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STATE OF SOUTH CAROLINA)
Horry County)
COUNTY OF HORRY)
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AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND EASEMENTS
FOR THE LAKES SUBDIVISION

R.M.C.

THIS AMENDMENT to Declaration of Covenants, Conditions, Restrictions, and Easements for the Lakes Subdivision is made this 19th day of October, 1999, by the required number of Owners of the Lakes Property Owners Association, Inc. (hereinafter referred to as "Owners").

WITNESSETH

WHEREAS, Edward J. Edelen did record the Declaration of Covenants, Conditions, Restrictions and Easements for the Lakes Subdivision dated January 30, 1989 and recorded February 27, 1989 in Deed Book 289 at Page 272, Records of the Office of the Register of Deed for Horry County, South Carolina (hereinafter referred to as "Declaration").

WHEREAS, pursuant to Article 5, Section 2, the Declaration may be amended by an agreement signed and recorded by at least ninety percent (90%) of all the lot Owners subject to this Declaration.

WHEREAS, on August 18, 1999, a special meeting of the Property Owners Association was reconvened wherein a vote as held to amend the Declaration pursuant to Article 5, Section 2.

WHEREAS, at the time of the vote, ninety percent (90%) of the eligible voters equaled 383.4 votes and the following amendment to the Declaration was approved by the requisite number of lot Owners pursuant to Article 5, Section 2.

WHEREAS, The Board of Directors of the Lakes Property Owner's Association has in its records the signed ballot of each lot owner who voted in favor of the amendment. Attached hereto is Exhibit "A" of this amendment, which is the Affidavit of Thomas M. Duffy, Chairman of the Election Committee.

DEED
2204 1211

Horry County Assessor
190-28, 191-23 + 191-24
Map Blk Parcel
All parcels
11-5-99

1211

NOW THEREFORE, Owners, hereby publish and declare that Article 2 of the Declaration of Covenants, Conditions, Restrictions and Easements for the Lakes Subdivision shall be amended by adding the following Section 21 of Article 2:

The Board of Directors for the Lakes Property Owner's Association, Inc., shall be empowered to levy an impact fee to offset the costs associated with construction and heavy equipment use of the roadways and easements within the Lakes Subdivision. This impact fee shall apply only to those properties which have been previously been made subject to the Declaration of Covenants, Conditions, Restrictions and Easements for the Lakes Subdivision, but not yet platted. The Board of Directors shall also be empowered to levy a builder-compliance depository fee against all lots now existing or hereafter platted within the Lakes Subdivision to offset potential costs for damages to property and/or non-compliance with the established Architectural Control Guidelines. This builder-compliance depository fee shall be returned to the builder upon completion of construction; however, the Property Owner's Association shall retain One Hundred and 00/100 (\$100.00) Dollars of the fee to cover administrative costs.

IN WITNESS WHEREOF, Owners, have executed this Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for the Lakes Subdivision on the date first above written.

**THE LAKES PROPERTY OWNERS
ASSOCIATION, INC.**

<u>Mary Margaret Clark</u> <u>Donald P. Hearn</u> (Witnesses as to Clifford G. Schmitt)	By: <u>Clifford G. Schmitt</u> Clifford G. Schmitt President
<u>Judy Edwards</u> <u>Mary Margaret Clark</u> (Witnesses as to Stephen A. Thackray)	By: <u>Stephen A. Thackray</u> Stephen A. Thackray Vice-President
<u>Judy Edwards</u> <u>Donald P. Hearn</u> (Witnesses as to Lois J. Chester)	By: <u>Lois J. Chester</u> Lois J. Chester Secretary

Mary Margaret Clark

Judy Eisele

(Witnesses as to Charles L. Mattocks)

By:

Charles L. Mattocks

Charles L. Mattocks

Its:

Treasurer

Judy Eisele

Edward O. Potts Jr.

(Witnesses as to Edward O. Potts Jr.)

By:

Edward O. Potts Jr.

Edward O. Potts Jr.

Its:

Director

Charles F. Eisele

(Witnesses as to Charles F. Eisele)

By:

Charles F. Eisele

Charles F. Eisele

Its:

Director

Judith L. Leapley

(Witnesses as to Judith L. Leapley)

By:

Judith L. Leapley

Judith L. Leapley

Its:

Director

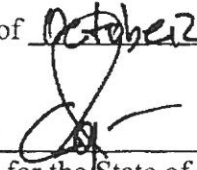
STATE OF SOUTH CAROLINA)

COUNTY OF HORRY)

ACKNOWLEDGMENT

I, Stephan C. Overton, a notary public for the State of South Carolina, do hereby certify that **Judith L. Leapley**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 21 day of October, 1999.



Notary Public for the State of South Carolina
My Commission Expires: 6-18-2000

Stephan C. Overton
(Print Name)

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

ACKNOWLEDGMENT

I, Phonesia Machado, a notary public for the State of South Carolina, do hereby
certify that **Clifford G. Schmitt**, personally appeared before me this day and acknowledged the
due execution of the foregoing instrument.

Witness my hand and official seal this 19th day of October, 1999.


Notary Public for the State of South Carolina
My Commission Expires: 7-10-08

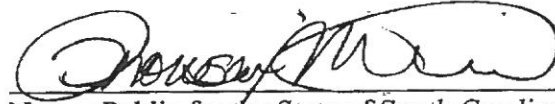
Phonesia M. Machado
(Print Name)

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

ACKNOWLEDGMENT

I, Phonesia Machado, a notary public for the State of South Carolina, do hereby
certify that **Stephen A. Thackray**, personally appeared before me this day and acknowledged the
due execution of the foregoing instrument.

Witness my hand and official seal this 25th day of October, 1999.


Notary Public for the State of South Carolina
My Commission Expires: 7-10-08

Phonesia M. Machado
(Print Name)

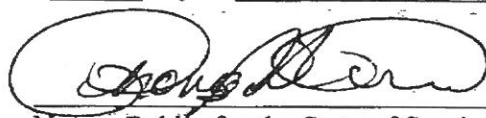
STATE OF SOUTH CAROLINA)

COUNTY OF HORRY)

ACKNOWLEDGMENT

I, Phonesia Machado, a notary public for the State of South Carolina, do hereby certify that **Lois J. Chester**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 20th day of October, 1999.



Notary Public for the State of South Carolina
My Commission Expires: 7-10-08

Phonesia M. Machado
(Print Name)

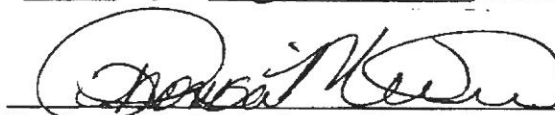
STATE OF SOUTH CAROLINA)

COUNTY OF HORRY)

ACKNOWLEDGMENT

I, Phonesia Machado, a notary public for the State of South Carolina, do hereby certify that **Charles L. Mattocks**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 21st day of October, 1999.



Notary Public for the State of South Carolina
My Commission Expires: 7-10-08

Phonesia M. Machado
(Print Name)

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

ACKNOWLEDGMENT

I, Phonesia Machado a notary public for the State of South Carolina, do hereby certify that **Edward O. Potts Jr.**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 20th day of October, 1999.



Notary Public for the State of South Carolina
My Commission Expires: 7-10-08

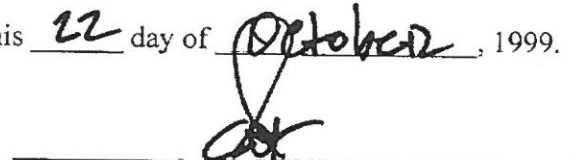
Phonesia M. Machado
(Print Name)

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

ACKNOWLEDGMENT

I, Stephen C. Overton a notary public for the State of South Carolina, do hereby certify that **Charles F. Eisele**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 22 day of October, 1999.


Notary Public for the State of South Carolina
My Commission Expires: 6-18-2000

Stephen C. Overton
(Print Name)

EXHIBIT A

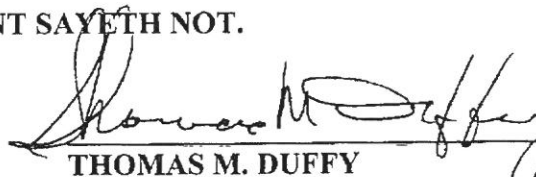
STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

AFFIDAVIT OF THOMAS M. DUFFY

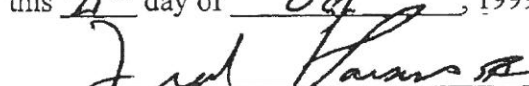
PERSONALLY APPEARED BEFORE ME, *Thomas M. Duffy*, who being first duly sworn, deposes and states as follows:

1. I was appointed by the Lakes Property Owner's Association Board of Directors to count the written ballots of the Four Hundred and Six (406) lot owners who voted on the amendment to which this Affidavit is attached.
2. Three Hundred and Eight-Six (386) lot owners voted to impose the impact fee to offset the costs associated with construction and heavy equipment use of the road ways and easements within the Lakes Subdivision against all property which have been previously been made subject to the Declaration of Covenants, Conditions, Restrictions and Easements for the Lakes Subdivision, but not yet platted.
3. Three Hundred and Eighty-Nine (389) lot owners voted to allow the Board of Directors to levy a builder-compliance depository fee to offset the potential costs for damages to property and/or non-compliance with the established Architectural Control Guidelines.
4. The actual ballots signed by each lot owner are in the records of the Property Owner's Association.

FURTHER DEPONENT SAYETH NOT.


THOMAS M. DUFFY
Chairman of the Election Committee

SWORN AND SUBSCRIBED before me
this 21st day of Oct, 1999.


NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 3/27/07

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