

WHEREAS, Declarant no longer owns any lots in the subdivision and has relinquished control to the Association; and

WHEREAS, Article 7.2 of Original Declaration states Members of the Association are entitled to one vote per Lot owned; and,

WHEREAS, Article 9.2 states the Association shall have the right to amend these covenants once Declarant no longer controls the association by approval of the Owners of seventy-five percent (75%) of the Lots subject to Original Declaration; and

WHEREAS, pursuant to Article 9.2 referenced above, the following amendments to the Original Declaration passed by an affirmative vote of seventy-five percent (75%) eligible-to-vote Owners; and

WHEREAS, Amendments number 1, 2, 3, 4, and 5 below passed by the requisite affirmative vote of seventy-five percent (75%) eligible-to-vote Owners on the annual meeting held August 19, 2017; and

WHEREAS, Amendment number 6 below passed by the requisite affirmative vote of seventy-five percent (75%) eligible-to-vote Owners on the annual meeting held on August 4, 2019; and

WHEREAS, tally of the above referenced votes are attached hereto and incorporated herein as Exhibit "A" and Exhibit "B"; and

NOW THEREFORE, the Association amends the Original Declaration as follows:

1. **Article 3.5 Fences shall now read as follows:**

Fences must be constructed of only wood products and must be approved by the Association. The Association may allow black aluminum or iron fence. Front yard fences to control animals are not permitted.

2. **Article 4.1 (b) Construction shall now read as follows:**

All dwellings must be site-built and constructed of either, brick, block, rock, wood or stucco. No vinyl or aluminum siding permitted. Cement board siding is permitted.
Standard/simple log or cabin-like homes are not permitted.

3. **Article 4.1 (f) Roof and Pitch shall now read as follows:**

All roofs on dwellings shall have at least a 6:12 pitch. Roofs must be finished with either high quality 25-year Architectural shingle, slate, cedar, or architectural metal roofs.
Inexpensive metal or tin roofs are not permitted.

4. **Article 4.1 (i) Garages shall now read as follows:**

No front loading garages shall be permitted unless pre-approved by the ARC. Variance shall be granted only when the lay of the land dictates such a variance is required.

1. Garage doors must be constructed of high quality material. Carriage doors are highly recommended and may be required.
2. Carports are not allowed.

5. **Article 4.1 (p) Irrigation shall now read as follows:**

Lawn irrigation is strongly encouraged. Prior to construction, lot owners must submit a water drainage plan (culverts, downspouts, drain tiles, surface runoff) to the Architectural Review Committee for approval.

6. **Article 7.7 (b) Delinquent Assessments shall now read as follows:**

(b) If the annual assessment is not paid within thirty days after the date when due, the assessment shall bear a late penalty of One Hundred and no/100ths (\$100.00) Dollars. The Association may bring an action of law against the Owner personally obligated to pay the same, or to foreclose the lien against the property in the same manner as foreclosure of a

mortgage. Then there shall be added to the amount of such assessment penalty, as provided herein, together with the costs of the action and collection of the assessment, including a reasonable attorney's fee and costs and fees on appeal. Reasonable attorney's fees and costs of collection shall be recoverable whether or not suit is brought. In addition, if the annual assessment is not paid within thirty days after the date when due, then the Owner shall lose right to use the Common Property (excluding subdivision roads) until such time as assessments are paid in full.

In all other respects and except as modified and amended hereby, the Original Declaration as to use of lots in this Subdivision are ratified and confirmed and shall remain in full force and effect.

[Signature Pages to follow]

STATE OF SOUTH CAROLINA)
) AFFIDAVIT
) ATTESTATION AND CERTIFICATION
COUNTY OF OCONEE)

FIRST AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS,
PROPERTY OWNERS ASSOCIATION AND LIMITATIONS RUNNING WITH THE LAND
FOR LITTLE KEOWEE BAY SUBDIVISION

LITTLE KEOWEE BAY PROPERTY OWNERS ASSOCIATION, INC.

PERSONALLY APPEARED, Laura Mae Zimmerman, the Affiant before the undersigned
Notary Public, attested and certified as follows:

My name is Laura Mae Zimmerman, I am over the age of eighteen years old and am in all
respects legally competent to execute this affidavit.

I attest that all facts herein are based on my personal knowledge.

I was formerly the Secretary of Little Keowee Bay Property Owners Association, Inc. (the
“Association”), a nonprofit corporation organized under the laws of South Carolina.

I hereby certify and attest that, in accordance with Section 9.2 of the Association’s Original
Declaration of Covenants, Restrictions, Property Owners Association and Limitations Running
With The Land For Little Keowee Bay Subdivision, recorded August 20, 2015 in Deed Book
2125, at page 6-22 (“Original Declaration”), on August 19, 2017, an affirmative vote of seventy-
five percent (75%) eligible-to-vote Owners voted to amend the Original Declaration.

I hereby certify and attest that on the 6 of July 2022, Kerry Gene Hartline, the
current President of the Association executed the First Amendment to the Declaration of
Covenants, Restrictions, Property Owners Association and Limitations Running with the Land
for Little Keowee Bay Subdivision, to record the above referenced affirmative vote.

FURTHER AFFIANT SAYETH NAUGHT.

Little Keowee Bay

lake life!

Property Owners Association
273 Applewood Center Place
Suite 358
Seneca, SC 29678

July 20, 2018

Little Keowee Bay Property Owner,

At the 2017 Annual Meeting, we voted on potential items to add as an addendum to the Architectural Review Committee (ARC) Checklist and the Little Keowee Bay (LKB) Covenants based on the following criteria:

- To amend the documents, at least 75% of lot owners were required to approve the change (**25 YES votes**). A non-response was considered as a NO vote.
 - Six of the 11 items were passed as noted below.
1. *Roofs must be finished with either high quality 25-year Architectural shingle, slate, cedar, or architectural metal roofs. Inexpensive metal or tin roofs are not permitted.*
29 YES, 0 NO – APPROVED
 2. *Fences to control animals are not to be used in front yards.*
28 YES, 1 NO – APPROVED
 3. *Back yard fence heights are to be limited to 4 ft.*
21 YES, 8 NO – NOT APPROVED
 4. *Homes must have a 2-car garage and be located above ground where possible.*
22 YES, 7 NO – NOT APPROVED
 5. *Carports are not allowed.*
27 YES, 2 NO -- APPROVED
 6. *Wood siding is not permitted.*
22 YES, 7 NO – NOT APPROVED
 7. *Cement board siding is permitted.*
29 YES, 0 NO – APPROVED
 8. *Proposed tree cutting plans (that meet Sections 3.9, 3.31, and 3.32 of the covenants) must be approved by ARC prior to cutting. Cutting that exceeds the approved plans will require a remediation plan.*
24 YES, 5 NO – NOT APPROVED
 9. *If a house's exterior finish is all siding, then the front elevation must have an acceptable amount of masonry or different siding-textured accent walls. For example, the accent wall could be vertical siding or cedar-shake style siding.*
22 YES, 7 NO – NOT APPROVED

Exhibit "A" page #2

10. *Standard/simple log or cabin-like homes are not permitted.*

26 YES, 3 NO – APPROVED

11. *Provide a water drainage plan (culverts, downspouts, drain tiles, surface runoff)*

27 YES, 2 NO – APPROVED

Thank you for your participation in this important matter. The LKB POA Board has added these 6 approved items to the ARC Checklist and we will be adding them as an addendum to the LKB covenants.

Best regards,

Kerry Hartline
President, LKB POA

FILED OCONEE COUNTY, SC
ANNA M. DAVIDSON
REGISTER OF DEEDS
2022 SEP 22 AM 10:00

Exhibit "B"

BYLAWS - SECTION N 3.3			BYLAWS - SECTION N 4.4			COVENANTS - ARTICLE 7.7 (B)		
<u>LOT #</u>	<u>YES</u>	<u>NO</u>	<u>LOT #</u>	<u>YES</u>	<u>NO</u>	<u>LOT #</u>	<u>YES</u>	<u>NO</u>
1	x		1	x		1	x	
2	x		2	x		2	x	
3			3			3		
4			4			4		
5	x		5		x	5	x	
6			6			6		
7	x		7	x		7	x	
8			8			8		
9	x		9	x		9	x	
10			10			10		
11	x		11	x		11	x	
12	x		12	x		12	x	
13	x		13	x		13	x	
14	x		14	x		14	x	
15			15			15		
16	x		16	x		16	x	
17			17			17		
18	x		18	x		18	x	
19	x		19	x		19	x	
20	x		20	x		20	x	
21	x		21	x		21	x	
22	x		22	x		22	x	
23	x		23	x		23	x	
24	x		24	x		24	x	
25	x		25	x		25	x	
26	x		26	x		26	x	
27	x		27	x		27	x	
28	x		28	x		28	x	
29	x		29	x		29	x	
30	x		30	x		30		x
31	x		31	x		31	x	
32	x		32	x		32	x	
33	x		33	x		33	x	
Totals	26 (79%)			25 (76%)	1		25 (76%)	1