

RESOLUTION/MINUTES OF ACTION

TAKEN BY THE BOARD OF DIRECTORS OF River Towne Property Owners Association

WHEREAS, River Towne Property Owners Association ("Association") is the governing body for the River Towne subdivision.

WHEREAS, pursuant to the Declaration of Covenants, Conditions and Restrictions for River Towne, as may be amended, ("Declaration") and the Bylaws of River Towne Property Owners Association, as may be amended, ("Bylaws") recorded March 14, 1995, in Book K253 at Page 547 in the Register of Deeds for Charleston County, and the South Carolina Nonprofit Corporation Act, S.C. Code Ann. Sect. 33-31-101, *et seq.* (1976, as amended)("Nonprofit Act"), the Board of Directors ("Board") of the Association shall have the powers and duties necessary for the administration of the affairs of the Association.

WHEREAS, Section 33-31-302 of the Nonprofit Act provides that the Association "has the same powers as an individual to do all things necessary or convenient to carry out its affairs" Such powers include, without limitation, the power:

(18) to do all things necessary or convenient, not inconsistent with law, to further the activities and affairs of the corporation.

WHEREAS, the Bylaws, in Article X provides that the Board shall have the power to adopt and publish rules and regulations governing the use of the Common Area and Recreational Amenities, and the personal conduct of the Members and their guests thereon, [and] to exercise for the Association all powers, duties and authority vested in or delegated to this Association."

WHEREAS Section 4.18 of the Declaration states that no birds or poultry shall be "raised, bred or kept" by any owner subject to the rules and regulations adopted by the Association and no such bird or poultry shall make an unreasonable amount of noise or become a nuisance.

WHEREAS Section 4.19 of the Declaration states that "each Owner...shall refrain from any act or use which could cause disorderly, unsightly or unkempt conditions or which could cause embarrassment, discomfort, annoyance, or nuisance to the occupants of other portions of the Development...or which would be in violation of any law."

WHEREAS, it appears that members of the Association may be or have been feeding wild animals within the confines or property of the Association, including, but not limited to wild geese and/or ducks or other waterfowl;

WHEREAS the feeding of wild animals poses a risk of creating an embarrassment, discomfort, annoyance, or nuisance to the occupants of the Association, including the risk of

excessive noise and/or property damage.

WHEREAS the feeding of wild animals and waterfowl is both detrimental to the animals and causes a public health nuisance and safety hazard that is detrimental to the health and general welfare of the public.

WHEREAS, the Board of Directors, in order to promote the health, safety and welfare of all residents of the Association, has decided to issue this Resolution and to thereafter promulgate a rule or regulation prohibiting the feeding of any wild animals by owners, residents, occupants, tenants, guests or invitees within the Association property.

WHEREAS, a duly held and authorized meeting of the Board was held on April 19, 2017, and the within Resolution was put to a vote of the Board.

WHEREAS, the required quorum was present and the within Resolution was approved by the requisite number of the Board of Directors.

NOW THEREFORE, BE IT RESOLVED that pursuant to the above provisions, at the duly called Board meeting on April 19, 2017, the Board voted to approve the following:

1. The feeding of any wild animals, including waterfowl or other migratory birds, by any owner, resident, occupant, tenant, guest or invitee within the confines of the Property, as defined in the Declaration of Covenants, Conditions and Restrictions for River Towne is hereby strictly prohibited.
2. In accordance with the provisions of Sections 12.2 and 13.4 of the Declaration, any Owner who violates the Association's prohibition regarding the feeding of wild animals shall be subject to fines or any other enforcement provisions as set forth therein.

Each Board Member/Director voting in favor of this resolution, which constitutes a quorum and a majority of the Board, has signed his/her name below, and by signing below, s/he acknowledges that this Resolution shall be effective on April 19, 2017, and that the original of this document shall be kept with the records of the Association.

Minist Kline
Board Member/Director

4/21/17
date

Don Gray
Board Member/Director

4/25/17
date

[Signature]
Board Member/Director

4/22/17
date

Carolee Butler
Board Member/Director

4/25/17
date

[Signature]
Board Member/Director

4/25/2017
date