

**EXHIBIT**  
**C**

**RECEIVED**

**May 09 2022**

**SC Court of Appeals**

<b>STATE OF SOUTH CAROLINA</b>	)	<b>DECLARATION OF AMENDMENT TO</b>
	)	<b>MASTER DEED FOR SOUTH BEACH</b>
<b>COUNTY OF BEAUFORT</b>	)	<b>LAGOON VILLAS II HORIZONTAL</b>
	)	<b>PROPERTY REGIME LVII</b>
	)	

**THIS DECLARATION OF AMENDMENT TO MASTER DEED FOR SOUTH BEACH LAGOON VILLAS II HORIZONTAL PROPERTY REGIME LVII** (the "Amendment") is made effective as of this 29<sup>th</sup> day of March 2022, by South Beach Lagoon Villas II Horizontal Property Regime LVII ("the "Regime").

**WITNESSETH:**

**WHEREAS**, on the 2<sup>nd</sup> day of November 1973, Sea Pines Plantation Company (hereinafter referred to as "Grantor") established the South Beach Village Lagoon Villas II Horizontal Property Regime LVII (the "Regime") by Master Deed filed in the Office of the Register of Deeds for Beaufort County, South Carolina in Deed Book 215 at Page 1092 (the "Master Deed") which said Master Deed, as amended, and the exhibits attached thereto are incorporated herein by this reference thereto; and

**WHEREAS**, all Co-Owners of the Regime have previously amended the Master Deed pursuant to that Declaration of the amendment filed in Deed Book 402 at Page 1779 in the aforesaid Clerk of Courts Office on September 7, 1984; and

**WHEREAS**, Dwelling Unit 1591, Dwelling Unit 1594 and Dwelling Unit 1595 (the "Encroaching Units") were inadvertently expanded and encroached into common elements of the Regime by their respective Owners; and

**WHEREAS**, in order to avoid hardship to the owners of the Encroaching Units, the Regime Council of Co-Owners has voted to convey certain common elements to the Owners of the Encroaching Units by this Amendment to the Master Deed and revise the As-Built Survey referenced in the Master Deed to reflect the description of the Encroaching Units and certain other matters as more particularly set forth herein; and

**WHEREAS**, the Council of Co-Owners has approved the revised As-Built Survey, dated September 17, 2019, as prepared by Surveying Consultants, Inc. certified to by Terry G. Hatchel RLS #11059 and, pursuant to the terms of an Order of the Master of Equity for Beaufort County, dated February 3, 2022, entered in Court of Common Pleas Case No. 2020-CP-07-01547, approve and authorize John A. Elder, IV, as President, and Kathy Anderson, as Secretary, of the Regime to execute this Declaration of Amendment on behalf of the Regime.

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ALSO, a non-exclusive easement for ingress and egress on all existing roads within Sea Pines Plantation, including but not limited to roads in existence running from the eastern portion of the above-described property to South Sea Pines Drive.”

3. Section FOURTH is amended and restated as follows:

“FOURTH: That Property has a total area of 0.77 acres of which 7,890 square feet constitutes Dwelling Units, and 25,651 square feet will constitute common elements.”

4. Section FIFTH Subparagraph I.C. is amended and restated as follows:

“C. Villas: That the Villas as shown on the plat of record are composed of the following:

1. Two-bedroom type “A” Villa: (Unit 1591) This Villa measures 40.50 feet wide and 43.30 feet deep in its maximum interior dimensions and contains a net interior area of 1,280 feet.
2. Two-bedroom Type “B” Villa: (Unit 1592) This Villa measures 39.90 feet wide and 41.10 feet deep in its maximum interior dimensions and contains a net interior area of 1,138 feet.
3. Three-Bedroom Type “C” Villa: (Unit 1593) This Villa measures 45.40 feet wide and 48.60 feet deep in its maximum interior dimensions and contains a net interior area of 1,342 feet.
4. Three-bedroom Type “D” Villa: (Unit 1594) This Villa measures 45.40 feet wide and 54.30 feet deep in its maximum interior dimensions and contains a net interior area of 1,799 feet.
5. Two-bedroom Type “E” Villa: (Unit 1595) This Villa measures 41.40 feet wide and 52.40 feet deep in its maximum interior dimensions and contains a net interior area of 1,262 feet.
6. Two-bedroom Type “F” Villa: (Unit 1596) This Villa measures 40.50 feet wide and 38.60 feet deep in its maximum interior dimensions and contains a net interior area of 1,069 feet.”

5. Section SIXTH Subparagraph I is amended and restated as follows:

“SIXTH:

I. That the title and interest of each co-owner of a Dwelling Unit in the common elements listed in Sub-Paragraph II of Paragraph “FIFTH” and their proportionate share in the profits and common elements (both general and limited), as well as the proportionate representation for voting purposes in the meeting or the Council of Co-Owners (the “Council”) of the Regime is based on the proportionate value of each Dwelling Unit to the total value of the Property. The total value of the Property is Four Hundred Fifty-Eight Thousand and No/100 (\$458,000.00) Dollars. The value of each Dwelling Unit and its proportionate percentage interest is set forth

below. Such values shall not be deemed to limit the purchase price for which the property or any Dwelling Units may be sold or exchanged. The values are as follows:

- A. Dwelling Unit 1591: 16.223 per cent based on a value of \$74,302.00
- B. Dwelling Unit 1592: 14.423 per cent based on a value of \$66,059.00
- C. Dwelling Unit 1593: 17.009 per cent based on a value of \$77,901.00
- D. Dwelling Unit 1594: 22.801 per cent based on a value of \$104,429.00
- E. Dwelling Unit 1595: 15.995 per cent based on a value of \$73,257.00
- F. Dwelling Unit 1596: 13.549 per cent based on a value of \$62,053.00”

6. By execution hereof, the undersigned John A. Elder, IV, as President, and Kathy Anderson, as Secretary, of the Regime, swear and attest that the aforementioned modifications were approved by majority vote of the Co-Owners of the Regime, as provided for in the Order of the Master of Equity for Beaufort County, dated February 3, 2022, entered in Court of Common Pleas Case No. 2020-CP-07-01547.

7. This document is intended to comply with the provisions of the Master Deed and Horizontal Property Act of the State of South Carolina, as modified by the Order of the Master of Equity for Beaufort County, dated February 3, 2022, entered in Court of Common Pleas Case No. 2020-CP-07-01547. In case any of the provisions stated above conflict with the Horizontal Property Act, as modified by the Court Order, the provisions of said statute shall be deemed controlling. The provisions herein shall be deemed independent and severable, and the invalidity in whole or in part of any section, subsection, sentence, clause, phrase or word, other provisions thereof shall not affect the validity or enforceability of the remaining portions hereof and in such an event all other provisions of this document shall continue in full force and effect as if such invalid provisions had never been included herein

8. All other terms, conditions and provisions of Master Deed, as amended, remain in full force and effect.

**[Signatures Follow on the Next Page]**

IN WITNESS WHEREOF, South Beach Village Lagoon Villas II Horizontal Property Regime LVII has this 29<sup>th</sup> day of March 2022, signed, sealed, and delivered for recording the within documents in Beaufort County, South Carolina.

WITNESSES

SOUTH BEACH VILLAGE LAGOON VILLAS II HORIZONTAL PROPERTY REGIME LVII

Alyssa Gordon  
Nyke B. Maddox

By: J. A. Elder, IV  
John A. Elder, IV  
Its: President

\_\_\_\_\_  
\_\_\_\_\_

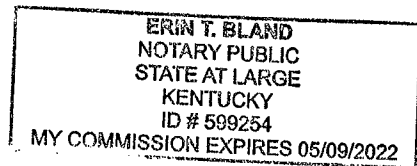
By: \_\_\_\_\_  
Kathy Anderson  
Its: Secretary

STATE OF Kentucky  
COUNTY OF Marion

PROBATE

Personally appears before me the below-signed witness and made oath that (s)he saw the within named John A. Elder, IV, President of South Beach Village Lagoon Villas II Horizontal Property Regime LVII sign the within instrument and as his act and deed deliver the within written instrument, and that (s)he together with the other witness did witness the execution.

Witness my official seal this 29<sup>th</sup> day of March, 2022.  
Erin T. Bland  
Notary Public \_\_\_\_\_  
My Commission Expires: 5/9/2022



STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

PROBATE

Personally appears before me the below-signed witness and made oath that (s)he saw the within named Kathy Anderson, Secretary of South Beach Village Lagoon Villas II Horizontal Property Regime LVII sign the within instrument and as his act and deed deliver the within written instrument, and that (s)he together with the other witness did witness the execution.

Witness my official seal this \_\_\_\_ day of \_\_\_\_\_, 2022.  
\_\_\_\_\_  
Notary Public \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

IN WITNESS WHEREOF, South Beach Village Lagoon Villas II Horizontal Property Regime LVII has this 22 day of March 2022, signed, sealed, and delivered for recording the within documents in Beaufort County, South Carolina.

**WITNESSES**

**SOUTH BEACH VILLAGE LAGOON  
VILLAS II HORIZONTAL PROPERTY  
REGIME LVII**

\_\_\_\_\_

By: \_\_\_\_\_

John A. Elder, IV  
Its: President

Marion Douglas  
David R. Rott

By: Kathy S. Anderson  
Kathy Anderson  
Its: Secretary

STATE OF \_\_\_\_\_

PROBATE

COUNTY OF \_\_\_\_\_

Personally appears before me the below-signed witness and made oath that (s)he saw the within named John A. Elder, IV, President of South Beach Village Lagoon Villas II Horizontal Property Regime LVII sign the within instrument and as his act and deed deliver the within written instrument, and that (s)he together with the other witness did witness the execution.

Witness my official seal this \_\_\_\_ day of \_\_\_\_\_, 2022.

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

My Commission Expires: \_\_\_\_\_

STATE OF \_\_\_\_\_

PROBATE

COUNTY OF \_\_\_\_\_

Personally appears before me the below-signed witness and made oath that (s)he saw the within named Kathy Anderson, Secretary of South Beach Village Lagoon Villas II Horizontal Property Regime LVII sign the within instrument and as his act and deed deliver the within written instrument, and that (s)he together with the other witness did witness the execution.

Witness my official seal this 20 day of March, 2022.

Columbia County, GA  
Notary Public Alyson Adams Gatchell Alyson Adams Gatchell  
My Commission Expires: 9/14/24

