



BK **2859** PG **26-30**

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MEM
004462

STATE OF SOUTH CAROLINA)
)
 COUNTY OF OCONEE)

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

WHEREAS, on August 20, 2015, in Deed Book 2125, at Pages 6-22, records of Oconee County, South Carolina, KEO PARTNERS, LLC (hereinafter referred to as "Declarant") recorded covenants, conditions, and restrictions for Little Keowee Bay (hereinafter "Original Declaration"); and,

WHEREAS, on September 30, 2016 in Deed Book 2214 at Pages 154-155, Declarant conveyed unto Little Keowee Bay Property POA (Little Keowee Bay Property Owners Association, Inc.) all roads, access easements, and common areas of Little Keowee Bay as shown on Plat entitled Survey for Little Keowee Bay, dated August 13, 2015 and recorded in Plat Book B517, at Pages 5-8, records of Oconee County, South Carolina; said conveyance was subject to the assumption of maintenance responsibilities for all roads, access easements, and common areas as referenced above.

WHEREAS, Little Keowee Bay Property Owners Association, Inc. (hereinafter "Association") is a South Carolina nonprofit corporation organized under the laws of South Carolina; and

WHEREAS, Article 7.2 of Original Declaration states Declarant shall have the absolute authority to control the Association until Declarant has sold ninety percent (90%) of the lots subject to the Declaration; and,

WHEREAS, there are thirty-three (33) lots in the subdivision; and,

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

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 state 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 amendment to the Original Declaration passed by an affirmative vote of seventy-five percent (75%) eligible-to-vote Owners at the annual meeting held July 17, 2022; and

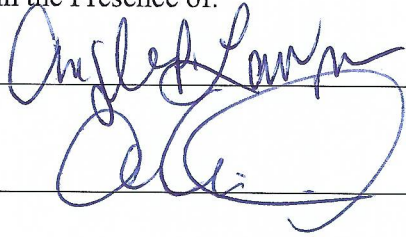
NOW THEREFORE, the Association amends the Original Declaration as follows:

1. **Article 4.3(g) shall now read as follows:**

Review and approval of any application pursuant to this Paragraph may be made on any basis, including solely the basis of aesthetic considerations, and the Declarant, Association, or ARC shall not bear the responsibility for ensuring the design, quality, structural integrity or soundness of approved construction or modifications, nor for ensuring compliance with building codes, zoning regulations and other governmental requirements. Neither the Association, the ARC, the Declarant nor member of any of the foregoing shall be held liable for any injury, damages or loss arising out of manner, design or quality of approved construction on or modifications to any Lot.

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.

Signed, Sealed and Delivered
in the Presence of:



Little Keowee Bay Property Owners
Association, Inc.

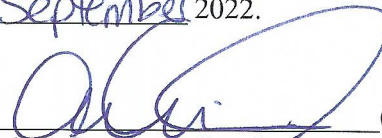
 (SEAL)
BY: Kerry Gene Hartline
ITS: President

STATE OF SOUTH CAROLINA)
)
COUNTY OF OCONEE)

ACKNOWLEDGEMENT

I, Ann Marie Sullivan, Notary Public for South Carolina, do hereby certify that Kerry Gene Hartline, President of Little Keowee Bay 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 13 day of September 2022.



Notary Public for South Carolina (LS)
My Commission Expires: 10/01/2029

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

SECOND 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, Andrew Carswell, the Affiant before the undersigned Notary
Public, attested and certified as follows:

My name is Andrew Carswell, 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 am the current 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 July 17, 2022, 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 13 of September 2022, Kerry Gene Hartline, the
current President of the Association executed the Second 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.

Signed, Sealed and Delivered
in the Presence of:

Little Keowee Bay Property Owners
Association, Inc.

[Signature]
Witness # 1 Sign Here

[Signature] (SEAL)
BY: Andrew Carswell
ITS: Secretary

[Signature]
Witness #2 Sign Here (can be Notary)

STATE OF GEORGIA)
COUNTY OF Gwinnett)

ACKNOWLEDGEMENT

I, Jodi Peacock, Notary Public for Georgia, do hereby certify Andrew Carswell, Secretary of Little Keowee Bay 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 17th day of September, 2022.

[Signature] (LS)
Notary sign here
Notary Public for ~~South Carolina~~ Georgia
My Commission Expires: May 5, 2026
Affix Seal

JODI PEACOCK
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Comm. Expires May 05, 2026

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