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STATE OF SOUTH CAROLINA) **FIRST AMENDMENT TO THE MASTER DEED**
) **OF BEACHWALK VILLAS**
) **HORIZONTAL PROPERTY REGIME**
COUNTY OF BEAUFORT) **(Reference Book 304 at Page 407, Book 322 at Page 1607)**

THIS FIRST AMENDMENT TO THE MASTER DEED OF BEACHWALK VILLAS HORIZONTAL PROPERTY REGIME (the "First Amendment"), is made this 26th day of July, 2022, by **BEACHWALK VILLAS CONDOMINIUM ASSOCIATION, INC.** (the "**Association**").

WHEREAS, Justice Builders, Inc. executed and recorded that certain Master Deed of Beachwalk Villas Horizontal Property Regime (the "**Regime**") dated July 23, 1980 and recorded in the Beaufort County Records in Book **304** at Page **407**, as supplemented by that certain Supplement to Master Deed of Beachwalk Villas Horizontal Property Regime recorded in the Beaufort County Records in Book **322** at Page **1607** (collectively, the "**Master Deed**"); and

WHEREAS, Building 7 of the Regime (the "**Building**") suffered a fire on November 7, 2018 that caused major damage to Villas 153-156 and minor damage to Villas 151 and 152; and

WHEREAS, as a result, it was determined that the best course of action was to separate the Building into two buildings (Building 7 and Building 7A) in order to keep Villas 150-153 (Building 7) and allow for the demolition and reconstruction of Building 7A (Villas 154-156) within the original footprint with the inclusion of a two (2) hour fire wall between Villas 153 and 154; and

WHEREAS, the Association proposed to amended the Master Deed to include reference to Building 7 and Building 7A in the Master Deed; and

WHEREAS, Article XXVI of the Master Deed provides that all proposed amendments to the Master Deed shall be passed upon the consent of the co-owners owning at least two-thirds of the Apartments at a duly called meeting of the Association for which notice of the proposed amendment was given in the official notice of the meeting; and

WHEREAS, a Special Meeting was held on June 17, 2019 regarding this proposed amendment to the Master Deed, and the amendment was passed by seventy five percent (75%) of the membership who voted either in person or by proxy; and

WHEREAS, reconstruction of villas 154-156 was completed on March 28, 2022; and

WHEREAS, the Master Deed is being amended to include reference to Building 7 and Building 7A; and

WHEREAS, this First Amendment is being recorded to provide official notice of the amendment approved at the Special Meeting held June 17, 2019.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT, the Association hereby amends the Master Deed as more particularly described below:

1. Recitals. The aforesaid recitals are incorporated herein as if fully restated.
2. Building 7. The Master Deed is hereby amended so that Building 7 (Villas 150-156) is now split into Building 7 (Villas 150-153) and Building 7A (Villas 154-156). Building 7A was rebuilt within the original footprint and was not moved or expanded. This First Amended amends Exhibit "B" and of the Master Deed to incorporate a reference to Building 7A. Exhibit "B" of the Master Deed is hereby deleted and replaced in its entirety by the Exhibit "B" attached hereto as Exhibit "A" and incorporated herein.
3. Conflict. In the event of any inconsistency between this First Amendment and the Master Deed and/or exhibits attached thereto, this First Amendment shall control.
4. Incorporation and Reaffirmation. All provisions of, and Exhibits to, the Master Deed establishing the Regime as recorded in the Beaufort County Records which are not modified herein are expressly incorporated into and reaffirmed by this First Amendment in the same manner as if the same were expressly set forth in this First Amendment.
5. Defined Terms. Any undefined capitalized terms used in this First Amendment shall have the same meaning as provided in the Master Deed.
6. Enforceability and Severability. The provisions hereof shall be deemed independent and severable, and the invalidity in whole or in part of any section, sub-section, sentence, clause, phrase or word, or other provision of this First Amendment shall not affect the validity or enforceability of the remaining portions thereof and in such event, all of the other provisions of this First Amendment shall continue in full force and effect as if such invalid provision had never been included therein.
7. Titles and Captions. All Section titles or captions contained in this Agreement are for convenience only and shall not be deemed to be of the context nor affect the interpretation of this First Amendment.

[Signature on following page]

IN WITNESS WHEREOF, Beachwalk Villas Condominium Association, Inc. has caused these presents to be executed this 26th day of July, 2022.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

Craig Luster
Signature of 1st Witness
Halynn Flanagan
Signature of 2nd Witness/Notary Public

**BEACHWALK VILLAS CONDOMINIUM
ASSOCIATION, INC.**

Rick Sparks
By: Rick Sparks
Its: President

**STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)**

ACKNOWLEDGMENT

I, the undersigned Notary Public, do hereby certify that Rick Sparks, as President of Beachwalk Villas Condominium Association, Inc., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 26th day of July, 2022.

Halynn Flanagan
Notary Public for South Carolina
My Commission Expires: 5/30/2027

**Halynn Flanagan
NOTARY PUBLIC
State of South Carolina
My Commission Expires 5/30/2027**

Exhibit "A"

EXHIBIT "B"

TO MASTER DEED OF

BEACHWALK VILLAS HORIZONTAL PROPERTY REGIME

Apartment Description and Numbers

Exhibit B incorporates into the Master Deed a boundary survey, an as-built survey and site plan (attached to the Master Deed at the time of recording) showing the location of the buildings and other improvements, and a set of floor plans of the buildings which show graphically the dimensions, area and location of the Common Elements appurtenant to and affording access to each Apartment.

The aforementioned survey and plans (hereinafter collectively called "the Regime Plans") were prepared by Richard E. Martin, A.I.A., Architects and Land Planners, and are recorded in the office of the Clerk of Court for Beaufort County in Plat Book 28 at page 211, and are hereby incorporated herein and made a part hereof by reference.

The Regime Plans show that there are four (4) phases which are or may be submitted to the Regime, each of which phases contains twenty-eight (28) Apartments in four (4) buildings. Sheet 1 of the Regime Plans shows that the 28 Apartments in Phase I (numbered 101 through 128 inclusive) are located in buildings numbered 1 through 4; that the 28 Apartments in Phase II (numbered 129 through 156 inclusive) are located in buildings numbered 5 through 8; that the 28 Apartments in Phase III (numbered 157 through 184 inclusive) are to be located in buildings numbered 9 through 12; that the 28 Apartments in Phase IV (numbered 185 through 212 inclusive) are to be located in buildings numbered 13 through 16. The following table shows which units are contained within which buildings:

Phase	Building Number	Area of Building (sq. ft.)	Apartments Contained in Building (numbers inclusive)
I	1	8,214	101-106
I	2	10,019	115-121
I	4	11,595	107-114
I	3	10,381	122-128
II	5	9,195	129-135
II	6	10,200	136-142
II	7	6,316	150-153
II	7A	4,055	154-156
II	8	9,195	143-149
III	9	10,200	163-169
III	10	10,381	157-162
III	11	11,595	170-177
III	12	9,195	178-184
IV	13	10,200	192-198
IV	14	9,195	185-191
IV	15	10,200	199-205
IV	16	9,195	206-212

Preceding each unit number on sheet 1 is the prefix A, B, C, D or E. This prefix identifies the Apartment type (more fully described below), is for descriptive purposes only, and is not part of the identifying number of any Apartment. The Apartment type for each Apartment number is also set forth on Exhibit "C" to the Master Deed.

Sheet 1 also shows the location of swimming pools, pool (swim club) house and deck, and related facilities, all situate entirely within Phase I between buildings 3 and 7 near the northeast boundary of the Real Property. Sheet 1 also shows the location of other improvements such as roadways (private drives), parking areas, lagoons and other water areas, bridges and footpaths, entry sign and two (2) gazebos. All of the improvements described in this paragraph are General Common Elements.

EXHIBIT "B"(continued)

Apartment type A is a downstairs, two-bedroom, two-bath flat <all on one floor) Apartment containing 1,272 heated square feet (exclusive of decks and exterior stairways). Apartment type B is an upstairs, two- bedroom, two-bath flat Apartment containing 1,272 heated square feet (exclusive of decks and exterior stairways). Apartment type C is an upstairs, one-bedroom, two-bath flat Apartment containing 1,116 heated square feet (exclusive of decks and exterior stairways). Apartment type D is a two-bedroom, two and one-half bath townhouse (on two floors) Apartment containing 1,308 heated square feet (exclusive of decks and exterior stair- ways). Apartment type E is a three-bedroom, three and one-half bath townhouse Apartment containing 1,733 heated square feet (exclusive of decks and exterior stairways).

On the Regime plans, detailed plans of Apartment type A appear on sheet 2; detailed plans of Apartment type B appear on sheet 3; detailed plans of Apartment type C appear on sheet 4; detailed plans of Apartment type D appear on sheet 5; detailed plans of Apartment type E appear on sheet 6.

Sheet 1 also shows the instances in which the combination of Apartment type A (downstairs) with Apartment type B (upstairs) occurs; this combination occurs with the following Apartments:

Phase	Building	Type A Apartment Number	Type B Apartment Number
I	4	107	108
I	3	122	123
II	5	134	135
II	6	136	137
II	8	143	144
II	7	150	151
II	7A	155	156
III	10	161	162
III	9	168	169
III	11	176	177
III	12	178	179
IV	13	197	198
IV	14	190	191
IV	15	199	200
IV	16	211	212

Sheet 1 also shows the instances in which the combination of Apartment type A (downstairs) with Apartment type C (upstairs) occurs; this combination occurs with the following Apartments:

	Phase	Building	Type A Apart No.	Type C Apt No.
I		1	101	102
I		1	105	106
I		4	113	114
I		2	115	116
I		2	120	121
II		5	129	130
II		6	141	142
II		8	148	149
III		10	157	158
III		9	163	164
III		11	170	171
III		12	183	184
IV		14	185	186
IV		13	192	193
IV		15	204	205
IV		16	206	207

EXHIBIT "B" (continued)

All kitchen and other electrical appliances, air-conditioning and heating units and hot water heaters located within each Apartment are neither General Common Elements nor Limited Common Elements, but are the personal property of the Apartment owner(s).

Included in the General Common Elements are asphalt parking areas, concrete and wood walks, a pool, wood and concrete sundeck around the pool, and landscaping. Specific designations of General Common Elements contained herein are for clarification only and are to be read in conjunction with the definitions of such elements contained elsewhere in the Master Deed and also in conjunction with the Regime plans.