BEAUFORT COUNTY SC - ROD
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Prepared by and Return To:
Minor, Haight & Arundell, P.C.
P.O. Drawer 6067
Hilton Head Island, SC 29938

State of South Carolina) **Memorandum of Conditional**

County of Beaufort) **ARB Approval Ocean Gate HPR - Villa #1**

Prepared By:
Ocean Gate Villas Horizontal Property Regime

South Forest Beach, Hilton Head Island, Beaufort County, South Carolina, known as "OCEAN GATE HORIZONTAL PROPERTY REGIME" (hereinafter referred to as the "Regime"), has been, by Master Deed, submitted to the provisions of the Horizontal Property Act of South Carolina

RECORDABLE MEMORANDUM OF CONDITIONAL ARB APPROVAL - OCEAN GATE VILLA #1

Return To: IMC Attention Savannah Hartzog, 2 Corpus Christi Ste 302 - Hilton Head Island, SC 29928

Property: Ocean Gate Villa #1, 110 South Forest Beach, Hilton Head, SC 29928
Beaufort County, South Carolina

Tax Parcel No.: R550-018-000-0173-0001

Master Deed Recording Reference: Bk. 328 at Page 1818

This Recordable Memorandum of Conditional ARB Approval ("Memorandum") is entered into as of October 30, 2026, by and between **Ocean Gate Villas Horizontal Property Regime** ("Regime") and **Ian Colley and Shelly Colley** ("Owner"), owner(s) of Ocean Gate Villa #1 ("Villa #1").

1. PURPOSE

The Owner and Regime have entered into a Conditional ARB Approval and Owner Acknowledgment dated October 30, 2026 ("Conditional Approval") concerning alterations to Villa #1.

This Memorandum is recorded to provide notice of certain continuing conditions that are material conditions of that approval.

2. APPROVED CONFIGURATION

The Regime's approval is limited to the configuration reflected in the architectural plans submitted to the Ocean Gate Villas Board of Directors on July 22, 2026.

Those plans identify the enclosed loft area as an **"OFFICE."**

The enclosed loft area is not approved as a third bedroom, and Villa #1 remains approved by the Regime as a two-bedroom villa.

3. TWO-BEDROOM REPRESENTATION

Unless subsequently authorized in writing by the Regime in accordance with its governing documents and otherwise permitted by applicable law, Villa #1 shall not be advertised, listed, marketed, represented, or otherwise offered as containing more than **two bedrooms**.

Designation of the enclosed loft area as an office, den, bonus room, or similar space does not constitute approval of that area as a third bedroom.

4. OWNERSHIP AND COMMON-EXPENSE ALLOCATIONS

The alterations and resulting increase in floor/livable area do not alter Villa #1's percentage ownership interest, voting interest, common-expense allocation, or any other allocation established under the Ocean Gate Villas Master Deed.

Neither the Conditional Approval nor this Memorandum constitutes an amendment to the Master Deed.

5. COVENANTS RUNNING WITH THE LAND

The Owner acknowledges and agrees that the conditions contained in this Memorandum are material conditions of the Regime's approval of the alterations to Villa #1.

The Owner and Regime intend that the conditions and restrictions set forth in this Memorandum run with the land and be binding upon the Owner and the Owner's heirs, successors, assigns, and subsequent owners of Villa #1.

6. GOVERNING DOCUMENTS PRESERVED

Nothing in this Memorandum:

(a) amends or modifies the Ocean Gate Villas Master Deed or other governing documents;

(b) changes Villa #1's ownership percentage, voting interest, common-expense allocation, or other Master Deed allocation;

(c) constitutes approval of Villa #1 as a three-bedroom villa; or

(d) limits or waives the Regime's authority to administer and enforce its governing documents.

7. CONSENT TO RECORDATION

The Owner acknowledges and accepts the conditions contained herein and **expressly consents to the recording of this Memorandum with the Beaufort County Register of Deeds.**

This Memorandum is being recorded to provide notice of the continuing conditions applicable to the Regime's approval of the alterations to Villa #1 and the parties' intent that such conditions **run with the land and be binding upon successors and assigns.**

OWNER(S) OF OCEAN GATE VILLA #1
Printed Name: IAN COLLEY
Signature: Ian Colley
Date: 10/30/26

Printed Name: Shelly Wade-Colley
Signature: Shelly Wade Colley
Date: 10/30/26

WITNESSES
Printed Name: John Schaaf
Signature: John Schaaf
Date: 10/30/26

Printed Name: Paula Rossi
Signature: Paula Rossi
Date: 10/30/26

NOTARY ACKNOWLEDGMENT
STATE OF ~~PENNSYLVANIA~~ New York
COUNTY OF Westchester)

The foregoing instrument was acknowledged before me this 30th day of October, 2026, by Ian Colley and Shelly Colley.

Notary Public: Kailee McMahon
Print Name: Kailee McMahon
My Commission Expires: 2-22-2030
Notary Seal:

KAILEE MCMAHON
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MC6355466
Qualified in Westchester County
Commission Expires February 22, 2030

OCEAN GATE VILLAS HORIZONTAL PROPERTY REGIME

By: Julie A. Kovach

Name: Julie A. Kovach

Title: President Ocean Gate Villa HPR

Date: 10/23/26

WITNESS

Signature: [signature]

Print Name: Savannah Hartzog

WITNESS

Signature: [signature]

Print Name: Mike Ney

NOTARY ACKNOWLEDGMENT

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

The foregoing instrument was acknowledged before me this 23 day of October, 2026, by Julie Kovach as Regime Board President on behalf of Ocean Gate Villas Horizontal Property Regime.

Notary Public for South Carolina: Christine M. Phillips

Print Name: Christine M. Phillips

My Commission Expires: 4-13-2027

Notary Seal:

CHRISTINE M. PHILLIPS
Notary Public-State of South Carolina
My Commission Expires
April 13, 2027