

**FIRST AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR RICE FIELDS AT BULLS BAY**

THIS IS THE First Amendment to Declaration Of Covenants, Conditions and Restrictions For Rice Fields At Bulls Bay ("Declaration") as dated January 8, 2003, and recorded in Book 0-432 at Page 179 in the RMC Office for Charleston County.

WHEREAS, under Article 9.1 of the Declaration, the Board of Directors reserved the right to amend the Declaration; and

WHEREAS, no lots have been sold to a third party and the Board wishes to amend the Declaration as follows:

1. Section 5.2 as to "Class B" Memberships is hereby amended to delete the following sentence, "If the Declarant or the Association grants to the Club (as defined in Section 4.6) and/or its members and guests a non-exclusive easement of access and use over all Roads and Common Area with the Property pursuant to Section 4.6, then the owner of the Club shall be the sole Class B Associate." The deleted sentence shall be replaced with the sentence which shall read as follows, "The Declarant and the Association hereby grant to the Club, (as defined in Section 4.6) and/or its members and guests a non-exclusive easement of access and use over all Roads and Common Areas with the Property as provided under Section 4.6, such that the Club shall now be the sole Class B Associate."
2. Section 8.4.2 is amended to delete the second sentence which reads, "Declarant shall have five (5) business days after receipt of such notice to elect whether to exercise its right to purchase such Lot on the terms and conditions set forth in the contract or written summary, net of any commissions." Said sentence shall be replaced with a sentence which reads, "Declarant shall have ten (10) business days after receipt of such notice to elect whether to exercise its right to purchase such Lot on the terms and conditions set forth in the contract or written summary, net of any commissions."
3. Article 9 is hereby amended to add a new Section 9.13 which shall read as follows, "9.13. NOTICE. THE WITHIN DECLARATION ONLY APPLIES TO THE SPECIFIC LOTS WHICH WERE SUBJECTED TO THE WITHIN DECLARATION IN BOOK 0-342 AT PAGE 179 AND ANY ADDED PROPERTY AS EVIDENCED BY ANY SUPPLEMENTAL DECLARATION. THE DECLARANT IS NOT OBLIGATED TO SUBJECT ANY OTHER PROPERTY TO THE WITHIN DECLARATION AND MAY DEVELOP ANY PROPERTY SHOWN AS 'FUTURE DEVELOPMENT' FREE OF ANY RESTRICTIONS AND MAY SUBJECT ANY "FUTURE DEVELOPMENT PROPERTY" TO OTHER RESTRICTIVE COVENANTS; PROVIDED, HOWEVER, THAT ANY

PROPERTY WHICH MAKES USE OF ANY COMMON AREA ROADS OR HAS THE BENEFIT OF ANY COMMON AREA ROADS SHALL BE OBLIGATED TO PAY TO THE ASSOCIATION ITS PROPORTIONATE SHARE OF THE COST OF MAINTENANCE OF THE ROADS."

\* 4. See below

Except as provided herein, all other terms and conditions of the Declaration shall remain and be the same.

IN WITNESS WHEREOF, the Declarant has executed this Declaration this 4<sup>th</sup> day of April, 2003.

WITNESSES:

Christina D. Burns  
[Signature]

RICE FIELDS LLC

BY:

[Signature]  
Forrest M. Edwards  
Its: Member

ACKNOWLEDGEMENT

I, Pamela M. Morris, the undersigned Notary Public for the State of South Carolina, do hereby certify that RICE FIELDS LLC, by Forrest M. Edwards, its Member, personally appeared before me this day and acknowledged the due execution of the foregoing Declaration.

Witness my hand and official seal this 4<sup>th</sup> day of April, 2003.

[Signature]

(SEAL)

Notary Public for South Carolina

My commission expires: 7-26-2009

\* 4. The By-laws are amended by the First Amendment to By-laws of Rice Fields at Little Bay Homes Association, Inc. attached as Ex. "A"

**FIRST AMENDMENT  
TO  
BYLAWS  
OF  
RICE FIELDS AT BULLS BAY HOMEOWNERS ASSOCIATION, INC.**

*Attached as Ex B to Declaration  
at 0432 Page 179*

THIS FIRST AMENDMENT TO BYLAWS (the "Amendment") of the RICE FIELDS AT BULLS BAY HOMEOWNERS ASSOCIATION, INC. (the "Company") is entered into as of this 15 day of March, 2003, by JOSEPH F. RICE (the "Declarant").

WHEREAS, Rion D. Foley, as the Incorporator of the Company, pursuant to South Carolina Code Section 33-31-205(a)(2) & (b) entered into a written resolution for the Company, dated September 4, 2002, whereby the Bylaws of the Company were adopted;

WHEREAS, Joseph F. Rice, Forrest M. Edwards and Barry D. Gumb (collectively, the "Directors") made and entered into a written resolution of the Company dated September 4, 2002, whereby they confirmed the adoption of the Bylaws; and

WHEREAS, the Declarant, pursuant to the authority granted by Section 11.2 of the Bylaws, desires to amend the Bylaws in order to bring them into compliance with South Carolina law:

NOW, THEREFORE, the Bylaws are hereby modified and amended as follows:

1. **Number, Tenure, Qualifications.** Paragraph (C) of Section 4.2.2 of ARTICLE IV shall be deleted in its entirety and replaced with the following language:

**4.2.2(C)** The current Board of the Association shall constitute a Nominating Committee to nominate competent and responsible individuals to serve as Directors of the Association. At the discretion of the Board of Directors, elections of Directors shall be held either (i) by written ballot distributed to the Associates without a meeting or (ii) by written ballot election at a meeting of the Associates. In all cases, the Board of Directors shall determine the form of the written ballot, but the ballot shall contain one or more blank spaces for additional individuals to be nominated. If election is by written ballot distributed to the Associates without a meeting, the ballot or accompanying materials shall state a date by which the ballot must be returned to the Association in order to be counted. If election of Directors is at a meeting of the Associates, the Association shall cause notice to be given to all Associates that a meeting shall be held at a designated time and place in Charleston County not earlier than ten (10) days after the date such notice is given for election of Directors. The notice shall contain the names of those individuals recommended by the Nominating Committee,

but shall note that Associates may make other nominations at the meeting.

Except as specifically modified and amended herein, all terms and provisions of the Bylaws shall remain unchanged and in full force and effect. Each and every term of the Bylaws, except as modified and amended herein, is hereby incorporated by reference, such that the Bylaws and this Amendment, shall be read and construed as one instrument.

IN WITNESS WHEREOF, the undersigned has executed and sealed this Amendment to the Bylaws of the Company, effective as of the day and year first above written.

WITNESSES:

RICEFIELDS AT BULLS BAY  
HOMEOWNERS ASSOCIATION, INC.

Nicol Brown  
Pamela S. Cooper

By:

Joseph F. Rice  
Joseph F. Rice  
Its: Declarant

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

PROBATE

PERSONALLY appeared before me Nicol Brown and made oath that he/she saw the within named Joseph F. Rice sign, seal, and as her act and deed, deliver the within written instrument, and that he/she with Pamela S. Cooper witnessed the execution thereof.

SWORN to before me this 13<sup>th</sup>  
day of March, 2003.

Witness Signature:

Nicol Brown

Pamela S. Cooper  
Notary Public for South Carolina  
My Commission Expires: 10/23/05

McNAIR LAW FIRM, P.A.  
P.O. BOX 1491  
140 EAST BAY STREET  
CHARLESTON, SC 29402

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CHARLIE LYBRAND  
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