

PHASE 2, BAY POINTE VILLAS HORIZONTAL PROPERTY REGIME

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF CHARLESTON )

AMENDMENT NO. 1  
 TO ADD PHASE 2 TO  
 MASTER DEED

BAY POINTE DEVELOPMENT ASSOCIATES, a South Carolina General Partnership (hereinafter referred to as "Grantor") as the sole owner and fee simple of the land and improvements hereinafter described, does hereby make, declare and publish its intention and desire to submit, and does hereby submit the land and buildings hereinbelow described together with all other improvements thereon, including all easements, rights and appurtenances thereto belonging to a horizontal property regime known as Bay Pointe Villas Horizontal Property Regime in the manner provided for by Sections 27-31-10 through 27-31-300 (both inclusive) of Chapter 31, entitled "Horizontal Property Act", of the Code of Laws of South Carolina 1976.

WHEREAS, Grantor reserved the right to add additional phases to Bay Pointe Villas Horizontal Property Regime as provided in Article VII of the Master Deed for Bay Pointe Villas Horizontal Property Regime dated January 26, 1983, (sic) and recorded February 14, 1984, in Book A-135, Page 640 in the R.M.C. Office for Charleston County; and

WHEREAS, Grantor wishes to correct the typographical error as to the date of the Master Deed;

NOW THEREFORE, Phase 2, 0.83 AC. is hereby submitted to the above-referenced Master Deed and By-Laws, subject to a reservation of a portion of the land for the development of Phase 3.

1. Description of Land. The land comprising Phase 2, 0.83 AC. which is hereby submitted to the Regime is described as follows:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND together with any and all improvements thereon, situate, lying and being on Seabrook Island, County of Charleston, State of South Carolina, shown and designated as "0.83 AC." on a plat entitled, "Seabrook Island, Charleston County, South Carolina, Plat of a 1.60 AC. tract into a 0.77 AC. tract and

a 0.83 AC. tract" by E. M. Seabrook, Jr., Inc. dated August 9, 1983, and recorded August 18, 1983 in Plat Book AY, Page 15, in the R.M.C. Office for Charleston County.

Reserving, however, unto Grantor the right to Deed, upon obtaining a proper, approved subdivision plat, that portion of the 0.83 AC. shown and designated as "Area Reserved For Phase 3 0.05 AC." on the plot plan attached hereto as Exhibit "B-1", to the adjoining property owner in the event Phase 3 is never developed. In the event Phase 3 is developed, said reserved area shall become a part of Phase 3 and the overall Horizontal Property Regime. In the event Grantor does not purchase the adjoining property or does not ever obtain a proper subdivision plat, the area shown as, "Area Reserved For Phase 3 0.05 AC." shall remain and be a part of Phase 2.

SAID TRACT having such size, shape, dimensions, buttings and boundings as will by reference to said Plat more fully and at large appear.

2. Description of Buildings Phase Two. The Grantor has completed on the above-described parcel of land certain improvements including two (2) buildings containing sixteen (16) apartments, eight (8) apartments in each building.

The dimensions and location of the buildings are particularly shown and designated on the plot plan attached hereto and designated as Exhibit "B-1" which is expressly made a part hereof and incorporated herein by this reference. The dimensions, area and location of each of the apartments are shown on the floor plans attached hereto and designated Exhibits "C-4" (Certificate Building C); "C-5" (Certificate Building D); "C-6" (first floor plans) and Exhibit "C-7" (second floor plans), which are expressly made a part herein by reference. The front and rear elevations are shown on Exhibit "D-2" and a typical side elevation are shown on Exhibit "D-3" which are expressly made a part herein by this reference.

3. From and after the recording of the within Master Deed, the percentage interest of the undivided interest in the common elements appurtenant to each apartment in Bay Pointe Villas Horizontal Property

Regime shall be 3.125 percent as more fully set forth in the above-referenced Master Deed.

4. There are two (2) buildings in this Phase 2 and the common elements and the limited common elements with respect to each apartment shall be the same as defined in Article II of said Master Deed. The description of the buildings and units are more fully described in Exhibit "G-1".

5. The date of the Master Deed on Page 20 is hereby amended to read 1984 instead of 1983.

6. Except as amended herein to add Phase 2, and to correct the date of the Master Deed, all other terms and conditions of the Master Deed, as amended, shall remain and be the same and continue in full force and effect and shall apply to the property described herein and the owners of apartments thereon in the same manner and to the same extent as they apply to the property which has previously been submitted to the Regime and the owners of all apartments which are a part thereof. Phase I and Phase 2 shall now be treated as one Regime.

IN WITNESS WHEREOF, the parties hereto have set their Hands and Seals this 23rd day of February, 1984.

WITNESSES:

Sharon Jordan

Elizabeth Hunter

Sharon Jordan

Elizabeth Hunter

Paul C. Hippi

Michael J. James

BAY POINTE DEVELOPMENT ASSOCIATES,  
a Partnership

By: Bay Pointe Development Corporation, Partner

By: Geoffrey Van Wie  
Its: President

By: Bob Wood Investments, Inc., Partner

By: Scarlett A. Ferguson  
Its: Assistant Secretary

By: Fifteen Twelve Associates, Inc. Partner

By: Boyd C. Hippi  
Its: President

STATE OF SOUTH CAROLINA )  
COUNTY OF Horry )

KH 135 PG 135

PERSONALLY appeared before me the undersigned witness, who, being duly sworn, says that s/he saw the within-named Grantor, Bay Pointe Development Associates by Bay Pointe Development Corporation, Partner, by Geoffrey Van Wie, its President, sign, seal and as its act and deed, deliver the within written Amendment No. 1 to Add Phase 2 to Master Deed and that s/he with the other witness whose signature appears above witnessed the execution thereof.

Sharon Jordan

SWORN TO BEFORE ME THIS

23rd day of February, 1984.

Elizabeth H. Hicks (L.S.)  
Notary Public for South Carolina  
My Commission Expires: 2-18-91

STATE OF SOUTH CAROLINA )  
COUNTY OF Horry )

PERSONALLY appeared before me the undersigned witness, who, being duly sworn, says that s/he saw the within-named Grantor, Bay Pointe Development Associates by Bob Wood Investments, Inc., Partner, by Scarlett A. Ferguson, its Assistant Secretary, sign, seal and as its act and deed, deliver the within written Amendment No. 1 to Add Phase 2 to Master Deed and that s/he with the other witness whose signature appears above witnessed the execution thereof.

Sharon Jordan

SWORN TO BEFORE ME THIS

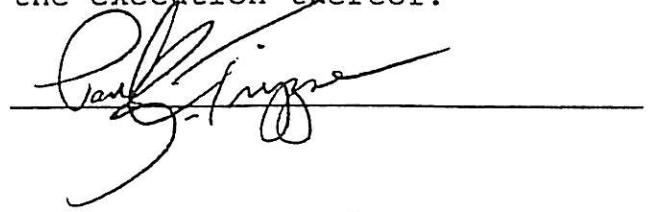
23rd day of February, 1984.

Elizabeth H. Hicks (L.S.)  
Notary Public for South Carolina  
My Commission Expires: 2-18-91

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

KH . 135 PC 136

PERSONALLY appeared before me the undersigned witness, who, being duly sworn, says that s/he saw the within-named Grantor, Bay Pointe Development Associates by Fifteen Twelve Associates, Inc., Partner by Boyd C. Hipp, II, its President, sign, seal and as its act and deed, deliver the within written Amendment No. 1 to Add Phase 2 to Master Deed and that s/he with the other witness whose signature appears above witnessed the execution thereof.



SWORN TO BEFORE ME THIS

24<sup>th</sup> day of February 1984.

Sara A. Diamond (L.S.)

Notary Public for South Carolina

My Commission Expires: Apr. 18, 1985

Exhibit "G-1"

Description of Units

KH 135PG144

Building C contains Units 2117-2120 on the first floor and Units 2121-2124 on the second floor. Building D contains Units 2125-2128 on the first floor and 2129-2132 on the second floor.

Units 2117 and 2125 are two-bedroom units containing 998 square feet and include a living room, two baths, kitchen, dining room and two decks. Units 2118 and 2126 are one-bedroom units and contain 708 square feet and have a living room/dining room combination, kitchen, one bath and one deck. Units 2119 and 2127 have 708 square feet and are also one-bedroom units and have a living room/dining room combination, kitchen, one bath and one deck. Units 2120 and 2128 are two-bedroom units containing 998 square feet and have a living room, dining room, kitchen, two baths and two decks. Typical floor plans for Units 2117, 2125, 2118, 2126, 2119, 2127, 2120 and 2128 are more fully shown on Exhibit "C-4". All decks are limited common elements.

Units 2121 and 2129 are two-bedroom units containing 998 square feet and also have a living room, dining room, kitchen, two baths and two decks. Units 2122 and 2130 are one-bedroom units containing 708 square feet and have a living room/dining room combination, kitchen, one bath and one deck. Units 2123 and 2131 are 708 square feet containing a living room/dining room combination, kitchen, one bath and one deck. Units 2124 and 2132 are two-bedroom units containing a living room, dining room, kitchen, two baths and two decks. Typical floor plans for Units 2121, 2129, 2122, 2130, 2123, 2131, 2124 and 2132 are more fully shown on Exhibit "C-5". All decks are limited common elements.

The elevations of the units are more fully shown on Exhibits "D-3" and "D-4". Exhibit "D-3" shows the approximate location of the units. All decks shown on the elevations are limited common elements.

Each unit will be assigned the use of a storage room (a limited common element). Four storage rooms are located on each floor of Building C and Building D as shown on Exhibits "C-4" and "C-5".

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KH 13590145

FILED, INDEXED & RECORDED  
H135-132  
1984 FEB 28 PM 3:32

12.00

ROBERT N. KING  
REGISTER IN CHARGE  
CHARLESTON COUNTY, S.C.

7H  
2-29-84  
149-01-00-095  
1334/49

ORRIS, DUFFY & BOONE, ATTORNEYS  
1 EAST BAY STREET  
CHARLESTON, S. C. 29401

Recorded this 28<sup>th</sup> day of Feb 19 84  
On Property Record Card

*Pauline S. Roper*

Auditor Charleston County