

STATE OF SOUTH CAROLINA                    )  
  )  
COUNTY OF BEAUFORT                        )  
  )

AFFIDAVIT TO RECORD

IN RE:           Broad Pointe Subdivision.

I, Kevin Upton, do hereby state that:

1. I serve as President of the Broad Pointe Owners' Association, Inc. and as such am authorized to execute this document; and
2. This Affidavit is made to record the attached the *First Amendment to the Declaration of Covenants, Conditions and Restrictions For Broad Pointe Subdivision* in order to meet the requirements of the South Carolina Code §27-30-110, et seq. known as The South Carolina Homeowners Association Act which amended Title 27 of the 1976 Code of Laws of South Carolina.

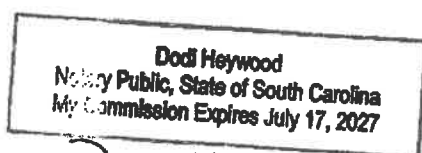
FURTHER AFFIANT SAYETH NOT.

  
Kevin Upton

SWORN TO BEFORE ME THIS

25<sup>th</sup> day of August, 2021

Dodi Heywood  
Notary Public for South Carolina  
My Commission expires July 17, 2027



Dodi Heywood

STATE OF SOUTH CAROLINA	)	FIRST AMENDMENT TO THE
	)	DECLARATION OF COVENANTS,
COUNTY OF BEAUFORT	)	CONDITIONS AND RESTRICTIONS
FOR	)	
	)	BROAD POINTE SUBDIVISION

**THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BROAD POINTE SUBDIVISION** ("First Amendment") is made and executed to be effective this 25 day of AUG, 2021, by the Broad Pointe Owners' Association, Inc. ("Association").

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions for Broad Pointe Subdivision and By-Laws dated March 10, 1999 were recorded on March 17, 2000, in Book 1270 at Page 2274 in the Office of the Register of Deeds for Beaufort County, South Carolina ("Declaration"), and the Quitclaim Assignment of Declarant's Rights to the Association dated November 11, 2005 was recorded on November 22, 2005, in Book 2273 at Page 0276 in the Office of the Register of Deeds for Beaufort County, South Carolina; and

**WHEREAS**, pursuant to Article X, Section 5 of the Declaration, the Declaration may be amended by affirmative votes of at least two-thirds (2/3) or 66.67% of the total votes eligible to be cast by all Members; and

**WHEREAS**, on December 5, 2019, a meeting was held with 43 members casting votes in person or by proxy. Of the 43 total votes cast at the meeting, 38 affirmative votes were cast, approving the following amendments:

**NOW, THEREFORE**, the Association hereby amends Article IX, Section 11 of the Declaration as follows:

The recitals set forth above are incorporated herein by reference.

Article IX. USE RESTRICTIONS FOR THE PROPERTY. Section 11. Motor Vehicles and Trailers.

11-A. Broad Pointe residents are permitted to ride their properly licensed motorcycles between their garages and the Broad Pointe gate, via the most direct path between the two locations. Owners will operate their motorcycles within Broad Pointe only between the hours of 9:00 AM and 9:00 PM, and only in transit between their residence and the main gate.

No other non-resident motorcycle riders will be allowed to ride motorcycles within Broad Pointe.

Ratification of Declaration and By-Laws.

Except as modified or changes herein, the Declaration and By-Laws are hereby ratified as if restated fully herein.


**(Signature Page for First Amendment to the Declaration of  
Covenants, Conditions and Restrictions for Broad Pointe  
Subdivision)**

**WITNESSES:**

Dodi Haywood  
Cary Kelley

**Broad Pointe Owners' Association, Inc.**

By:

  
Kevin Upton  
Its: President