



BP0311421

RMC BK 0311 Pg 421 : pg 1 *

After recording, please return to:
Gray B. Taylor, Esq.
Buist Byars & Taylor, LLC
652 Coleman Boulevard, Suite 200
Mt. Pleasant, SC 29464

Please cross-reference to Master Deed recorded at:

Book C633, Page 488

STATE OF SOUTH CAROLINA)
)
) **FIRST AMENDMENT TO**
) **MASTER DEED OF TIDES**
) **HORIZONTAL PROPERTY REGIME**
COUNTY OF CHARLESTON)

THIS FIRST AMENDMENT TO MASTER DEED OF THE TIDES HORIZONTAL PROPERTY REGIME (this "First Amendment") is made this 5th day of February, 2013, by the **Tides Horizontal Property Regime Owner's Association, Inc.** (the "Association").

BACKGROUND STATEMENT

Whereas, Carolina Eastport, LLC, a South Carolina limited liability company, previously made, submitted and established the Master Deed of Tides Horizontal Property Regime, dated June 19, 2008 and recorded July 20, 2007, in Book C633, Page 488, of the RMC Office for Charleston County (the "Master Deed"); and

Whereas, pursuant to Article X, Section 10.3 of the Master Deed, the Master Deed may be amended from time to time, after appropriate notice of the subject matter of the proposed amendment is given, and a meeting is called in accordance with the Bylaws of the Association, whereupon there is an affirmative vote of the Owners constituting at least sixty-seven (67%) percent of the total interest in the Regime; and

Whereas, this First Amendment is executed by the Association, following the affirmative vote and consent of Owners holding at least sixty-seven (67%) percent of the total interest in the Regime; and

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, pursuant to the powers reserved under the Master Deed as set forth above, the Association hereby amends the Master Deed as follows:

1. **DEFINITIONS.** Any capitalized term used in this First Amendment and not defined herein shall have the definition set forth in the Master Deed.

2. **ARTICLE IV Amendment.** Article IV is hereby amended to include the following Section 4.10.1:

Section 4.10.1 Payments to Working Capital Account. In order to provide the Association with adequate working capital funds, the Association shall collect from the purchaser at the time of sale of each Residential Unit an amount equal one fourth (1/4) of the annual regular Assessment for such Unit in effect at the time of the sale. This provision shall not apply to any transfer of ownership without substantial economic consideration (as determined by the Board of Directors), such as transfer of ownership

pursuant to a will or intestate proceedings upon the death of the Owner of the Unit. The Association shall maintain the working capital funds in a reserve account to meet unforeseen expenditures or to acquire additional equipment or services for the benefit of the Association. Such payments shall not be considered advance payments of regular Assessments.

4. **CONSTRUCTION.** Except as set forth in this First Amendment, the Master Deed shall remain in full force and effect, and any ambiguity between this document and the Master Deed must be resolved in favor this First Amendment.

[Signatures on following page]

IN WITNESS WHEREOF, the Tides Horizontal Property Regime Owner's Association, Inc., by Christopher Nickels, its President, has caused this First Amendment to be executed to be effective as of this 5th day of February, 2013.

WITNESSES:

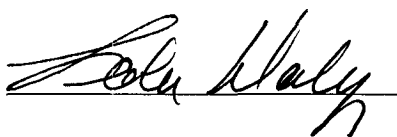
Tides Horizontal Property Regime Owner's Association, Inc.





(Seal)

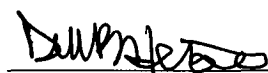
By: Christopher Nickels
Its: President



STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me by Tides Horizontal Property Regime Owner's Association, Inc., by Christopher Nickels, its President, this 5th day of February, 2013.



Notary Public for South Carolina

My commission expires: August 21st, 2013

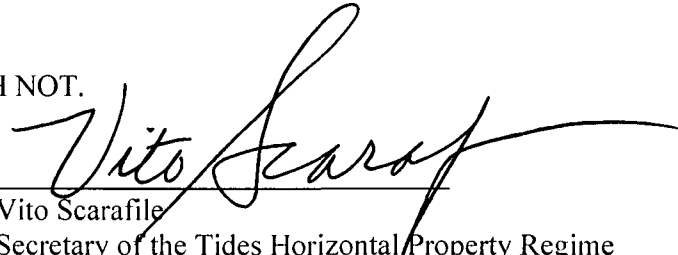
EXHIBIT A

**CERTIFICATION OF THE VOTE OF THE MEMBERS OF TIDES HORIZONTAL
PROPERTY REGIME OWNER'S ASSOCIATION, INC., TO AMEND THE MASTER
DEED OF TIDES HORIZONTAL PROPERTY REGIME.**

Personally appeared before me Vito Scarafile, the Secretary for the Association known as the Tides Horizontal Property Regime Owner's Association, Inc., who, being duly sworn, alleges and states as follows:

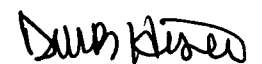
1. I am the duly elected Secretary of the Tides Horizontal Property Regime Owner's Association, Inc., a South Carolina non-profit corporation.
2. I am over twenty one (21) years of age and make this Affidavit on my own personal knowledge.
3. On January 24, 2013, there occurred a meeting of the members of the Tides Horizontal Property Regime Owner's Association, Inc.
4. At that meeting, and/or prior to the meeting by written consent of the members, the Co-Owners of greater than sixty-seven (67%) percent of the total value of the Property voted to amend to the Master Deed to require payment of a Transfer Fee at the sale of any Unit, in the amount of one-fourth (1/4) of the annual assessment for that Unit for the year of the sale.
5. I am authorized to certify the vote of the membership pursuant to the Master Deed of the Tides Horizontal Property Regime Owner's Association, Inc., and I certify the vote to have been as stated herein, and

FURTHER THE AFFIANT SAYETH NOT.


 Vito Scarafile
 Secretary of the Tides Horizontal Property Regime
 Owner's Association, Inc.

SWORN TO BEFORE ME THIS

12 Day of February, 2013


 Notary Public for South Carolina
 My Commission Expires: August 21, 2013

RECORDER'S PAGE

NOTE: This page **MUST** remain
with the original document



KKH
DLH

Filed By:

BUIST, BYARS, & TAYLOR, LLC
652 COLEMAN BLVD.
SUITE 200
MT. PLEASANT SC 29464-4018

RECORDED

Date: February 19, 2013

Time: 3:42:50 PM

<u>Book</u>	<u>Page</u>	<u>DocType</u>
0311	421	Amen/Mas/Deed

Charlie Lybrand, Register
Charleston County, SC

MAKER:

TIDES HPR ETC

RECIPIENT:

NA

Note:

of Pages: 5

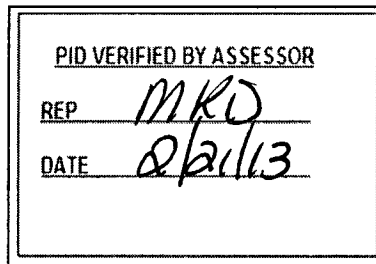
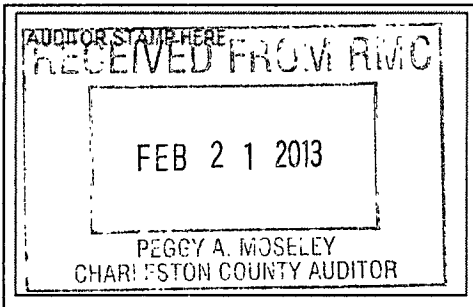
Recording Fee	\$ 10.00
State Fee	\$ -
County Fee	\$ -
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
TOTAL	\$ 10.00

Original Book:

C633

Original Page:

488



Drawer: Drawer 4
Clerk: LRR



0311
Book



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