

23580

STATE OF SOUTH CAROLINA            )  
   )  
 COUNTY OF BRAUFORT                 )        **AMENDMENT TO BY-LAWS**

**WHEREAS**, on or about November 29, 1979, Greenwood Development Corporation filed with the Clerk of Court for Beaufort County, South Carolina, in Book 292 at Page 1389, its Master Deed and Amendments thereto, of Fazio III Horizontal Property Regime; and

**WHEREAS**, pursuant to ARTICLE VIII, AMENDMENTS, Section 1., BY-LAWS, of the By-Laws, these By-Laws may be amended by the Council in a duly constituted meeting held for such purpose, or in a properly conducted referendum by use of the mails which include proper notice to all co-owners representing at least two-thirds (2/3) of the total value of the Property as shown on the Master Deed except as provided in the Master Deed for an amendment or amendments to admit further phases to the Regime, if appropriate. So long as the sponsor remains the owner of any apartment in this Horizontal Property Regime, these By-Laws may not be amended so as to adversely affect the sponsor without the sponsor's consent.

**WHEREAS**, the Fazio III Horizontal Property Regime wishes to amend certain provisions of said By-Laws;

**WHEREAS**, at a specially called meeting held for such purpose on May 20, 1994, a ballot was taken and the proposed By-Laws Amendment was passed by a sufficient majority.

**AMENDMENT TO BY-LAWS**

**NOW, THEREFORE**, the By-Laws are hereby amended as follows:

**ARTICLE VI, OBLIGATIONS OF THE CO-OWNERS, Section 4., DEFAULT IN PAYMENT OF COMMON CHARGES**, of the By-Laws shall read as follows:

**Section 4. DEFAULT IN PAYMENT OF COMMON CHARGES.** The Board of Administration shall take prompt action to collect any common charge due from any apartment owner which remains unpaid for more than thirty (30) days from the due date for payment thereof. In the event of default by any apartment owner in paying to the Board of Administration the common charges as determined by the Board of Administration, such apartment owner shall be obligated to pay a late fee of Fifty and No/100 (\$50.00) Dollars, together with all expenses, including attorney's fees, incurred by the Board of Administration to collect such unpaid common charges. The Board of Administration shall have the right and duty to attempt to recover

such common charges, together with the late fee referenced above, and the expenses of the proceeding, including attorney's fees, in an action to recover the same brought against such apartment owner, or by foreclosure of the lien on such apartment granted by §27-13-210 of the Code of Laws of South Carolina (1976), as amended.

IN WITNESS WHEREOF, the Fazio III Horizontal Property Regime has caused these presents to be executed the 9th day of June, 1994.

Signed, sealed and delivered in the presence of:

Virginia C. Snyder  
Witness

FAZIO III HORIZONTAL  
PROPERTY REGIME:

X BY: Edwin S. Snyder  
Its President

Notary Public

[Signature]  
Witness

ATTEST: William Beer  
Its Secretary

[Signature]  
Notary Public

My Commission Expires August 30, 2000

STATE OF )

COUNTY OF )

PROBATE

PERSONALLY APPEARED before me, the undersigned witness, on oath, says that s/he saw the within named Fazio III Horizontal Property Regime, by its President, sign the within Amendment to By-Laws of Fazio III Horizontal Property Regime, and that s/he with the undersigned notary public, witnessed the execution thereof.

Virginia C. Snyder  
Witness

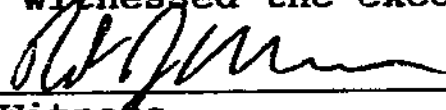
SWORN TO before me this 10 day of June, 1994.

[Signature]  
Notary Public  
My Commission Expires: \_\_\_\_\_

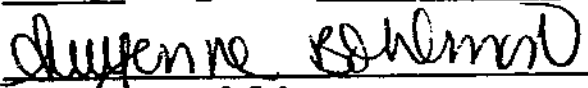
DISTRICT JUSTICE  
My Commission Expires  
First Monday January 2000

STATE OF )  
 ) PROBATE  
 COUNTY OF )

PERSONALLY APPEARED before me, the undersigned witness, on oath, says that s/he saw the within named Fazio III Horizontal Property Regime, by its Secretary, sign the within Amendment to By-Laws of Fazio III Horizontal Property Regime, and that s/he with the undersigned notary public, witnessed the execution thereof.

  
 \_\_\_\_\_  
 Witness

SWORN TO before me this  
3rd day of June, 1994.

  
 \_\_\_\_\_  
 Notary Public

My Commission Expires: ~~My Commission Expires August 30, 2000~~

*Bullard*  
FILED *8117*  
JOHN A. SULLIVAN, JR.  
R.M.C.  
BEAUFORT COUNTY, S.C.

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FOLDER # *h*