

CYNTHIA B FORTE
BERKELEY COUNTY
REGISTER OF DEEDS

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Instrument #: 2022039680

Receipt Number: 273941

Recorded As: BYLAWS

Recorded On: October 14, 2022

Recorded At: 11:28:06 AM

Recorded By: WK04

Book/Page: RB 4389: 885 - 888

Total Pages: 4

Return To: SIMONS & DEAN

147 WAPPOO CREEK DRIVE SUITE
604

CHARLESTON, SC, 29412

Received From: SIMONS & DEAN

Parties:

Direct- SANCTUARY COVE HOMEOWNERS

Indirect- SANCTUARY COVE HOMEOWNERS

*** EXAMINED AND CHARGED AS FOLLOWS ***

Recording Fee: \$25.00

Tax Charge: \$0.00



Cynthia B. Forte
Cynthia B Forte - Register of Deeds

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)

**FIRST AMENDMENT TO
BY-LAWS OF SANCTUARY COVE HOMEOWNERS ASSOCIATION, INC.**

WHEREAS, this is the First Amendment to By-Laws of Sanctuary Cove Homeowners Association, Inc. ("Amendment").

WHEREAS, the Sanctuary Cove Homeowners Association, Inc. ("Association") is constituted to provide and charged with the operation, care, upkeep and maintenance of the Association and its property, and is also responsible for exercising for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by the law or provisions of the Master Declaration of Covenants, Conditions and Restrictions for Sanctuary Cove ("Declaration") recorded March 20, 2008, in Book R VI 7238 at Page 125 and the By-Laws of Sanctuary Cove Homeowners Association, Inc. ("Bylaws") recorded February 28, 2022, in Book RB4161 at Page 532 with the Register of Deeds for Berkeley County, South Carolina. The Declaration was amended by that: Supplementary Declaration of Covenants and Restrictions for Sanctuary Cove, Phase 1B recorded February 11, 2009, in Book R VI 7759 at Page 97; Supplementary Declaration of Covenants, Conditions and Restrictions for Sanctuary Cove at Cane Bay, Phase 1B-2 recorded July 3, 2012, in Book 9551 at Page 270; Supplementary Declaration of Covenants, Conditions and Restrictions for Sanctuary Cove at Cane Bat, Phase 1B3 recorded October 10, 2013, in Book 10420 at Page 156; Supplementary Declaration of Covenants, Conditions and Restrictions for Sanctuary Cove at Cane Bay, Phase 2 recorded September 23, 2015, in Book 2021 at Page 403; Supplementary Declaration of Covenants, Conditions and Restrictions for Sanctuary Cove at Cane Bay, Phase 3 and Tract B17-A recorded January 16, 2018, in Book 2653 at Page 883; Supplementary Declaration to Master Declaration of Covenants, Conditions and Restrictions for Sanctuary Cove recorded July 7, 2020, in Book 3419 at Page 203; and First Amendment to Master Declaration of Covenants, Conditions and Restrictions for Sanctuary Cove recorded August 1, 2022, in Book RB4324 at Page 884 with the Register of Deeds for Berkeley County, South Carolina. The Declaration as amended and/or supplemented by the foregoing hereinafter referred to collectively as "Declaration". Also applicable are the Architectural Review Guidelines recorded January 13, 2021, in Book RB3651 at Page 973 with the Register of Deeds for Berkeley County, South Carolina. The Articles of Incorporation, Declaration, Bylaws and the Guidelines, and all promulgated rules, regulations, guidelines, policies and the like, as each may be amended or supplemented, hereinafter collectively referred to as the "Governing Documents".

WHEREAS, the Board has determined it is in the best interests of the Owners/Members, Association and community to amend the Bylaws.

WHEREAS, Section 6.1 of Article Six of the Bylaws states the Bylaws may be amended by the Board.

WHEREAS, Section 2.2 of Article Two of the Bylaws provides that a "majority of said Directors shall constitute quorum for the transaction of business. All resolutions adopted and all business transacted by the Board of Directors shall require the affirmative vote of a majority of the Directors present at the meeting."

WHEREAS, at a duly held and authorized meeting of the Board, this Amendment was put to a vote of the Board. The required quorum was present and this Amendment was approved and adopted by the requisite number of Directors on October 4, 2022.

NOW, THEREFORE, in order to protect and preserve a safe, secure, valued and attractive community, to maintain good order and property values, and to promote the common good, the Bylaws are hereby amended as follows.

1. The foregoing recitals are and shall be deemed material and operative provisions of this Amendment and not mere recitals, and are fully incorporated herein by this reference.
2. All capitalized terms used herein shall have the same meaning ascribed to them in the Declaration and Bylaws.
3. Section 2.2 of Article Two of the Bylaws is hereby amended by the deletion of the first sentence only of such section and its replacement in its entirety with the following new sentences, in bold:

The Board of Directors shall consist of five (5) members who shall be elected at an Annual Meeting of the membership and shall serve until their successors are seated. At the first election after this Amendment and successive elections thereafter, the Members shall elect a director to serve as President for a three (3) year term, a director to serve as Vice-President for a two (2) year term, a director to serve as ARB Committee Chair for a two (2) year term, a director to serve as Treasurer for a one (1) year term, and a director to serve as Secretary for a one (1) year term; except that for such first election only, the directors for the offices of President and Vice-President have already been elected with new terms starting effective January 1, 2023. A director may be re-elected to serve successive terms.

4. Section 4.1 of Article Four of the Bylaws is hereby amended by the deletion of the language of such section and its replacement in its entirety with the following new languages, in bold:

The Corporation shall have the following officers: President, Vice-President, Secretary, Treasurer and/or such officers or other officers as may be determined by the Board of Directors from time to time. One person may hold two or more officers.

Signatures on next page.

WITNESS my hand and seal this October 10, 2022.

SIGNED, SEALED AND DELIVERED
THE PRESENCE OF:

SANCTUARY COVE HOMEOWNERS IN
ASSOCIATION, INC.

Brenda Casey
Witness #1

Nick Carter
By: Nick Carter
Its: President

Emily Clark
Witness #2 / Notary Public

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within named, Nick Carter, President of Sanctuary Cove Homeowners Association, Inc., sign, seal, and as his/her act and deed, deliver the within the First Amendment to By-Laws of Sanctuary Cove Homeowners Association, Inc. for the uses and purpose therein mentioned, that s/he is not a party to or beneficiary of the transaction, and that s/he with the other witness witnessed the execution thereof.

Brenda Casey
Witness #1

SWORN and subscribed to before me this
10 day of October, 2022.

Emily Clark
Notary Public for South Carolina
Printed Name of Notary: Emily Clark
My commission expires: February 3, 2026