

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

Dated this 12<sup>th</sup> day of July, 2016 by the Lakes Property Owners Association, Inc., a South Carolina non-profit corporation, ("Association").

WITNESSETH

WHEREAS, the Co-Owners (hereinafter referred to as Co-Owners) of the Lakes Property Owners Association, Inc. (hereinafter referred to as the "Association") have voted to amend the original Declaration Of Covenants, Conditions, Restrictions And Easements for the Lakes Subdivision dated January 30, 1989 and recorded in the Office of the Register of Deeds for Horry County on February 23, 1989 in Deed Book 1289 at Page 272, as amended, (hereinafter referred to as the "Restrictive Covenants"); and,

WHEREAS, pursuant to Article V Section 2 of the Restrictive Covenants, the amendment must be voted on at a duly called meeting of the Association after due notice to the Co- Owners. In order to become effective the amendment must be approved by a vote of at least sixty-seven (67.00%) percent of the members in good standing that vote, either in person or by proxy, on the proposed Amendment; and ,

WHEREAS, at a duly called meeting of the Association on October 25, 2014, 208 owners voted on the amendment to Article II Section 14. One Hundred Eighty-Six (186) owners voted in favor of the amendment and twenty-two (22) voted against the amendment. Therefore the required 67% of the total number of owners that voted were in favor of the amendment. Article X of the By-Laws states that the By-Laws may be amended by a majority vote of a quorum of members present in person or by proxy. Two Hundred Thirty-Six members (236) voted on the amendment for Article 2 Section D of the bylaws. Two Hundred Twenty (220) owners voted in favor of the amendment and sixteen (16) owners voted against the amendment. Therefore the required majority of a quorum of members that voted were in favor of the amendment; and,

WHEREAS, by signing this amendment the President and Secretary do hereby certify that the following amendments were duly adopted by the Association and,

WHEREAS in order to be effective the amendments must be recorded and this Amendment is intended to comply with all requirements as set forth in the Declaration Of Covenants, Conditions, Restrictions And Easements for the Lakes

Subdivision.

NOW, THEREFORE, in consideration of One and No/100 (\$1.00) and the above stated premises, the Association hereby amends the Declaration of Covenants, Conditions, Restrictions and Easements and Bylaws for the Lakes Subdivision as follows:

**ARTICLE II, SECTION 14**, shall be amended as follows:

**Article II, Section 5 (a) and (b) shall be deleted in its entirety and replaced with the following:**

**5. Set-backs and Building Lines.**

a. All lots except River Village: Front set back lines shall be twenty-five (25) feet; side set back lines shall be ten (10) feet, rear set back lines for non-lake front lots shall be fifteen (15) ft. Rear set back lines for lake front lots shall be fifteen (15) feet from the landward edge of the lake; measured from the normal water line or outer edge of bulkhead if installed. Corner Lots: Front set back - Primary Street twenty five (25) feet, Side Street fifteen (15) feet, Non-street Side set back ten (10) feet. Any outbuildings, such as garages, if permitted, shall be within the setbacks.

River Village Only: Front set back lines shall be twenty-five (25) feet; side set back lines shall be five (5) feet, rear set back lines for non-lake front lots shall be fifteen (15) ft. Rear set back lines for lake front lots shall be fifteen (15) feet from the landward edge of the lake; measured from the normal water line or outer edge of bulkhead if installed. Corner Lots: Front set back - Primary Street twenty five (25) feet, Side - Street ten (10) feet, Non-street Side set back five (5) feet. Any outbuildings, such as garages, if permitted, shall be within the setbacks.

b. Walls and Fences (General). Decorative fencing, not over 4' high, in keeping with the surrounding neighborhood, may be installed of wood, brick, stone, vinyl, decorative metal, or other suitable material as approved by the ACC. Chain-link, wire, and stockade type fencing is not permitted. Fencing is not permitted along the front yard lines, sidelines, or within five (5) feet of the rear property line, nor within the 10 foot lake easement measured from the normal water line or outer edge of bulkhead if installed. . Rear fencing must be installed within the boundaries of the width of the house. Fencing of an approved design may be used to screen rear patios, courtyards, hot tubs, etc. Variances to the fence height limitation may be granted in order to meet special circumstances, or health and safety requirements.

Walls and Fences (Swimming Pools). Unless a full enclosure is utilized, decorative fencing, not over 5' high nor less than 4' high, in keeping with the surrounding neighborhood, must be installed of wood, brick, stone, vinyl, decorative metal, or other suitable material as approved by the ACC. Chain-link and stockade type fencing is not permitted. Rear fencing (including pool fencing) must be installed within the boundaries of the width of the house. Compliance with local building codes and swimming pool safety regulations may require some minor variance to fence configurations.

Paragraphs (c) and (d) of Article II Section 5 shall remain as they are written in the original Declaration of Covenants, Conditions, Restrictions and Easements for the Lakes Subdivision.

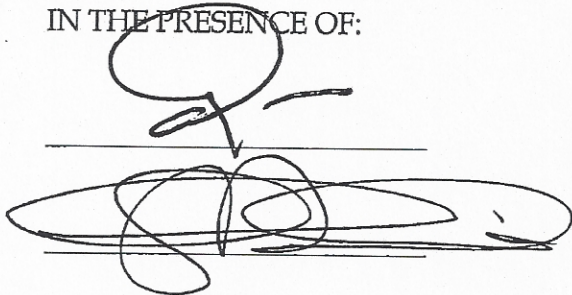
**ARTICLE 2, SECTION D, of the Bylaws of the Lakes Property Owners association Inc. shall be amended as follows:**

**Article 2, Section D shall be deleted in its entirety and replaced with the following:**

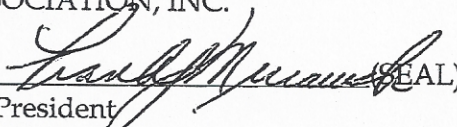
Notice of all members meetings stating the time and place and the objects for which the meeting is called shall be given by the President or the Vice President or Secretary unless waived in writing. Such notice shall be in writing to each member at their mailing address or their electronic mail (email) address as it appears on the books of the Association and shall be mailed or sent via electronic mail (email) not less than ten (10) days nor more than sixty (60) days prior to the date of the meeting. Any notice that is sent electronically shall only be done if the Member has agreed in writing to receive any notice from the Property Owners Association via electronic email. Proof of such mailing shall be given by the affidavit of the person giving the notice. Notice of the meeting may be waived before or after meetings.

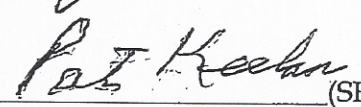
IN WITNESS THEREOF the undersigned have executed this Amendment to the Declaration of Covenants, Conditions, Restrictions And Easements for The Lakes Subdivision this 12 day of ~~July~~, 2016.

IN THE PRESENCE OF:



THE LAKES PROPERTY OWNERS  
ASSOCIATION, INC.

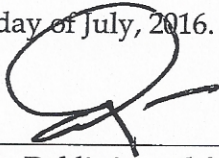
By:  (SEAL)  
Its: President

By:  (SEAL)  
Its: Secretary

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

I, the undersigned, a Notary Public for South Carolina, do hereby certify that Frank Minawski as President and Pat Keelan as Secretary of The Lakes Property Owners Association, Inc., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 12th day of July, 2016.

  
\_\_\_\_\_(L.S.)  
Notary Public in and for SC  
My Commission Expires: 3-11-2020