

STATE-OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)



**FIRST AMENDMENT TO
MASTER DEED TURN OF RIVER HORIZONTAL PROPERTY REGIME;
BY-LAWS TURN OF RIVER OWNERS ASSOCIATION, INC.;
DOCK RULES AND REGULATIONS FOR TURN OF RIVER HORIZONTAL
PROPERTY REGIME; and
RULES AND REGULATIONS TURN OF RIVER OWNERS ASSOCIATION, INC.**

WHEREAS, this is an amendment ("Amendment") to the "MASTER DEED TURN OF RIVER HORIZONTAL PROPERTY REGIME" dated June 19 [sic], 1999, and recorded June 10, 1999, in Book F328, Page 547, and re-recorded on March 6, 2000, in Book M343, Page 840 ("Master Deed"); to the "BY-LAWS TURN OF RIVER OWNERS ASSOCIATION, INC." dated June 19 [sic], 1999, and recorded June 10, 1999, in Book F328, Page 601, and re-recorded on March 6, 2000, in Book M343, Page 894 ("By-Laws"); to the "DOCK RULES AND REGULATIONS FOR TURN OF RIVER HORIZONTAL PROPERTY REGIME" dated June 19 [sic], 1999, and recorded June 10, 1999, in Book F328, Page 593, and re-recorded on March 6, 2000, in Book M343, Page 886 ("Dock Rules"); and to the "RULES AND REGULATIONS TURN OF RIVER OWNERS ASSOCIATION, INC." dated June 19 [sic], 1999, and recorded June 10, 1999, in Book F328, Page 586, and re-recorded on March 6, 2000, in Book M343, Page 879 ("Rules and Regulations").

WHEREAS, the Master Deed authorizes the amendment by the Turn of River Owners Association, Inc. ("Association") of the same upon the vote of at least two-thirds (2/3) of the Common Interests at a duly called meeting of the Association.

WHEREAS, the By-Laws authorize the amendment by the Association of the same upon the vote of at least fifty-one (51%) of the Common Interests at a duly called meeting of the Association.

WHEREAS, the Master Deed and the By-Laws authorize the Board of Directors to adopt, amend and repeal reasonable rules and regulations governing the use and operation of the property, including the Rules and Regulations and the Dock Rules.

WHEREAS, at a duly called meeting of the owners of Turn of River ("TOR") held on January 5, 2013, this Amendment of the Master Deed and By-Laws (and any prior amendment thereto, if any) was put to a vote of the Owners.

WHEREAS, the Amendment of the Master Deed and By-Laws was approved by the requisite amount of the Common Interests as required by the Master Deed and the By-Laws, and as certified by the President and Secretary of the Association as set forth in Exhibit A, attached hereto and incorporated herein by reference, and the results of the vote have been duly certified by the

Association.

WHEREAS, at a duly called meeting of the Board of Directors of TOR ("Board") held on November 26, 2012, this Amendment of the Rules and Regulations and Dock Rules (and any prior amendment thereto, if any) was put to a vote of the Board.

WHEREAS, the Amendment of the Rules and Regulations and Dock Rules was approved by the majority of the Board as required by the Master Deed and the By-Laws.

WHEREAS, the Owners and the Board acknowledge and agree that the terms, including the Whereas provisions, of this Amendment are contractual and not merely recital.

NOW, THEREFORE, the Master Deed, the By-Laws, Rules and Regulations, and Dock Rules (and any prior amendments to any of them) are hereby amended as follows:

A. Amendments to the Master Deed:

1. The following amendment to the Master Deed shall be added as a new paragraph at the end of Subsection (i), Effect of Non-Payment of Assessments, of Article VI, Section 1:

The Board of Directors may restrict or suspend use of the Common Areas and Limited Common Areas for any Owner (a) who is more than ninety (90) days past due on any Assessments or other financial obligations to the Association; or (b) whose account balance of past due monies owed to the HOA is greater than Two Thousand Five Hundred (\$2,500) Dollars. The Common Areas and Limited Common Areas which may be restricted or suspended by the Board of Directors include, but are not limited to, access to and/or use of the pool, parking, dock and cable television services. Any restriction or suspension of an Owner's use extends to and includes the families, tenants, guests, agents, invitees, contractors, employees and/or others of Owner. Any restriction or suspension by the Board of Directors pursuant to this section supercedes the rights and authority, if any, of the Owner to use and access the Common Areas and Limited Common Areas as may be set forth in the By-Laws, Rules and Regulations and/or the Dock Rules (as may be amended). The Board of Directors may, in its discretion, determine which Common Areas and Limited Common Areas (none, some or all) to restrict or suspend for any or each such delinquent Owner and, in its discretion, may alter or enlarge such restrictions and suspensions from time to time for any or each such delinquent Owner. The Board of Directors may also, in its discretion, waive such restrictions and suspensions if it determines, in its sole discretion, that the failure to pay the sums due to the Association was caused by circumstances beyond the control of the Owner. No Owner may waive or otherwise escape liability for any Assessments or other financial obligation to the Association as a result of any restriction or suspension of such Owner's use of any Common Areas or Limited Common Areas, nor shall any such restriction or suspension create a basis for or a defense to any such non-payment or late payment for any such Owner.

2. The following amendment to the Master Deed shall correct a typographical error in

"EXHIBIT "H" PERCENTAGES OF COMMON INTERESTS" to the "Undivided % Interest in Common Area" for "Each Unit Except Units 1H, 2H, 3H and 4H" correcting the percentage from 3.3358% to 3.2258% as follows:

<u>UNITS</u>	<u>VALUE OF EACH</u>	<u>UNDIVIDED % INTEREST IN COMMON AREA</u>	<u>TOTAL VALUE THESE UNITS</u>	<u>TOTAL % THESE UNITS</u>
Each Unit <u>Except</u> Units 1H, 2H, 3H and 4H	\$200,000	3.2258%	\$5,600,000	90.3224%
Units 1H, 2H, 3H and 4H	\$150,000	2.4194%	\$ 600,000	9.6776%
TOTALS			\$6,200,000	100%

3. The following amendment to the Master Deed shall be added after the last sentence of the first paragraph of Section 3 of Article V, Notice Procedure:

Notices required or permitted under the terms of this Agreement shall also be proper if delivered by e-mail, in which case notice shall be deemed to occur within seventy-two (72) hours after the send date of the e-mail. Any owner may opt out of this provision allowing e-mail notification by notifying the Association in writing of his desire to receive notice only as otherwise set forth herein.

4. The following amendment to the Master Deed shall be added after the Association's P.O. Box mailing address in the third paragraph of Section 3 of Article V, Notice Procedure:

or c/o Turn of River Owners Association, Inc., [e-mail address for association]

5. Any other provision of the Master Deed referencing notice and not specifically referred to herein, if any, shall also be amended to permit delivery by e-mail.

6. The following amendment to the Master Deed shall be made to Article V, Section 4(b):

All maintenance, repairs and replacements to the Common Area and Limited Common Area, whether located inside or outside of the Units, shall be made by the Association and be charged to all the Unit Owners as a Common Expense (other than (1) maintenance of and repairs to the Common Area contained therein which are necessitated by the negligence, misuse or

neglect of the Owner of such Unit or such Owner's invitees or licensees and (2) any costs of constructing, repairing or maintaining any improvement to a Limited Common Area such as flooring, ceiling fans, screens, windows, awnings, panels, tiles, etc. which is not part of the original improvements in or to the Limited Common Area but have been added by a current or previous Owner of the Unit which shall be paid by the Owner of the Unit who has direct access to that Limited Common Areas from their bedroom or living room, including, but not limited to screened porches, any other provision herein related thereto notwithstanding.)

B. Amendments to the By-Laws:

1. The following amendment to the By-Laws shall be added after the last sentence of Section 3.4 of Article III, Notice of Meetings:

Notice of meetings shall also be proper if delivered by e-mail no less than ten (10) days and no more than sixty (60) days before the meeting date. Any owner may opt out of this provision allowing e-mail notification by notifying the Association in writing of his desire to receive notice only as otherwise set forth herein.

2. The following amendment to the By-Laws shall be added after the last sentence of Section 4.1 of Article IV, Board of Directors:

Notwithstanding the foregoing, the Board shall be prohibited from entering into any self-renewing contract, except and unless such self-renewing contract requires that the vendor or other party to the contract notifies the Board in writing of such pending self-renewal no later than six (6) months prior to any self-renewal date and permits the Board, without penalty, to opt-out of the contract's self-renewal and/or to terminate the contract on the eve of self-renewal.

3. The following amendment to the By-Laws shall be added after the last sentence of the first paragraph of Section 10.1 of Article X, Notices:

Notices required hereunder shall also be proper if delivered by e-mail, in which case notice shall be deemed to occur seventy-two (72) hours after the send date of the e-mail. Any owner may opt out of this provision allowing e-mail notification by notifying the Association in writing of his desire to receive notice only as otherwise set forth herein.

4. The following amendment to the By-Laws shall be added after the Association's P.O. Box mailing address in the third paragraph of Section 10.1 of Article X, Notices:

or c/o Turn of River Owners Association, Inc., [e-mail address for association]

5. Any other provision of the By-Laws referencing notice and not specifically referred to herein, if any, shall also be amended to permit delivery by e-mail.

C. Amendments to the Dock Rules:

1. The following amendment to the Dock Rules and Regulations shall be added after the last sentence of the first paragraph of Section 7, Notice Procedure:

Notices required hereunder shall also be proper if delivered by e-mail, in which case notice shall be deemed to be given seventy-two (72) hours after the send date of the e-mail. Any owner may opt out of this provision allowing e-mail notification by notifying the Association in writing of his desire to receive notice only as otherwise set forth herein.

2. The following amendment to the Dock Rules and Regulations shall be added after the Association's P.O. Box mailing address in the third paragraph of Section 7, Notice Procedure:

or c/o Turn of River Owners Association, Inc., [e-mail address for association]

3. Any other provision of the Dock Rules referencing notice and not specifically referred to herein, if any, shall also be amended to permit delivery by email.

D. Amendments to the Rules and Regulations:

1. Any provision of the Rules and Regulations referencing notice and not specifically referred to herein, if any, shall also be amended to permit delivery by e-mail. Any owner may opt out of this provision allowing e-mail notification by notifying the Association in writing of his desire to receive notice only as otherwise set forth herein.

IN WITNESS WHEREOF, the parties hereunto have set their hands and seals this 17th day of January, 2013.

IN THE PRESENCE OF:

TURN OF RIVER OWNERS ASSOCIATION, INC.:

Buddy R...
Witness

[Signature]
Witness

[Signature]
Witness

[Signature]
Witness

Chantal A Murrell
Witness

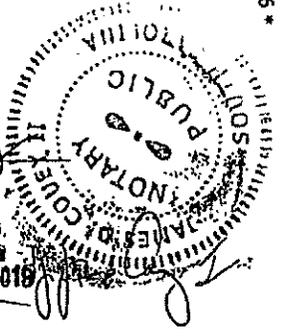
Antia Case
Witness

Shirley B. Browning
Witness

Martha M. Fields
Witness

[Signature]
President

JAMES D. COUEY II
NOTARY PUBLIC
State of South Carolina
My Commission Expires 1/30/2018



[Signature]
Vice President

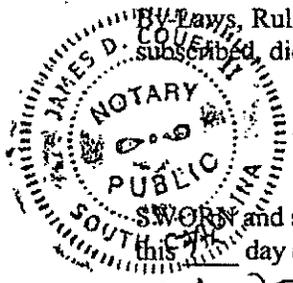
Marty McDonald
Treasurer

Tammy Moore
Secretary

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGMENT

PERSONALLY APPEARED BEFORE ME the undersigned witness and made oath that he/she saw the within named Turn of River Owners Association, Inc. by Joseph R. McSkill Jr. its President, sign, seal and as his/her act and deed, deliver the within Amendment to Master Deed, By-Laws, Rules and Regulations and Dock Rules; and that he/she with the other witness above subscribed, did witness the due execution thereof.



[Signature]
Signature of Witness

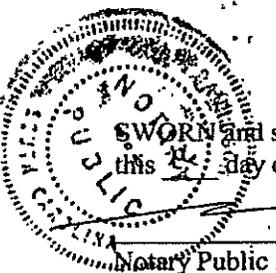
SWORN and subscribed to before me
this 13th day of January, 2012. 2013

[Signature]
Notary Public for S.C.
My commission expires: 1/30/2019
James D. Couey II
NOTARY PUBLIC
State of South Carolina
My Commission Expires 1/30/2019

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGMENT

PERSONALLY APPEARED BEFORE ME the undersigned witness and made oath that he/she saw the within named Turn of River Owners Association, Inc. by Ben Panton, its Vice-President, sign, seal and as his/her act and deed, deliver the within Amendment to Master Deed, By-Laws, Rules and Regulations and Dock Rules; and that he/she with the other witness above subscribed, did witness the due execution thereof.



[Signature]
Signature of Witness

SWORN and subscribed to before me
this 13th day of Jan, 2012.

[Signature]
Notary Public for S.C.
My commission expires: 3'2'22

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGMENT

PERSONALLY APPEARED BEFORE ME the undersigned witness and made oath that he/she saw the within named Turn of River Owners Association, Inc. by Marty McDowell its Treasurer, sign, seal and as his/her act and deed, deliver the within Amendment to Master Deed, By-Laws, Rules and Regulations and Dock Rules; and that he/she with the other witness above subscribed, did witness the due execution thereof.

Anta Case
Signature of Witness

SWORN and subscribed to before me this 10 day of January, 2012. ³

Susan M. Thais
Notary Public for S.C. T.N.
My commission expires: 4-3-16



STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGMENT

PERSONALLY APPEARED BEFORE ME the undersigned witness and made oath that he/she saw the within named Turn of River Owners Association, Inc. by Nancy Moore, its Secretary, sign, seal and as his/her act and deed, deliver the within Amendment to Master Deed, By-Laws, Rules and Regulations and Dock Rules; and that he/she with the other witness above subscribed, did witness the due execution thereof.

Lillian B. Browning
Signature of Witness

SWORN and subscribed to before me this 14 day of January, 2012. ²⁰¹³

Martina Estreida
Notary Public for S.C.
My commission expires: 1-27-20

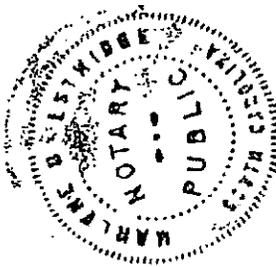


EXHIBIT "A"

CERTIFICATION OF THE PRESIDENT AND SECRETARY OF TURN OF RIVER OWNERS ASSOCIATION, INC.

Personally appeared before me Joseph R. McGee the President of Turn of River Owners Association, Inc., and Nancy Moore, Secretary of the Turn of River Owners Association, Inc., who, both being duly sworn, alleges and states as follows:

1. We are the duly elected President and Secretary of Turn of River Owners Association, Inc.
2. We are each over twenty one (21) years of age and make this Affidavit on personal knowledge.
3. On January 5, 2013, there occurred a regularly scheduled meeting of the members of Turn of River Owners Association, Inc.
4. At that meeting, and/or prior to the meeting by written consent of the members, two-thirds (2/3) or more of the Common Interests of the Turn of River Owners Association, Inc. voted to amend the Master Deed and fifty-one (51%) or more of the Common Interests of the Turn of River Owners Association, Inc. voted to amend the By-Laws to add the provisions cited in the First Amendment to which this Exhibit "A" is attached.
5. On November 26, 2012, there occurred a regularly scheduled meeting of the Board of Directors of Turn of River Owners Association, Inc.
6. At that meeting, and/or prior to the meeting by written consent of the Board members, the majority or more voted to amend the Rules and Regulations and Dock Rules to add the provisions cited in the First Amendment to which this Exhibit "A" is attached.
7. We have certified and are hereby certifying the vote of the membership of Turn of River Owners Association, Inc., and we each certify the vote to have been as stated herein.

FURTHER THE AFFIANTS SAYETH NOT.

Witnesses:

[Signature]
[Signature]

[Signature]
President
Turn of River Owners Association, Inc.

SWORN and subscribed to before me
this 14 day of January, 2013.

[Signature]
Notary Public for South Carolina
My Commission Expires: 1/30/2019
James D. Couey II
NOTARY PUBLIC
State of South Carolina
My Commission Expires 1/30/2019

[Signature]

[Signature]
Secretary
Turn of River Owners Association, Inc.

SWORN and subscribed to before me
this 14 day of January, 2013.

[Signature]
Notary Public for South Carolina
My Commission Expires: 1-27-20

[Signature]
NOTARY PUBLIC
SOUTH CAROLINA

RECORDER'S PAGE



NOTE: This page MUST remain with the original document

2/28/13

Filed By:

SIMONS & DEAN ATTY AT LAW
147 WAPPOO CREEK DR
STE 604
CHARLESTON SC 29412

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Charlie Lybrand, Register Charleston County, SC		

RMC BK 0306 Pg 154 : pg 11 *

MAKER:

TURN OF RIVER ETC

Note:

RECIPIENT:

NA

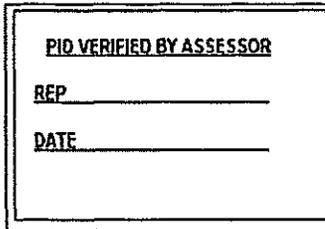
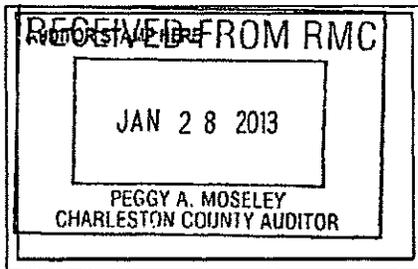
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