

WHEREAS, on the 4th day of November, 1978, Bates Associates Development Corporation transferred the Phase II property to Marvin M. Black Company, a Georgia corporation authorized to do business in the State of South Carolina, by deed recorded in Deed Book 272 at Page 1600; and Marvin M. Black Company transferred said property to MILAJEST, Inc., a Georgia corporation authorized to do business in the State of South Carolina, by deed recorded in Deed Book 279 at Page 1665; and the said MILAJEST, Inc., succeeded Bates Associates Development Corporation as “Sponsor” as that term is used in the above-referenced Master Deed, as it relates to the said Phase II property; and

WHEREAS, on or about the 25th day of February, 1980, MILAJEST, Inc., a Georgia corporation, executed the Second Amendment to Master Deed of Villas on the Fazio Horizontal Property Regime, which Second Amendment was recorded on March 26, 1980, in Deed Book 298 at Page 546 and in Plat Book 28 at Page 155; and

WHEREAS, the Master Deed at Article Twelfth provides that the administration of the Regime shall be in accordance with the provisions of the “By-Laws”, the same being attached thereto as Exhibit I; and

WHEREAS, on the 8th day of November, 1991, the Fazio Horizontal Property Regime filed with the RMC for Beaufort County, South Carolina, its First Amendment to By-Laws, the same being recorded in Book 586 at Page 1464, and re-recorded to correct typographical errors on December 24, 1991, in Book 589 at Page 1259 (hereinafter “First Amendment to By-Laws”); and

WHEREAS, for purposes of this Second Amendment, the said Master Deed and above-referenced Amendments to Master Deed shall collectively be referred to as “Master Deed” and

WHEREAS, pursuant to Article VIII Amendments Section 1. BY-LAWS, of the By-Laws of the Villas on the Fazio Horizontal Property Regime, the same may be amended only upon approval of the co-owners representing at least two-thirds (2/3) of the total value of the Property as shown on the Master Deed; and

WHEREAS, the co-owners representing at least two-thirds (2/3) of the total value of the Property as shown on the Master Deed desire to amend certain provisions of the said By-Laws regarding the maintenance and replacement of roofs and skylights; and

WHEREAS, the said Council of Co-Owners in a properly conducted and properly noticed referendum held on November 13, 2008, by an affirmative vote of the co-owners representing at least two-thirds (2/3) of the total value of the Property as shown on the Master Deed, authorized and directed the Board of Administration to execute and have recorded an Amendment to the said By-Laws as it pertains to Article VII OBLIGATIONS OF THE CO-OWNERS Section 6. MAINTENANCE AND REPAIR, subsection (d) thereof; and

WHEREAS, written notice of the within Amendment was given to eligible mortgage holders of which the Regime had notice of.

NOW, THEREFORE, the Council of Co-Owners by and through the Board of Administration of said Regime, hereby amends the By-Laws of the Regime by deleting Article VII, Section 6(d), as set forth in the "First Amendment to By-Laws" and by replacing Article VII, Section 6(d), as herein amended, so that said Section shall hereinafter provide as follows:

ARTICLE VII
OBLIGATIONS OF THE CO-OWNERS
Section 6. MAINTENANCE AND REPAIR

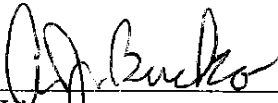
(d) All maintenance, repair and replacement to the roofs, including all components of skylights, shall be made by the Board of Administration or its agent, and shall be charged to all the apartment owners as a common expense, excepting to the extent that the same may be necessitated by the negligence,

misuse or neglect of the apartment owner, in which case the expense shall be charged to such apartment owner.

IN WITNESS WHEREOF, the Council of Co-Owners of Villas on the Fazio Horizontal Property Regime, by its Board of Administration, has caused this Second Amendment to be executed effective the date and year first written above.

WITNESSES:


**VILLAS ON THE FAZIO
HORIZONTAL PROPERTY REGIME**



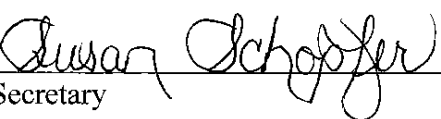
Witness

By: 

Its: President



Witness

Attest: 

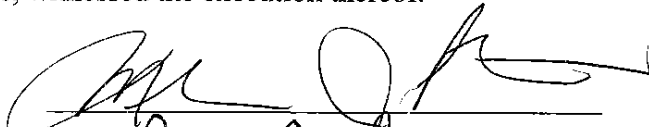
Its: Secretary

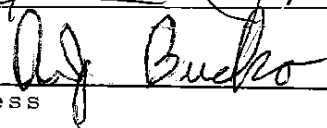
STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)


PROBATE

Personally appeared before me the undersigned witness, who being duly sworn, deposes and says that s/he saw the within named President of the Board of Administration for Villas on the Fazio Horizontal Property Regime sign the within Second Amendment to the By-Laws of the Villas on the Fazio Horizontal Property Regime and that the undersigned Notary Public witnessed, whose signature appears above, witnessed the execution thereof.

SWORN to before me this 12th day
of January, 2008. 9



witness 



Notary Public for South Carolina
My Commission Expires: _____

**My Commission Expires
October 29, 2014**