



**Marsh Pointe Homes Owners Association**

**BOARD OF DIRECTORS  
RESOLUTION/MINUTES OF ACTION**

**Late Charge for Late Payment of Assessments  
and  
Standards for Exterior Repairs and Improvements November 2021**

WHEREAS, the Board of Directors ("Board") of Marsh Pointe Homes Owners Association ("Association") is constituted to provide, and charged with, as applicable, the care, upkeep, administration and maintenance of the community, 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 Covenants of Marsh Pointe Homes Seabrook Island ("Declaration") and By-Laws of Marsh Pointe Homes Owners Association ("Bylaws") recorded August 9, 1979, in Book Z119 at Page 389 and re-recorded August 20, 1979, in Book C120 at Page 115 with the Charleston County Register of Deeds. The Declaration was amended by that: Amendment to Covenants of Marsh Pointe Homes Seabrook Island recorded August 29, 1991, in Book Y205 at Page 001 ("1<sup>st</sup> Amendment), and Second Amendment to Covenants of Marsh Pointe Homes, Seabrook Island recorded May 24, 2010, in Book 0124 at Page 011 with the Charleston County Register of Deeds. The Declaration as amended and/or supplemented by the foregoing hereinafter individually and collectively also the "Declaration". The Bylaws were amended by that: Certification of Amendment of By-Laws recorded May 18, 1984 in Book F137, at Page 862; Certification of Amendment of By-Laws recorded May 18, 1984 in Book F137, at Page 864; and Amendment to By-laws of Marsh Pointe Homes Seabrook Island recorded August 29, 1991, in Book W205 at Page 423 with the Charleston County Register of Deeds. The Bylaws as amended and/or supplemented by the foregoing hereinafter individually and collectively also the "Bylaws". The Articles of Incorporation, Declaration, Bylaws, and any promulgated rules, regulations, guidelines, policies and the like hereinafter collectively referred to as "Governing Documents".

WHEREAS, Section 4 of Article IV of the Bylaws states that "a majority of the Directors in office shall constitute a quorum for the transaction of business." It further provides that the "act of a majority of Directors present at any meeting at which there is a quorum shall be the act of the Board of Directors . . ."

WHEREAS, Section 5 of the Declaration provides for late charges on the late payment of assessments as determined by the Board.

WHEREAS, the South Carolina Homeowners Association Act, S.C. Code Ann. Section 27-30-110, et seq., requires all existing homeowner association's governing documents, rules, regulations, and amendments be recorded.

WHEREAS, the Board has determined to affirm, approve and adopt this Resolution and re-approves, re-affirms and re-adopts the Standards for Exterior Repairs and Improvements

November 2021, attached hereto as Exhibit A and incorporated herein by reference, and to record same.

WHEREAS, a duly held and authorized meeting of the Board was held and this Resolution and the attached Standards for Exterior Repairs and Improvements November 2021 were put to a vote of the Board. The required quorum was present and this Resolution was approved, affirmed and adopted by the requisite members of the Board.

NOW THEREFORE, BE IT RESOLVED, in order to protect and assure an attractive, high-quality community, and to best maintain and preserve the community and Association, the Board hereby affirms, approves and adopts this Resolution and re-approves, re-affirms and re-adopts the Standards for Exterior Repairs and Improvements November 2021, attached hereto as Exhibit A and incorporated herein by reference as follows:

1. The foregoing whereas paragraphs and recitals are and shall be deemed material and operative provisions of this Resolution, 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, unless the context shall clearly suggest or imply otherwise.

3. **Late Charge for Late Payment of Assessments.** The Board hereby clarifies, approves, affirms and adopts **that a late charge in the amount of Twenty-five Dollars (\$25.00) per month shall be applicable for the late payment of assessments.**

4. **Standards for Exterior Repairs and Improvements November 2021.** The Board hereby re-approves, re-affirms and re-adopts the Standards for Exterior Repairs and Improvements November 2021, attached hereto as Exhibit A and incorporated herein by reference.

5. This Resolution and the Standards for Exterior Repairs and Improvements November 2021, attached hereto as Exhibit A and incorporated herein by reference, are hereby approved, affirmed and adopted by the Board October 9, 2023.

6. The Association, or its designee, shall notify its Members/Owners of this Resolution by (a) either posting it in a conspicuous place in a common area or on a website maintained by the Association, where they can be downloaded, (b) electronic mail delivery, or (c) such other methods as may be provided by the Bylaws or Declaration that provide actual notice. MEMBERS/OWNERS ARE RESPONSIBLE FOR NOTIFYING THEIR TENANTS, OCCUPANTS AND RESIDENTS.

7. Each member of the Board expressly waives notice requirement, if any, for the meeting, and each voting in favor has signed his/her name below.

*[Signatures on following page.]*

**BOARD OF DIRECTORS OF MARSH POINTE HOMES OWNERS ASSOCIATION:**

Hy E. Esh  
Board Member/Director

10/9/2023  
Date

Robert Matthews  
Board Member/Director

10/9/2023  
Date

John J. Fyfe  
Board Member/Director

10/9/2023  
Date

[Signature]  
Board Member/Director

10/9/23  
Date

Regina Carullo  
Board Member/Director

10/9/2023  
Date

\_\_\_\_\_  
Board Member/Director

\_\_\_\_\_  
Date

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**Filed By:**

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MARSH POINTE HOA

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