were modified, amended and/or supplemented by that certain Fourth Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated June 30, 2011, and registered on July 15, 2011, with the Registrar of Titles for the Saint Christopher Circuit (the “**Fourth Supplement**”); and

WHEREAS, the Master Covenants were modified, amended and/or supplemented by that certain Fifth Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated September 20, 2013, and registered on December 10, 2013, with the Registrar of Titles for the Saint Christopher Circuit (the “**Fifth Supplement**”); and

WHEREAS, the Master Covenants were modified, amended and/or supplemented by that certain Sixth Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated September 23, 2013, and registered on January 23, 2014, with the Registrar of Titles for the Saint Christopher Circuit (the “**Original Sixth Supplement**”), as modified, amended and/or supplemented by that certain Amended and Restated Sixth Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated December 10, 2014, and registered on December 16, 2014, with the Registrar of Titles for the Saint Christopher Circuit (the “**Amended and Restated Sixth Supplement**,” and collectively with the Original Sixth Supplement, the “**Sixth Supplement**”); and

WHEREAS, the Master Covenants were modified, amended and/or supplemented by that certain Seventh Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated February 27, 2014, and registered on March 6, 2014, with the Registrar of Titles for the Saint Christopher Circuit (the “**Seventh Supplement**”); and

WHEREAS, the Master Covenants were modified, amended and/or supplemented by that certain Eighth Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated December 10, 2014, and registered on December 16, 2014, with the Registrar of Titles for the Saint Christopher Circuit (the "**Eighth Supplement**"); and

WHEREAS, the Master Covenants were modified, amended and/or supplemented by that certain Ninth Supplement to the Declaration of Covenants, Conditions, and Restrictions for Christophe Harbour dated December 10, 2014, registered on December 16, 2014, and re-registered on May 5, 2015, with the Registrar of Titles for the Saint Christopher Circuit (the "**Ninth Supplement**"); and

WHEREAS, the Master Covenants provide that during the Master Developer Control Period, the Master Developer, in its discretion, may unilaterally, without the necessity or requirement of having to obtain the joinder, consent, or approval of any Person, execute and register an amendment or supplement to the Master Covenants to, among other things, (i) subject additional property to the Master Covenants, (ii) establish and assign property to specific Neighborhoods and/or Districts within Christophe Harbour, (iii) subject any portion of Christophe Harbour to additional covenants, conditions, restrictions, easements, obligations and limitations that add to, create exceptions to, and/or otherwise modify the terms of the Master Covenants to reflect the different character and intended use of such property, and/or (iv) modify, amend and/or supplement the Master Covenants, or any Supplement thereto, for any purpose from time to time, which modification, amendment or supplement shall be executed by the Master Developer and Registered in the Public Records; and

WHEREAS, the Master Covenants provide that during the Master Developer Control Period, no Unit may be subdivided nor its boundary lines changed without the express written consent of the Master Developer, during the Master Developer Control Period, or the DRB, after expiration of the Master Developer Control Period; and

WHEREAS, the Master Developer is the owner of the Units designated as Lot 202, Lot 204, Lot 206, Lot 208, Lot 210 and Lot 212 on the Subdivision Plan for the Sandy Bank Bay Property and desires to subdivide such Units into ten (10) Units designated as Lot 202A, Lot 202B, Lot 204A, Lot 204B, Lot 206A, Lot 206B, Lot 208A, Lot 208B, Lot 210A and Lot 210B as shown on the plan of survey prepared by Dwight C. Francis, Licensed Land Surveyor, titled "A SUBDIVISION PLAN OF SANDY BANK BAY PHASE 1 SHOWING 11 RESIDENTIAL LOTS" and dated the 7th day of April 2015, and attached hereto as **Exhibit "A"** (the "**Sanctuary Lane Subdivision Plan**").

NOW, THEREFORE, pursuant to the foregoing, the Master Developer hereby modifies, amends and/or supplements the First Supplement as follows:

1. Definitions. Capitalized terms used but not otherwise defined herein shall have the meanings given them in the Master Covenants and/or the First Supplement, as the case may be.

2. Definition of Subdivision Plan. The definition of "Subdivision Plan" as defined in **Section 1(n)** of the First Supplement is hereby amended to include the Sanctuary Lane Subdivision Plan attached hereto as **Exhibit "A"**.
3. Subdivision of Lots. In accordance with **Section 3.7** of the Master Covenants, the Master Developer hereby consents to the subdivision of Lot 202, Lot 204, Lot 206, Lot 208, Lot 210 and Lot 212 within the Sandy Bank Bay Neighborhood into ten (10) Units designated as Lot 202A, Lot 202B, Lot 204A, Lot 204B, Lot 206A, Lot 206B, Lot 208A, Lot 208B, Lot 210A and Lot 210B as shown on the Sanctuary Lane Subdivision Plan attached hereto as **Exhibit "A"**.
4. Completeness. Except as expressly and specifically modified or amended by this Second Amendment, the Master Covenants and the First Supplement, together with any and all modifications, amendments and/or supplements thereto, shall remain in full force and effect.

(Signature page follows)

IN WITNESS WHEREOF, the Master Developer has hereunto affixed its hand and seal effective as of the date first above written.

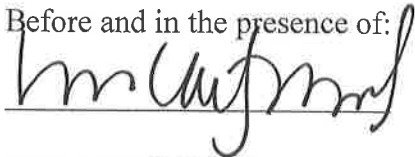
THE COMMON SEAL OF CHRISTOPHE)
HARBOUR DEVELOPMENT)
COMPANY LIMITED, a private ordinary)
company limited by shares and existing)
under the laws of the Federation of St.)
Christopher and Nevis, has been hereunto)
affixed by Steven D. Heyboer,)
Director and Chief Operating Officer of the)
said Company,)

CHRISTOPHE HARBOUR)
DEVELOPMENT COMPANY)
LIMITED)

By: 

Name: Steven D. Heyboer

Title: Director and Chief Operating Officer

Before and in the presence of:)


NOTARY PUBLIC

(Signature and Seal)

A. D. 2015

NOTARIAL CERTIFICATE

I, Enca Forbes of Charleston,

HEREBY CERTIFY that on the 9th day of October 2015, PERSONALLY came and appeared before me Steve D. Heyboer, Director and Authorized Agent of **CHRISTOPHE HARBOUR DEVELOPMENT COMPANY LIMITED**, who in my presence duly executed the foregoing **SECOND AMENDMENT TO AMENDED AND RESTATED FIRST SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR CHRISTOPHE HARBOUR** for and on behalf of the said Company.

AND the name or signature "**Steven D. Heyboer**" appearing on the said document is in the true and proper handwriting of the said **Steven D. Heyboer**.

GIVEN under my hand and Seal of Office this 9th day of October 2015.



NOTARY PUBLIC for South Carolina

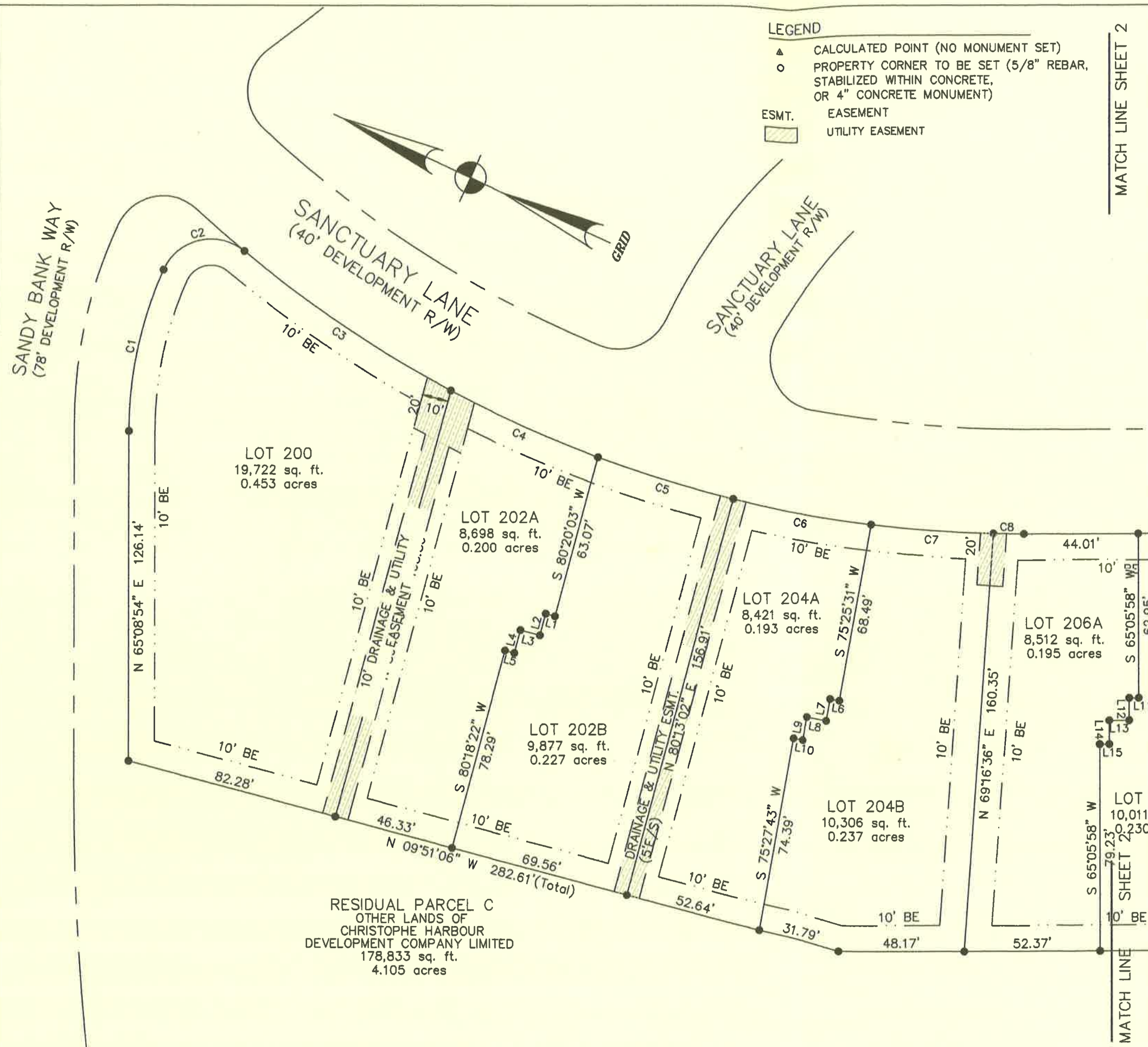
My Commission Expires: 10/16/2018

(Signature and Seal)

EXHIBIT "A"
TO
SECOND AMENDMENT
TO
AMENDED AND RESTATED FIRST SUPPLEMENT

Sanctuary Lane Subdivision Plan

See attached plan of survey prepared by Dwight C. Francis, Licensed Land Surveyor, titled "A SUBDIVISION PLAN OF SANDY BANK BAY PHASE 1 SHOWING 11 RESIDENTIAL LOTS" and dated the 7th day of April 2015.



LEGEND

- ▲ CALCULATED POINT (NO MONUMENT SET)
- PROPERTY CORNER TO BE SET (5/8" REBAR, STABILIZED WITHIN CONCRETE, OR 4" CONCRETE MONUMENT)
- ESMT. EASEMENT
- UTILITY EASEMENT

NOTES:

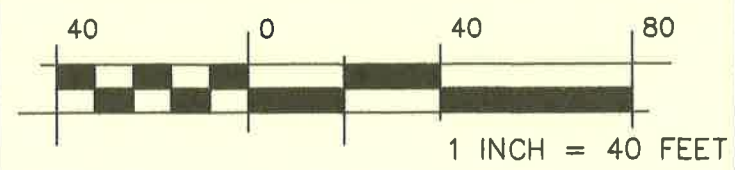
1. ALL DISTANCES SHOWN ARE GROUND. GROUND TO GRID SCALE FACTOR: 0.999615.
2. ALL LOT CORNERS AND RIGHTS-OF-WAY P.C.'S AND P.T.'S ARE TO BE WITNESSED BY CONCRETE MONUMENTS WHEREVER FEASIBLE. 5/8" REBAR, STABILIZED BY CONCRETE, IS TO BE USED OTHERWISE.
3. ALL EASEMENTS SHOWN HEREON, INCLUDING, BUT NOT LIMITED TO UTILITY AND DRAINAGE EASEMENTS, ARE GRANTED AND/OR RESERVED UNTO CHRISTOPHE HARBOUR DEVELOPMENT COMPANY LIMITED, ITS SUCCESSORS, ASSIGNS AND/OR DESIGNEES, AND/OR OTHER DESIGNATED PARTIES AS SET FORTH IN AND PURSUANT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CHRISTOPHE HARBOUR (THE "MASTER COVENANTS") AND THE OTHER GOVERNING DOCUMENTS (AS DEFINED IN THE MASTER COVENANTS), AS THEY MAY BE MODIFIED, AMENDED AND/OR SUPPLEMENTED FROM TIME TO TIME.
4. IN ACCORDANCE WITH THE MASTER COVENANTS AND THE OTHER GOVERNING DOCUMENTS, AS THEY MAY BE MODIFIED, AMENDED AND/OR SUPPLEMENTED FROM TIME TO TIME, ALL PRIMARY BUILDING SETBACKS, SECONDARY BUILDING SETBACKS, SECONDARY BUILDING ZONES, AND OVER WATER BUILDABLE AREAS SHOWN HEREON RESPECTING LOTS ARE SUBJECT TO CHANGE AND ALTERATION BY THE CHRISTOPHE HARBOUR DESIGN REVIEW BOARD TO ACCOMMODATE INDIVIDUAL HOME DESIGNS AND HOMESITE CHARACTERISTICS.

DEVELOPMENT RIGHTS-OF-WAY	0.00	ACRES
RESIDENTIAL LOTS	2.65	ACRES
OTHER LANDS	0.00	ACRES
TOTAL AREA = 2.65 ACRES		

**A SUBDIVISION PLAN OF
SANDY BANK BAY
PHASE 1
SHOWING
11 RESIDENTIAL LOTS**

SITUATE AT
ST. KITTS PENINSULA RESORT DISTRICT
IN THE PARISH OF SAINT GEORGE
ST. KITTS, WEST INDIES

**PREPARED FOR:
CHRISTOPHE HARBOUR
DEVELOPMENT COMPANY LIMITED**



D.C. Francis

SURVEYED BY:
DWIGHT C. FRANCIS
LICENSED LAND SURVEYOR
ST. KITTS & NEVIS
07 APRIL 2015

MATCH LINE SHEET 1

CURVE TABLE						LINE TABLE		
CURVE	RADIUS	LENGTH	CH BEARING	CH LENGTH	DELTA	LINE	BEARING	LENGTH
C1	150.06'	63.46'	N 77°15'49" E	62.99'	24°13'50"	L1	N 09°40'51" W	3.65'
C2	20.01'	36.82'	S 37°54'05" E	31.84'	105°26'21"	L2	S 80°19'09" W	8.54'
C3	470.18'	95.77'	S 08°58'59" W	95.60'	11°40'12"	L3	N 09°40'51" W	7.67'
C4	470.18'	62.14'	S 00°38'16" E	62.09'	7°34'19"	L4	S 80°19'09" W	9.06'
C5	470.18'	54.38'	S 07°44'14" E	54.35'	6°37'36"	L5	N 09°40'51" W	3.66'
C6	470.18'	54.39'	S 14°21'53" E	54.36'	6°37'42"	L6	N 14°36'03" W	3.65'
C7	470.18'	47.18'	S 20°33'11" E	47.16'	5°44'55"	L7	S 75°23'57" W	8.54'
C8	470.18'	11.69'	S 24°08'23" E	11.69'	1°25'27"	L8	N 14°36'03" W	7.67'
C9	86.76'	33.36'	S 35°52'02" E	33.16'	22°01'51"	L9	S 75°23'57" W	9.06'
C10	86.76'	30.32'	S 56°53'33" E	30.16'	20°01'11"	L10	N 14°36'03" W	3.66'
C11	86.76'	26.90'	S 75°47'05" E	26.79'	17°45'52"	L11	N 24°54'02" W	3.68'
						L12	S 65°05'58" W	8.54'
						L13	N 24°54'02" W	7.67'
						L14	S 65°05'58" W	9.06'
						L15	N 24°54'02" W	3.67'
						L16	N 24°48'48" W	3.65'
						L17	S 65°11'12" W	8.54'
						L18	N 24°48'48" W	7.67'
						L19	S 65°11'12" W	9.07'
						L20	N 24°39'02" W	3.67'
						L21	N 24°21'09" W	3.68'
						L22	S 65°38'51" W	8.54'
						L23	N 24°21'09" W	7.67'
						L24	S 65°38'51" W	9.06'
						L25	N 24°21'09" W	3.66'

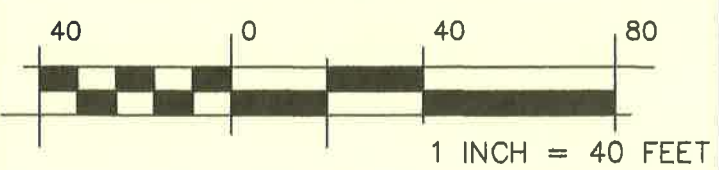
LEGEND

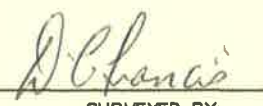
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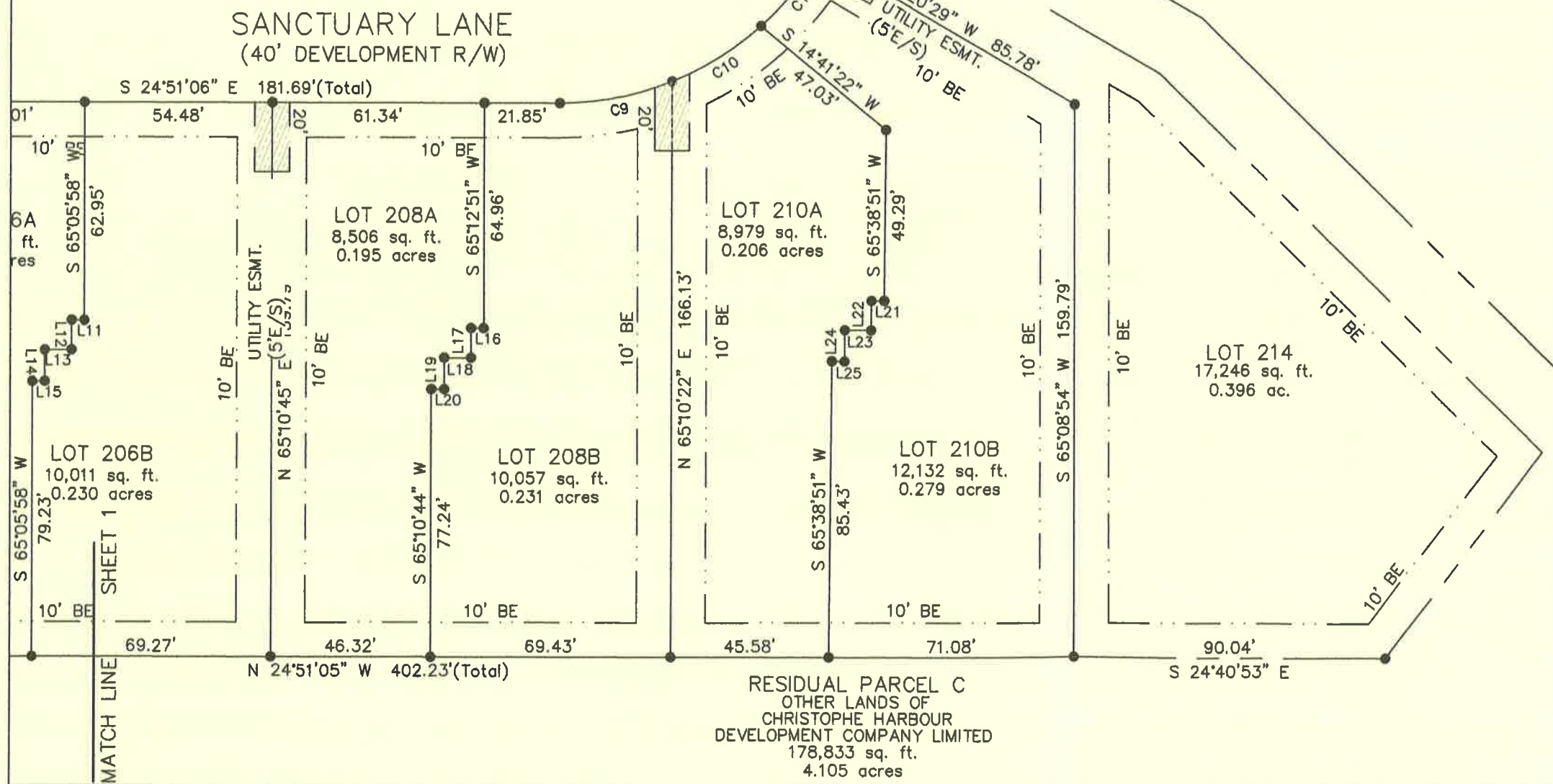
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 SURVEYED BY:
 DWIGHT C. FRANCIS
 LICENSED LAND SURVEYOR
 ST. KITTS & NEVIS
 07 APRIL 2015
 SHEET 2 OF 2



RESIDUAL PARCEL C
 OTHER LANDS OF
 CHRISTOPHE HARBOUR
 DEVELOPMENT COMPANY LIMITED
 178,833 sq. ft.
 4.105 acres

CHRISTOPHE HARBOUR
ST. KITTS

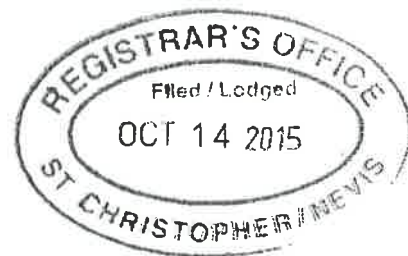
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FOR

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DEVELOPMENT COMPANY
LIMITED



Filed herein on October 14, 2015



Registrar of Titles