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STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON) AMENDMENTS TO THE BY-LAWS AND TO
 THE AMENDED AND RESTATED
 COVENANTS AND RESTRICTIONS OF
 SPINNAKER BEACH HOUSES OWNERS
 ASSOCIATION

*Tracer cross reference: Book M116, Page 211
 Book W210, Page 459
 Book W210, Page 435*

These amendments to the Bylaws and to the Amended and Restated Covenants and Restrictions of Spinnaker Beach Houses Owners Association are made this 31st day of August, 2021 by Spinnaker Beach House Owners Association, Inc.

WHEREAS, the Amended and Restated Covenants and Restrictions of Spinnaker Beach Houses Owners Association (the "Covenants") was recorded February 24, 1992 in the ROD Office for Charleston County in Book W210, Page 459; and

WHEREAS, Spinnaker Beach House Owners Association, Inc. (the "Association") is the incorporated property owners association for Spinnaker Beach Hoses, located in the Town of Seabrook Island, South Carolina; and

WHEREAS, the By-Laws of the Association (the "By-Laws") were recorded February 24, 1992 in the ROD Office for Charleston County in Book W210, Page 435; and

WHEREAS, the By-Laws and the Covenants both provide that that they may be amended by the affirmative vote of two-thirds (66.7%) of the votes entitled to be cast by the membership of the Association by a duly conducted referendum; and

WHEREAS, a referendum was conducted, and the Owners of two-thirds (2/3) of the votes entitled to be cast by the membership of the Association approved the within amendments to the By-Laws and to the Covenants.

NOW, THEREFORE, the Association hereby declares that the By-Laws and the Covenants are amended as follows:

AMENDMENTS TO BY-LAWS:

Section 4.3 of the By-Laws is hereby deleted in its entirety and replaced with the following language:

4.3 Election and Terms of Office. The Board of Directors will be elected at the Annual Meeting of Members. Directors shall be elected from among the membership and their spouses. Beginning at the October 2021 Annual Meeting, the Association elects to stagger the terms of its Directors. At this meeting, five (5) Directors will be elected as follows: the three persons receiving the first, second and third highest number of votes will each be elected to

serve a term of two (2) years and the two persons receiving the fourth and fifth highest number of votes will each be elected to serve a term of one (1) year. Thereafter, all Directors shall serve two (2) year terms. Each Director shall hold office until the Annual Meeting when their term expires and until a successor has been elected and qualified. If a quorum is not present at an Annual Meeting of the membership, the Board shall approve Directors to serve until a meeting with a quorum is held, at which time Directors will be elected. In the event that a vacancy arises on the Board, a Director shall be appointed to fill that vacancy by a vote of a majority of the remaining Board Members. This appointed Director shall serve the remaining term of the Director who created the vacancy. All elected Directors shall assume office immediately upon their election.

Section 10.3 of the By-Laws is hereby deleted in its entirety and replaced with the following:

10.3 Notices. Whenever a notice is required to be given to any Member or Director, notice shall be given to members in a manner consistent with the provisions of the South Carolina Nonprofit Corporation Act, codified at Title 33, Chapter 31, Section 101, et seq. in the Code of Laws of South Carolina, as amended, 1976. Such notice shall be made in a manner consistent with these By-Laws and made in a fair and reasonable manner. Notice shall be made via electronic mail (hereinafter "e-mail") to an e-mail address belonging to a Member or Director. It is the responsibility of Members and Directors to submit the e-mail address they wish to utilize for these notifications to the Association. It is further the responsibility of a Member or Director to notify the Association of any changes to the e-mail address for which he or she will receive electronic notifications. The Association shall promptly record these e-mail addresses, and any changes in e-mail addresses in the Association's books. Should a Member or Director elect not to receive electronic notices, the Association shall send notice to such Member or Director in writing, by regular U.S. mail, postage prepaid, and addressed to such Member or Director at their address as it appears on the books of the Association at the time of such notice is given. It shall be the responsibility of each Member to keep the Association apprised of changes of ownership and/or address. Changes of ownership and/or address submitted by Members or Directors shall be promptly recorded in the books of the Association. Any notice required by these By-Laws may be waived by the person entitled thereto.

Section 3.7 of the By-Laws is hereby deleted in its entirety and replaced with the following:

3.7 Voting and Proxy. The Property Owner or Property Owners in good standing of each Property as defined by the Board is/are entitled to one vote for each such Property at any membership meeting or in any Referendum. Any undivided and undeveloped tract or parcel of Property which is subject to the annual maintenance and service assessment pursuant to Article VII, Section 7.3, is entitled to one (1) vote until it is further subdivided. Votes may be cast at a meeting of the Members in person or by proxy. In the event of a Referendum (defined in Section 10.7.3 of these By-Laws), a Virtual Meeting (defined in Section 3.9 of these By-Laws) or the Virtual Attendance (defined in Section 3.9 of these By-Laws) by a Member at a meeting, Members' votes may be cast electronically. The submittal of an electronic vote shall constitute a signature, and shall be duly accepted by the Association pursuant to Title 33, Chapter 31, Section 727 of the Code of Laws of South Carolina, as amended 1976. If more than one Owner attempts to cast a vote with respect to a single Property, no vote shall be

counted with respect to such Property inasmuch as it shall not be the duty of the Board or the Association to resolve such conflicts among Property Owners of a Property. Property Owners delinquent in payment of charges or assessments shall not be eligible to vote, nor shall they be counted in determining a quorum, unless such payment is the subject of a pending appeal.

The following is hereby added as Section 3.9 of the By-Laws:

3.9 Alternative Manner of Meeting. *In the Board's sole and absolute discretion, the Board may permit all Members to participate in a regular or special meeting of the Members, or conduct the meeting through the use of, any means of communication by which all Members participating may hear each other simultaneously during the meeting (herein referred to as a "Virtual Meeting"). In addition to the foregoing, the Board, in its sole and absolute discretion, may permit one or more, but less than all, of the Members to participate in a regular or special meeting of the Members by the use of any means of communication by which all Members participating may hear each other simultaneously during the meeting (herein referred to as the "Virtual Attendance" of a Member). Any Member participating in a meeting by either of these means is deemed to be present in person at the meeting.*

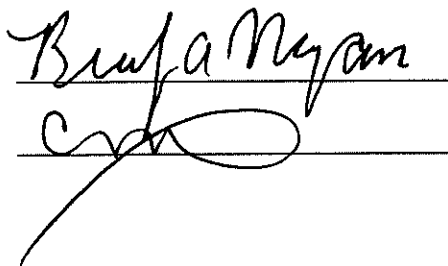
AMENDMENT TO COVENANTS:

Section 5(a) of the Amended and Restated Covenants and Restrictions is hereby deleted in its entirety and replaced with the following:

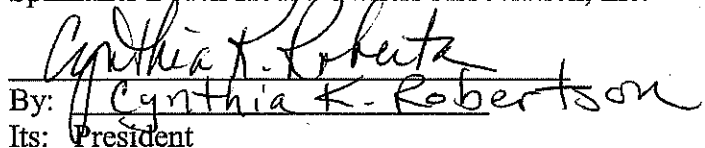
(a) Capital Assessments. *At the time that title is conveyed to a Property Owner, the new Property Owner shall contribute to the working capital reserve maintained by the Association an amount equal to one-quarter of one percent (0.25%) of the purchase price for such Property. Such funds shall be used solely for capital expenses of the Association and the Common Properties.*

By signing below, the President of the Association hereby certifies that the within amendments to the By-Laws and to the Covenants were approved by the affirmative vote of two-thirds (66.7%) of the votes entitled to be cast by the membership of the Association as part of a duly conducted referendum.

IN WITNESS WHEREOF, Spinnaker Beach House Owners Association, Inc. has caused this instrument to be executed as of the day and year first above written



Spinnaker Beach House Owners Association, Inc.



By: Cynthia K. Robertson
Its: President

STATE OF New Jersey)
)
COUNTY OF Burlington)

ACKNOWLEDGMENT

I, Caitlin Midgette, do hereby certify that Cynthia K. Robertson,
President of Spinnaker Beach House Owners Association, Inc. personally appeared before me
this day and acknowledged due execution of the foregoing instrument.

Witness my hand and official seal this 31st day of August, 2021.

 (L.S.)
Notary Public – State of New Jersey
Print name of Notary: Caitlin Midgette
My Commission Expires: 11/6/2025

Caitlin A. Midgette
Notary Public - New Jersey
Commission No. 50142767
My Comm. Expires Nov. 6, 2025

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Filed By:

BARR UNGER & MCINTOSH, L.L.C.

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Michael Miller, Register Charleston County, SC		

MAKER:

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