

After recording, please return to:

Please cross-reference to:

Buist Byars & Taylor, LLC 652 Coleman Blvd., Suite 200 Mount Pleasant, SC 29464 File No. 1022.0010 Declaration - Book 0707 at Page 621

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

FIRST AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR MIXSON ROW HOMES

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR MIXSON ROW HOMES (the "Amendment") is made this 1st day of February, 2019, by Stobo Holdings, LLC, a South Carolina limited liability company (the "Declarant").

WHEREAS, Declarant previously executed and filed that certain document entitled "Declaration of Covenants, Restrictions and Easements for Mixson Row Homes", dated March 27, 2018, and recorded in the Register of Deeds Office for Charleston County, South Carolina on March 28, 2018, in Book 0707 at Page 621 (the Declaration and this Amendment, collectively hereinafter the "Declaration"); and

WHEREAS, pursuant to Article 14 of the Declaration, at any time prior to the Declarant Turnover Date the Declarant may amend the Declaration without the approval of any Member provided the amendment does not materially alter or change any Residential Owner's right to the use and enjoyment of such Residential Owner's Unit, or of the Association Property as set forth in the Declaration; and

WHEREAS, the Bylaws of the Association, as set forth in Exhibit C of the Declaration (the "Bylaws"), may be amended by a sixty-seven percent (67%) vote of all the members who are entitled to vote during a duly called meeting of the Association; provided notice of any such proposed amendment is given in the notice for such meeting; and

WHEREAS, Declarant does hereby certify that the Development is still within the Declarant Control Period, and that the following amendments are within the Declarant's authority pursuant to Section 14 of the Declaration; and

WHEREAS, Eastwood Construction, LLC represents sixty-seven percent (67%) of the members entitled to vote and does hereby consent to the following amendments to the Bylaws; and

NOW, THEREFORE, the Declarant hereby amends the Declaration and Bylaws by this First Amendment, as follows:

- 1. Any capitalized term used but not defined herein shall have the same meaning ascribed to it in the Declaration and Bylaws.
- 2. Section 7.02 of the Bylaws shall be replaced with the following:

Number, Tenure, and Qualifications. The number of Directors of the Association shall be three (3), which shall be appointed by the Declarant. During the Declarant Control Period, the Board will consist of three (3) members appointed by the Declarant, and following the expiration of the Declarant Control Period, the Board will consist of three (3) members elected as provided in the Bylaws of the Association. No more than one representative of a single distinct membership as defined in Article VII of these Bylaws may serve as a director of the Association at one time. At the first meeting of the Association, upon nominations made from the floor, the membership shall elect three (3) directors. At the same time, the Association shall elect such additional directors as may be required to serve out the unexpired term of vacancy or vacancies then existing on the Board. The initial three directors appointed by Declarant shall be Adam Baslow, Grant Zinkon, and Dion Matheney.

3. Section 6.06 of the Bylaws shall be replaced with the following:

Quorum and Manner of Acting. The presence at the meeting of members entitled to cast, or of proxies entitled to cast fifty-one (51%) percent of the vote of membership shall constitute a quorum. If the required quorum is not present, another meeting may be called subject to the same notice requirement, and the required quorum at the subsequent meeting shall be one-half (1/2) of the required quorum at the preceding meeting. No such subsequent meeting shall be held more than ten (10) days following the preceding meeting. If the required quorum is not present at the second meeting, a third meeting may be called subject to the same notice requirement, and the required quorum at the third meeting shall be one-half (1/2) of the required quorum at the preceding meeting. The act of a majority of the members present at any meeting at which a quorum is present shall be the act of the members.

4. Except as modified in this Amendment, the Declaration and Bylaws, as previously amended, shall remain in full force and effect.

[Balance of page intentionally blank. Signatures on following page.]

executed this day of February, 2019.			
WITNESSES:	DECLARANT:		
Witness R	STOBO HOLDINGS, LLC, a South Carolina limited liability company By: Adam M. Baslow Its: Member		
Withdisse			
STATE OF SOUTH CAROLINA) COUNTY OF Charkston	ACKNOWLEDGMENT		
I, the undersigned Notary Public, do her Holdings, LLC, a South Carolina limited liability acknowledged the due execution of the foregoing in	eby certify that Adam M. Baslow, Member of Stobo company, personally appeared before me this day and instrument.		
Witness my hand and official seal this the _	day of February, 2019.		
(SEAL)			
NOTARY PUBLIC FOR SOUTH CAROLINA My commission expires:	GRAY B. TAYLOR Notary Public-State of South Carolina My Commission Expires November 20, 2028		

IN WITNESS WHEREOF, the undersigned Declarant herein has caused this instrument to be

IN WITNESS WHEREOF, the undersigned herein has caused this instrument to be executed this 25 day of January, 2019

WITNESSES:

EASTWOOD CONSTRUCTION, LLC, a South Carolina limited liability company

By

Witness #2

STATE OF SOUTH CAROLINA

COUNTY OF BESKELEY

ACKNOWLEDGMENT

I, the undersigned Notary Public, do hereby certify that <u>P. Dien Mathened</u> as <u>Mc. Kett Manager</u> of Eastwood Construction, LLC, a South Carolina limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 25 day of January, 2019.

NOTARY PUBLIC FOR SOUTH CAROLINA
My commission expires: 24 Jun 24

JUNE 24, 2024 ***

RECORDER'S PAGE

NOTE: This page MUST remain with the original document



BUIST BYARS & TAYLOR, LLC 652 COLEMAN BLVD.

SUITE 200

MT. PLEASANT SC 29464-4018



	Date:	February 5, 2019	
	Time:	11:46:39 AM	
<u>Book</u>	<u>Page</u>	<u>DocType</u>	
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			# of Pages:		5
MAKER:		# of Sats:	# of References:		
STOBO HOLDINGS AL		•			
		Note:	Recording Fee	\$	10.00
RECIPIENT:			Extra Reference Cost	\$	-
NA			Extra Pages	\$	-
			Postage	\$	-
Original Book:	Original Page:		Chattel	\$	-
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