

RECEIVED 1/6/2023  
PER CLERK  
ROD OFFICE SW  
CHARLESTON COUNTY, SC

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )

Book 1157 Page 390

**SECOND AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
SELKIRK PLANTATION**

WHEREAS, this is the Second Amendment to Declaration of Covenants, Conditions and Restrictions for Selkirk Plantation ("Amendment").

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Selkirk Plantation ("Declaration") re-recorded July 1, 1997 in Book J286 at Page 626 and the Bylaws of Selkirk Plantation Property Owners, Inc. ("Bylaws") were recorded January 6, 2023 in Book D157, at Page 389; Amendment to the Declaration of Covenants, Conditions and Restrictions for Selkirk Plantation recorded August 14, 2001 in Book V379, at Page 259 ("1st Amendment"). Hereinafter, the Declaration, Bylaws and 1st Amendment, collectively referred to as "Governing Documents".

WHEREAS, Section 8.2 of Article 8 of the Declaration authorizes amendment of the Declaration by "an affirmative vote or affirmative written consent of a Super-Majority, ..."

WHEREAS, via a written or electronic ballot in lieu of a meeting, this Amendment was put to a vote of the Owners/Members. The required quorum was present and this Amendment was approved by the requisite number of Members/Owners on January 19, 2022 and has been certified as provided in Exhibit A, attached hereto and incorporated herein by reference.

NOW, THEREFORE, in order to protect and preserve a safe, secure, valued and attractive community, to maintain good order and property values, and to promote the common good, the Declaration is hereby amended as follows.

1. The foregoing recitals are and shall be deemed material and operative provisions of this Amendment 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. Subsection 5.8 of Article 5 of the Declaration shall be amended to include the following new section, in bold:

**5.8 (A) Capital Contribution. Except as otherwise provided in this Section. upon the sale and transfer of title to any Parcel or Lot improved by a house and subject to this Declaration, each Purchaser shall pay to the Association a Capital Contribution fee in the amount of one quarter of one percent (0.025%) of the total cost to the purchaser of the Parcel or Lot, as such cost is**

**shown for purposes of calculating the Recording Fee imposed by Charleston County, South Carolina on the transfer of title, but excluding taxes and stamps or other fees charged by Charleston County, South Carolina on such transfer. Such Capital Contribution fee shall be the obligation of transferee purchaser.**

4. Except as specifically modified hereby, the Declaration shall remain in full force and effect. To the extent there is a conflict between this Amendment and the Declaration, this Amendment shall control.

*Signatures on next page.*

30

IN WITNESS WHEREOF, the parties hereunto have set their hands and seals as of the date first above written.

IN THE PRESENCE OF:

SELKIRK PLANTATION PROPERTY OWNERS ASSOCIATION

[Signature]  
Witness #1

[Signature]  
By: Patrick Fenne II  
Its: Co-President

[Signature]  
Witness #2

STATE OF SOUTH CAROLINA )

ACKNOWLEDGMENT

COUNTY OF CHARLESTON )

PERSONALLY APPEARED BEFORE ME the undersigned witness and made oath that he/she saw the within named Patrick Fenne II, President of Selkirk Plantation Property Owners Association, sign, seal, and as his/her act and deed, deliver the within Second Amendment to Declaration of Covenants, Conditions and Restrictions for Selkirk Plantation. for the uses and purpose therein mentioned, that s/he is not a party to or beneficiary of the transaction, and that s/he with the other witness witnessed the execution thereof.

[Signature]  
Witness #1

SWORN and subscribed to before me  
this 19th day of January, 2022

[Signature]  
Notary Public for South Carolina

Printed Name of Notary: Karen Fennell

My commission expires: May 19, 2030

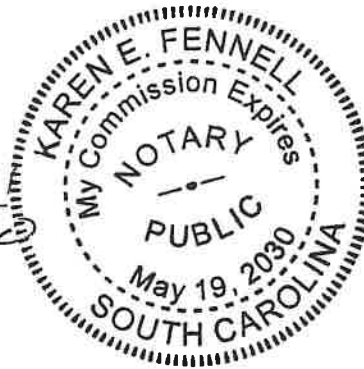


EXHIBIT A

CERTIFICATION

Personally appeared before me: Patrick Fennell, President of Selkirk Plantation Property Owners Association, who being duly sworn, allege and state as follows:

1. I am the duly elected President of Selkirk Plantation Property Owners Association.

2. I am over eighteen (18) years of age, competent, and make this Certification on personal knowledge.

4. Via written consent/written-electronic ballot in lieu of a meeting the foregoing Second Amendment to Declaration of Covenants, Conditions and Restrictions for Selkirk Plantation, to which this Exhibit A is attached, was put to a vote of the Owners/Members. The required quorum was present and such amendment was approved by the requisite number of Owners/Members, and the agreement of the required parties was lawfully obtained.

5. I have certified, and am hereby certifying, the vote of the Owners/Members of Selkirk Plantation Property Owners Association., and I certify the vote to have been as stated herein.

FURTHER THE AFFIANTS SAYETH NOT.

Selkirk Plantation Property Owners Association

[Signature]  
By: Patrick Fennell  
Its: President

SWORN and subscribed to before me this 19<sup>th</sup> day of January, 2020.

[Signature]  
Notary Public for South Carolina  
Printed Name of Notary: Karen Fennell  
My Commission Expires: May 19, 2030

