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Smoot Pitts Elliott & Biel File # _____

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BEAUFORT COUNTY SC - ROD
BK 02235 PGS 1347-1351
FILE NUM 2005080569
08/22/2005 04:19:00 PM
REC'D BY P BAXLEY RCPT# 363302
RECORDING FEES 11.00

STATE OF SOUTH CAROLINA)
)
)
COUNTY OF BEAUFORT)

SECOND AMENDMENT TO
MASTER DEED
OF HAMILTON AT SHIPYARD
HORIZONTAL PROPERTY REGIME

This Second Amendment to the Master Deed of Hamilton at Shipyard Horizontal Property Regime is made this 25th day of July, 2002.

WITNESSETH:

WHEREAS, Hamilton at Shipyard L.L.C. ("Declarant") executed that certain Master Deed of Hamilton at Shipyard Horizontal Property Regime ("Master Deed") dated March 4, 1996 and recorded on March 5, 1996 in Book 840 at Page 2580 in the Office of the Register of Deeds for Beaufort County, South Carolina; and

WHEREAS, the Master Deed was amended by document filed in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 1268 at Page 1618 (the Master Deed and the Amendment thereto shall hereafter be referred to as the "Amended Master Deed"); and

WHEREAS, in accordance with Article 12 of the Amended Master Deed, the Amended Master Deed may be amended from time to time at a duly called meeting of the Hamilton at Shipyard Owners Association, Inc. ("Association") by an affirmative vote of the Villa Owners holding two-thirds (2/3) or more of the total interest in the Common Elements; and

WHEREAS, on July 13th, 2002 at a duly called meeting of the Association, the Villa Owners holding in excess of two thirds (2/3) of the total interest in the Common Elements voted to amend the Master Deed as provided herein below.

NOW THEREFORE, the Association adopts the following amendments to the Amended Master Deed.

1. The above "Whereas" clauses are hereby incorporated herein and made a part hereof.
2. Section 3.3.2 line 2 is amended to add ", rear decks, screen doors, and stairways leading from the rear decks, if any" following "services areas"
3. Section 5.3 line 1 is amended to add ", Additions," following "Maintenance" and "(a)" following "Repair"
4. Section 5.3 is further amended by adding the following at the end of 5.3:

RECORDED
2005 Oct -14 08:57 AM
Sharon O. Bernie
BEAUFORT COUNTY AUDITOR

ADD DMP Record 10/14/2005 08:44:11 AM
BEAUFORT COUNTY TAX MAP REFERENCE
Dist Map SMap Parcel Block Week
R550 015 000 0339 0000 00

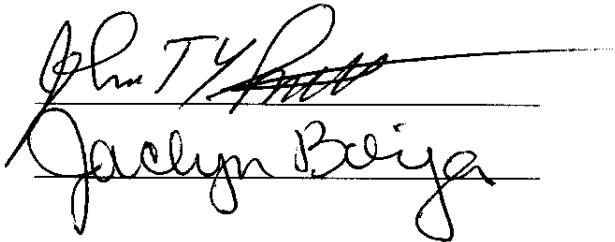
"(b) Notwithstanding the above, any Villa Owner shall have the right, at his, her, or its sole costs and expense, to construct a rear deck adjacent to his Villa in the form and dimensions as shown on Exhibit "F" attached hereto and made a part hereof and shall be permitted to add a screen door and steps as shown on Exhibit "G" attached hereto and made a part hereof. Any such rear deck, screen door and/or steps when constructed shall be part of the limited common area; however, during construction the Villa Owner shall be responsible for the payment of the cost of construction of the rear deck, screen door and/or steps and the cost of any builders risk and liability insurance relating thereto. Once completed, the Villa Owner shall be responsible for the maintenance, repair, and upkeep of the Villa Owner's rear deck, screen door and/or steps; however, the rear deck, screen door and/or steps will be insured as part of the Common Elements.

(c) In the event any Villa Owner intends to construct a rear deck, screen door and/or steps adjacent to his Villa, he shall first submit the plans and specifications thereof to the Board for its review. The Board shall have thirty (30) days to accept or reject the plans. In the event the Board fails to respond to the Villa Owner within thirty (30) days of receipt of the submittal of the plans and specifications, the plans and specifications shall be deemed approved. Response by the Board shall mean a letter dated and mailed on or before thirty (30) days following the receipt of the submittal."

5. Except as modified herein the remaining terms and conditions of the Amended Master Deed shall remain in full force and effect as restated herein.

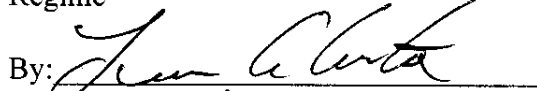
Witness or hands and seals the date first above written.

WITNESS:



Jacquyn Beiza

Hamilton at Shipyard Horizontal Property
Regime

By: 

Attest: 

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

CERTIFICATION

The undersigned, being the President and Secretary of Hamilton at Shipyard Horizontal Property Regime hereby certify that the Second Amendment to the Hamilton at Shipyard Horizontal Property Regime Master Deed ("Second Amendment") attached hereto and made a part hereof were effective _____, 2002. The meeting to approve the Second Amendment was held July 13th, 2002 following proper notice. A quorum was present and there was a more than seventy-five (75%) percent affirmative vote for the Second Amendment.

Witness our hands and seals this 22 day of July, 2002.

Witness Jaclyn Borja
Jaclyn Borja
Nathan A. Sherron

Hamilton at Shipyard Horizontal Property Regime

By: Jim Alberto
Its President

Attest: [Signature]
Its Secretary

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGMENT
under SC Code § 30-5-30(C)

I the undersigned notary public, do hereby certify that the within named officers of Hamilton at Shipyard Horizontal Property Regime personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

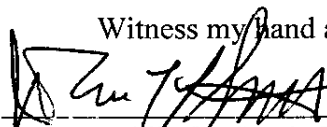
Witness my hand and official seal this 22 day of July, 2002.

[Signature]
Notary Public for South Carolina
My Commission Expires: MY COMMISSION EXPIRES JAN. 27, 2007
(SEAL)

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) ACKNOWLEDGMENT
) under SC Code § 30-5-30(C)

I the undersigned notary public, do hereby certify that the within named Hamilton at Shipyard Horizontal Property Regime by its proper officers personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 22 day of July, 2002.



Notary Public for South Carolina
My Commission Expires: MY COMMISSION EXPIRES JAN. 27, 2007
(SEAL)

EXHIBIT "A"

