

FILED/RECORDED
January 8, 2019
DORCHESTER COUNTY
REGISTER OF DEEDS

Please cross reference to:

Covenants in Book 5863 at Page 305; as
Amended and Restated in Book 5984 at
Page 196

STATE OF SOUTH CAROLINA)
)
)
)
)
)
COUNTY OF DORCHESTER)

AMENDMENT TO AMENDED AND RESTATED
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
FIELDVIEW SUBDIVISION

THIS AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR FIELDVIEW SUBDIVISION, (this "Amendment") is made this 6th day of January, 2019, by FIELDVIEW HOMEOWNERS ASSOCIATION, INC., a South Carolina non-profit corporation (the "HOA").

WITNESSETH:

WHEREAS, the HOA executed and filed this certain Amendment to the Covenants, Conditions, and Restrictions for Fieldview Subdivision, dated April 4, 2007 and recorded on April 11, 2007, in the Office of the Register of Deeds for Dorchester County, South Carolina in Book 5984 at Page 196, and amended January 12, 2011, and recorded January 28, 2011, in the Office of the Register of Deeds for Dorchester County, South Carolina in Book 7783 Page 101, and this Amendment collectively herein, restricting certain real property located in the County of Dorchester, State of South Carolina generally known as Fieldview and being more particularly described in Exhibit "A" to the Declaration, as amended (the "Property"); and

WHEREAS, pursuant to the terms of Section 9.1 of the Declaration, the Declaration may be amended by an affirmative vote of at least seventy-five percent (75%) of the then existing Board of Directors; and

WHEREAS, as evidenced by that certain Certification of the Vote of the Board of Directors of Fieldview Homeowners Association, Inc. to Amend the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Fieldview Subdivision (the "Certification") attached hereto as Exhibit "A", as of the date of the execution of the Amendment Eighty percent (80%) of the current Board of Directors have voted to amend the Declaration according to the provisions of this Amendment; and

WHEREAS, the HOA now desires to amend the Declaration to clearly delineate certain assessment liabilities;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) the premises herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledge, the HOA hereby declares and agrees that the real property previously submitted to the Declaration, is and shall be held, transferred, sold, and conveyed and occupied subject to the covenants, restrictions, easement, charges and liens hereinafter set forth and as already set forth in the Declaration, as amended, and the said Declaration shall be further amended as follows:

Return to: S. Hanson
122 Turner Field Way
Summerville SC 29485

1. Any capitalized term used but not defined herein shall have the meaning ascribed to it in the Declaration.

2. New Paragraph 2.2.2.1 is hereby added to Section 2 of the Declaration (bold italics for emphasis only):

2.2.2.1 Common Area Encroachment.

Property owners whose property is adjacent to the HOA common area pathways and ponds may encroach into unimproved areas adjacent to their property for the purpose of landscaping only, with the understanding they shall have no ownership of the areas of improvement. All such areas shall be maintained to community standards and any improvements shall be approved by the ARB prior to improvements being made.

Property owners understand and agree that should they elect to improve these areas, these improvements as noted for this section shall be defined as the planting of shrubbery, small trees, seasonal flowers, etc. Property owners also understand and agree that no structures, patios, fences, irrigation systems, pergolas, and/or any permanent improvements other than landscaping may encroach into the common areas.

3. Except as modified in this Amendment, the Declaration, as previously amended, shall remain in full force and effect.

(Balance of page intentionally blank. Signatures on following page.)

EXHIBIT "A"

CERTIFICATION OF THE VOTE OF THE BOARD OF DIRECTORS OF FIELDVIEW HOMEOWNERS ASSOCIATION, INC., TO AMEND THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, FOR FIELDVIEW SUBDIVISION

Personally appeared before me Duane Honea, the Secretary for the Association known as the Fieldview Homeowners Association, Inc., who, being duly sworn, alleges and states as follows:

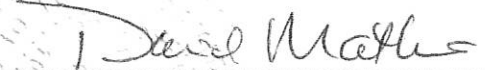
1. I am the duly elected Secretary of the Fieldview Homeowners Association, Inc., a South Carolina non-profit corporation.
2. I am over twenty-one (21) years of age and make this Affidavit on my own personal knowledge.
3. On October 4, 2018, there occurred a meeting of the Board of Directors of the Fieldview Homeowners Association, Inc. (the "Board of Directors").
4. At that meeting and/or prior to the meeting by written consent of the Board of Directors, Eighty percent (80%) of the Board of Directors voted to affirm the proposed amendment of that certain Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Fieldview Subdivision.
5. It should be noted that Kim Collins was absent from the meeting held on October 4, 2018, and, thus, did not cast a vote.
6. I am authorized to certify the vote of the Board of Directors of the Fieldview Homeowners Association, Inc., and I certify the vote to have been as stated herein, and

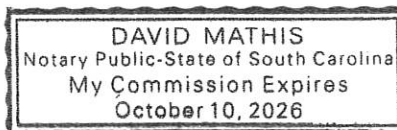
FURTHER THE AFFIANT SAYETH NOT.



Secretary of the Fieldview Homeowners Association, Inc.

SWORN TO BEFORE ME THIS
6th day of January, 2019


Notary Public for South Carolina
My Commission expires: October 10, 2026



MARGARET L BAILEY
DORCHESTER COUNTY
REGISTER OF DEEDS

201 Johnston Street ~ Saint George, SC 29477 (843) 563-0181

*** THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE ***



Instrument #: 2019000553
Receipt Number: 57822 Return To: S HANSON
Recorded As: RESTRICTIONS
Recorded On: January 08, 2019
Recorded At: 02:48:28 PM Received From: S HANSON
Recorded By: NW Parties:
Book/Page: RB 11700: 5 - 9 Direct- FIELDVIEW HOMEOWNERS ASSOCIATION
Total Pages: 5 Indirect- FIELDVIEW SUBDIVISION

*** EXAMINED AND CHARGED AS FOLLOWS ***

Recording Fee: \$10.00
Tax Charge: \$0.00



Margaret Bailey

Margaret Bailey - Register of Deeds