



BP1143497

STATE OF SOUTH CAROLINA            )  
   )  
 COUNTY OF CHARLESTON            )    CERTIFICATION OF AMENDMENT  
   )    TO BY-LAWS OF TURTLE BAY  
   )    OWNERS ASSOCIATION, INC.

THIS is certification that the By-Laws of TURTLE BAY OWNERS ASSOCIATION, INC., recorded in the ROD Office for Charleston County in Book P402, Page 839 as Exhibit "B" has been amended in accordance with and pursuant to Section 7 of the Bylaws in the following particulars:

- 1. Article II, Section 1 shall be amended to reflect that the "Period of Declarant Control" has expired, and after amendment shall read as follows:

Section 1. TERM. The affairs of the Association shall be managed by a Board of Directors. The initial Board of Directors shall consist of three Directors appointed by Turtle Bay Developers, LLC who shall hold office until the election of their successors; thereafter, the Board of Directors shall consist of three Directors, who shall initially be elected to serve staggered terms: one (1) for three (3) years, one (1) for two (2) years, and one (1) for one (1) year, and they shall serve until their successors have been elected and qualified. Thereafter, each Director shall be elected for a term of three (3) years.

- 2. Article III, Section 1 shall be amended to reflect that the "Period of Declarant Control" has expired, and after amendment shall read as follows:

Section 1. EXECUTIVE OFFICERS. The executive officers of the Association shall be a President, a Vice President, a Secretary, and a Treasurer. All officers shall be members of the Association and shall be elected annually by the Board of Directors. They shall take office immediately after election.

- 3. Article IV, Section 2 shall be amended so that after amendment it shall read as follows:

Section 2. ANNUAL MEETING. There shall be an annual meeting of the members of the Association on the Saturday before Columbus Day, or at some other time as designated by the Board of Directors in a written notice to all members at least thirty (30) days prior to the annual meeting.

- 4. Article VI, Section 2 shall be amended so that after amendment it shall read as follows:

Section 2. ASSESSMENTS. Every lot shown on the plats of Turtle Bay and recorded in the RMC Office for Charleston County as follows: Plat Book BH, Page

RETURN TO:  
 Krawcheck & Davidson  
 9 State Street  
 Charleston, SC 29401

84; Plat Book EG, Page 71; Plat Book EF, Page 919; Plat Book EF, Page 477; Plat Book EG, Page 143; and Plat Book EG, Page 189 (collectively, the "Plats") and shall be subject to the maintenance assessments, interim management fee, working capital payment, and special assessments, as provided for in the Covenants of Turtle Bay recorded in Book P402, Page 839 in the Charleston County RMC Office, as amended.

5. Article VI, Section 5 shall be amended so that after amendment it shall read as follows:

Section 5. NOTICE. Whenever, according to these By-laws, a notice shall be required to be given to any member or Director, it shall not be construed to mean personal notice but such notice may be given in writing by depositing the same in a post office in a postpaid, sealed wrapper, addressed to such member or Director or electronic mail to his electronic mail address as the same appears on the books of the Association, and the time when such notice is mailed shall be deemed the time of the giving of such notice. Any notice required to be given by these By-laws may be waived by the person entitled thereto. In the case of units with multiple owners, notice to one shall be notice to all.

6. Article VI, Section 6 shall be amended so that after amendment it shall read as follows:

Section 6. BALLOTS. The Members may vote on any matters, including the amendment of the Covenants or By-laws, by written or electronic ballot sent to all Members entitled to vote. The ballot must set forth each proposed action with a designated space to vote for or against each proposed action. Approval by written or electronic ballot without a meeting is valid only when the number of votes cast by ballot equals or exceeds the quorum required to be present at a meeting authorizing the action and the number of approvals equals or exceeds the number of votes required to approve the matters at a meeting at which the total number of vote cast was the same as the number of votes cast by ballot.

All requests for votes by written or electronic ballot by the Association must indicate the number of responses needed to meet the quorum requirement; the percentage of approvals necessary to approve each matter, other than election of directors, and specify the time by which a ballot must be received by the Association or its Association's agent to be counted.

7. All other provisions of the By-laws shall remain in full force and effect.



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