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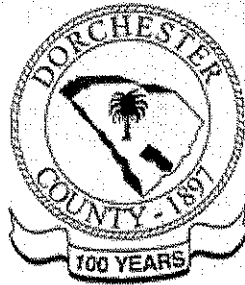
Instrument: 56

Book: 7429 Page: 34-40

FILED-RECORDED
RMC / ROD

2010 Mar 12 AM 11:52:18

DORCHESTER COUNTY
SC Deed Rec Fee: .00
Dor Co Deed Rec Fee: .00
Filing Fee: 12.00
Exemption #:
MARGARET L. BAILEY
Register of Deeds



THIS PAGE IS HEREBY ATTACHED AND MADE PART OF
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CITED AS THE FIRST PAGE OF THE RECORDED
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ANY OTHER PURPOSE.

REGISTER OF DEEDS
DORCHESTER COUNTY SOUTH CAROLINA
MARGARET L. BAILEY, REGISTER
POST OFFICE BOX 38
ST. GEORGE, SC 29477
843-563-0181 or 843-832-0181

STATE OF SOUTH CAROLINA) SECOND AMENDMENT TO DECLARATION OF
COUNTY OF DORCHESTER) COVENANTS, CONDITIONS, EASEMENTS AND
RESTRICTIONS APPLICABLE TO WINTERSEAT
SUBDIVISION

THIS Second Amendment to Declaration of Covenants, Conditions, Easements and Restrictions applicable to Winterseat Subdivision ("First Supplemental Declaration") is entered into effective the 12th day of March, 2010 by TRI-COUNTY INVESTMENTS, LLC, a South Carolina limited liability company (hereinafter called "Developer").

WITNESSETH:

WHEREAS, the Developer, by "Declaration of Covenants, Conditions, Easements and Restrictions Applicable to Winterseat Subdivision" dated June 7, 2004, and recorded in the R.M.C. Office for Dorchester County in Book 4229, at Page 056, and re-recorded in Book 4279, at Page 297, made certain properties in Dorchester County, South Carolina subject to the aforesaid Declaration (the "Declaration") and

WHEREAS, paragraph 36 of the Declaration provides, in relevant part, that a majority of Owners may amend the Declaration, or supplement the Declaration subject to approval of a majority of votes of said Owners and/or the Developer; and

WHEREAS, a majority of said votes have approved the following amendments to the Declaration.

KNOW ALL MEN BY THESE PRESENTS THAT the Developer does hereby declare that the Declaration is amended by the following:

1. WINTERSEAT SUBDIVISION HOMEOWNERS ASSOCIATION, INC.
AND MEMBERSHIP IN ASSOCIATION.

An assessment not paid within fifteen days following the date when due, or made in accordance with an agreed upon payment schedule as set forth by the Association management in its sole discretion, shall bear a penalty of Fifty (\$50.00) Dollars plus an additional Twenty Five Dollars (\$25.00) per month thereafter from the date when due. The penalty shall be added to and collected in the same manner as the Assessment. [These amounts may be increased or decreased by the Association upon a proper vote for same in accordance with the By-Laws.]

23. VIOLATION.

a. (The Association may assess a fine of \$100.00 per violation with an additional daily fine of \$10.00 per day for each day the violation remains unresolved beyond the remedy period.) [These amounts may be increased or decreased by the Association upon a proper vote for same in accordance with the By-Laws.]

To the extent this amendment conflicts with the provisions of the Declaration, this Amendment shall control.

Pearce Law Firm, LLC
1952 Long Grove Drive, Ste. 201
Mt. Pleasant, SC 29464

Except as herein provided, the Declaration shall remain in full force and effect, without modification, the said Declaration, as amended hereby, being the complete text of said instrument as of the date hereof.

[Signature page to follow.]

IN WITNESS WHEREOF, TRI-COUNTY INVESTMENTS, LLC, a South Carolina Limited Liability Company, has caused these presents to be executed in its name by R. Gordon Darby, its Member/Manager, this 12th day of March, in the year of our Lord Two Thousand Ten and in the Two Hundred and Thirty-Fourth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

TRI-COUNTY INVESTMENTS, LLC

Kelley B. Sub
Witness #1

R. Gordon Darby
By: R. Gordon Darby
Its: Member/Manager

Wynor Pearce
Witness #2

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

The foregoing instrument was acknowledged before me by TRI-COUNTY INVESTMENTS, LLC, by R. Gordon Darby, its Member/Manager, this 12th day of March, 2010.

Wynor Pearce (SEAL)
Notary Public for SOUTH CAROLINA
My commission expires: 12/16/12

EXHIBIT "A"

ALL those lots, pieces, or parcels of land situate, lying and being near the Town of Ridgeville, Dorchester County, South Carolina, shown and designated on a plat thereof entitled "AMENDED FINAL PLAT OF WINTERSEAT SUBDIVISION TMS 119-00-00-022 LOCATED NEAR THE TOWN OF RIDGEVILLE DORCHESTER COUNTY, SOUTH CAROLINA", dated March 11, 2004 as revised on August 10, 2004, as Revised June 7, 2005 prepared by Forsberg Engineering & Surveying, Inc. and recorded on in the RMC Office for Dorchester County in Plat Book K at page 154; said lots having such size, shape, location, butting and bounding as are shown on said plat.

EXHIBIT "B"

FIRST AMENDMENT TO BY-LAWS

OF

WINTERSEAT SUBDIVISION HOMEOWNERS ASSOCIATION, INC.

WHEREAS, the By-Laws of Winterseat Subdivision Homeowners Association, Inc. provide as follows:

ARTICLE X

AMENDMENT S

Section 1. These By-laws may be amended or repealed and new By-laws adopted at a regular or special meeting of the Members, by a majority of the vote present at a duly called meeting being cast in favor of such amendment, and provided that any matter stated herein to be or which is in fact governed by the Declaration, may not be amended except as provided in the Declaration; and

WHEREAS, a special meeting was held, and a majority of the votes have voted in favor of the within amendments to the By-Laws.

Article VI Section 7. Penalty The Association may set amounts for late penalties for assessments and fines for violations as deemed appropriate, and as approved by the Association from time to time. The penalties and fines shall be added to and collected in the same manner as the assessment(s).

[Signature page to follow.]

IN WITNESS WHEREOF, Winterseat Subdivision Homeowners Association, Inc., a South Carolina non-profit corporation, has caused these presents to be executed in its name by R. Gordon Darby, its President, this 12th day of March, in the year of our Lord Two Thousand Ten and in the Two Hundred and Thirty-Fourth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Winterseat Subdivision Homeowners
Association, Inc.

Kelley G. Suban
Witness #1

By: R. Gordon Darby
Its: President

Wilton F. Pearce
Witness #2

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER _____)

The foregoing instrument was acknowledged before me by Winterseat Subdivision Homeowners Association, Inc., by R. Gordon Darby its President, this 12th day of March, 2010.

Wilton F. Pearce (SEAL)
Notary Public for SOUTH CAROLINA
My commission expires: 12/16/12