

Upon recording, return to:  
Alford Law Firm  
Post Office Box 8008  
Hilton Head Island, SC 29938

STATE OF SOUTH CAROLINA            )  
  )  
  )  
COUNTY OF BEAUFORT                )

SEVENTH AMENDMENT TO BY-LAWS  
OF MASTER DEED OF EVIAN  
HORIZONTAL PROPERTY REGIME

**THIS SEVENTH AMENDMENT TO BY-LAWS OF MASTER DEED OF EVIAN HORIZONTAL PROPERTY REGIME ("Seventh Amendment to By-laws")** is made effective this 12<sup>TH</sup> day of JULY, 2019, by Evian Condominium Association, Inc., a South Carolina not for profit corporation ("**Association**").

WHEREAS, Justice Builders, Inc. (the "**Developer**") executed and recorded that certain Master Deed for Evian Horizontal Property Regime (the "**Master Deed**") on August 10, 1981, and recorded the Master Deed in the Register of Deeds Office for Beaufort County, South Carolina in Record Book **329 at Page 1687**; and

WHEREAS, thereafter, amendments and supplements to the Master Deed were entered into and recorded by the Developer as follows: (1) Supplement to Master Deed, recorded on January 20, 1982 in the Register of Deeds Office for Beaufort County, South Carolina in Record Book **340 at Page 802**; (2) Amendment to Master Deed, dated December 22, 1982, recorded in said Register of Deeds Office in Record Book **359 at Page 1953**; (3) Second Supplement to Master Deed, dated December 23, 1982, recorded in said Register of Deeds Office in Record Book **360 at Page 265**; (4) Third Supplement to Master Deed, dated November 30, 1983, recorded in said Register of Deeds Office in Record Book **382 at Page 1599**; (5) Fourth Supplement to Master Deed, dated June 27, 1984, recorded in said Register of Deeds Office in Record Book **397 at Page 1975**; (6) Fifth Supplement to Master Deed, dated July 19, 1984, recorded in said Register of Deeds Office in Record Book **399 at Page 1036**; (7) Sixth Supplement to Master Deed, dated October 26, 1984, recorded in said Register of Deeds Office in Record Book **406 at Page 1763**; (8) Seventh Supplement to Master Deed, dated January 18, 1985, recorded in said Register of Deeds Office in Record Book **411 at Page 1490**; (the Master Deed and the above described amendments and supplements are hereinafter collectively referred to as the **AMaster Deed, as amended**); and

WHEREAS, Appendix "A" to the Master Deed contains the By-Laws for the Evian Condominium Association, Inc. (hereinafter, the "**By-Laws**"); and

WHEREAS, as of the date hereof, amendments to the By-Laws were entered into and recorded by the Association as follows: (1) Amendment of By-Laws dated June 9, 1986, recorded

in said Register of Deeds Office in Record Book **451 at Page 883**; (2) Amendment to By-Laws dated August 27, 1996, recorded in said Register of Deeds Office in Record Book **903 at Page 603**; (3) Third Amendment to Bylaws dated February 25, 2005, recorded in said Register of Deeds Office in Record Book **2111 at Page 72**; (4) Fourth Amendment to Bylaws dated March 2, 2007, recorded in said Register of Deeds Office in Record Book **2531 at Page 1672**; (5) Fifth Amendment to Bylaws dated December 3, 2007, recorded in said Register of Deeds Office in Record Book **2659 at Page 1834**; (6) Sixth Amendment to Bylaws dated January 6, 2010, recorded in said Register of Deeds Office in Record Book **2929 at Page 1241** (the By-Laws and the above described amendments are hereinafter collectively referred to as the “**By-Laws, as amended**”); and

WHEREAS, by written ballot of the Association due on July 1, 2019, the members of the Association voted by a sufficient majority of all of the owners (60.98 % affirmative vote) to further amend the By-Laws, and the provisions set forth in this Seventh Amendment to By-Laws were approved by the requisite consent of the members of the Association owning no less than 51% of the total value of the property in the Regime (as said requirements for amendment of the By-Laws are set forth in Section 9 of the By-Laws, as amended).

NOW, THEREFORE, in accordance with the requirements set forth in Section 9 of the By-Laws, as amended, the Association (through its authorized officers) hereby declares as follows:

1. The above "Whereas" clauses be incorporated herein as if repeated verbatim.
2. **The Association has approved and ratified the following amendment to Section 4 of the By-Laws, as amended:**

**Section 4(b) of the By-Laws, as amended, is AMENDED IN ITS ENTIRETY AS FOLLOWS:**

**4(b) Election of directors shall be conducted in the following manner:**

- (i) **Section 4(b)(i) was deleted in its entirety in 2007 pursuant to the amendment to the By-Laws recorded in Record Book 2659 at Page 1834;**
- (ii) **Section 4(b)(ii) was amended in 2007 pursuant to the amendment to the By-Laws recorded in Record Book 2659 at Page 1834 to read as follows: All members of the Board of Directors shall be elected by a plurality of the votes cast at the annual meeting of the members of the Association.**
- (iii) **Section 4(b)(iii) was amended in 2007 pursuant to the amendment to the By-Laws recorded in Record Book 2659 at Page 1834 to read as follows: Vacancies in the Board of Directors may be filled until the date of the next annual meeting by the remaining directors.**
- (iv) **Section 4(b)(iv) is hereby DELETED IN ITS ENTIRETY, AND THE FOLLOWING LANGUAGE IS HEREBY INSERTED IN ITS**

**PLACE:** Commencing at the annual meeting of the Association in 2019, and continuing thereafter as set forth below, the members of the Board of Directors shall be elected in the following manner for the following terms:

- (1) At the 2019 annual meeting of the Association, the three (3) positions on the Board of Directors which expire in 2019 will become Board positions elected to serve for the following terms: the two (2) members receiving the highest plurality of votes will become Board members each serving for a three (3) year term, and the one (1) Board member receiving the lowest plurality of votes will serve for a two (2) year term; each successor to the two (2) three (3) year term positions shall serve a three (3) year term;
  - (2) At the 2020 annual meeting of the Association, the two (2) positions on the Board of Directors which expire in 2020 will become Board positions elected to each serve a three (3) year term; each successor elected to said positions shall serve a three (3) year term;
  - (3) At the 2021 annual meeting of the Association, the one (1) position on the Board of Directors which expires in 2021 will become a Board position elected to serve a three (3) year term; each successor elected to said position shall serve a three (3) year term;
  - (4) At the 2022 annual meeting of the Association and at each subsequent annual meeting thereafter, elections of members of the Association to serve for three (3) year terms on the Board of Directors shall continue at each annual meeting of the Association for each expired Board member position (based upon the staggered rotation cycle commencing/established in 2019). Members of the Board of Directors shall continue to serve until their successors are duly elected and qualified, or until removed in the manner elsewhere provided in these By-Laws or as may be provided by law for the removal of directors of South Carolina not for profit corporations.
- (v) Section 4(b)(v) of the By-Laws shall remain unchanged.
- (vi) Section 4(b)(vi) was deleted in its entirety in 2007 pursuant to the amendment to the By-Laws recorded in Record Book 2659 at Page 1834;

**The remaining provisions of Section 4 of the By-Laws, as amended, shall remain unchanged by the within Seventh Amendment to By-Laws.**

3. The within Seventh Amendment to By-Laws shall be construed to be incorporated into the Master Deed, as amended, in order to amend and supplement any and all applicable provisions of Master Deed, as amended, so as to carry out the intention of this Seventh Amendment to By-Laws regarding the election of members of the Board of Directors. The within Seventh Amendment to

