Instrument#: 2018000132842, DEED BK: 4160 PG: 1381 DOCTYPE: 069 11/20/2018 at 11:56:23 AM, 1 OF 9 MARION D. FOXWORTH III, HORRY COUNTY, SC REGISTRAR OF DEEDS

STATE OF SOUTH CAROLINA)	THIRD AMENDMENT TO
)	DECLARATION OF COVENANTS,
)	CONDITIONS AND RESTRICTIONS
COUNTY OF HORRY)	FOR THE DYE ESTATES

THIS THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE DYE ESTATES (the "Third Amendment") is entered into this 30 day of 00+0be/, 2018, by COASTAL RESORT HOLDINGS, LLC, a North Carolina limited liability company (the "Declarant") and THE DYE ESTATES HOMEOWNERS ASSOCIATION, INC., a South Carolina non-profit corporation (the "HOA").

RECITALS:

WHEREAS, Silver Carolina Development Company, L.L.C., a Delaware limited liability company ("*Silver*"), recorded that certain Declaration of Covenants, Conditions and Restrictions for The Dye Estates, recorded December 29, 2000, in Deed Book 2328 at Page 745, public records of Horry County, South Carolina (the "*Declaration*"); and

WHEREAS, Silver subsequently assigned Declarant Rights under the Declaration to NFPS, Inc. ("NFPS"), and NFPS assigned Declarant Rights under the Declaration to Declarant by that certain Assignment of Declarant Rights Under Declaration of Covenants, Conditions and Restrictions for The Dye Estates, recorded November 16, 2004 in Deed Book 2822 at Page 635, public records of Horry County, South Carolina; and

WHEREAS, the Declaration was amended by a First Amendment recorded January 31, 2002, in Deed Book 2449 at Page 96, public records of Horry County, South Carolina; and

WHEREAS, the Declaration was also amended by Second Amendment recorded September 10, 2003, in Deed Book 2640 at Page 781, public records of Horry County, South Carolina; and

WHEREAS, pursuant to Article X, Section 10.2 of the Declaration, once Class B membership ceases to exist, the Declaration may be amended only if the amendment is approved by two-thirds (2/3) of votes cast at a duly called meeting of the homeowners in accordance with the procedures set forth in Section 10.2 of the Declaration; and

WHEREAS, Class B membership no longer exists; and

WHEREAS, Declarant is the owner of Lot 106B in the Dye Estates, as shown on that certain plat entitled and D.R. Horton, Inc., a Delaware corporation ("Horton"), is the owner of Lot 105 and Lot 106A; and

WHEREAS, the HOA has complied with the requirements set forth in Section 10.2 of the Declaration, as evidenced by the Owners' signatures attached hereto as <u>Exhibit "A"</u>, and incorporated into this Third Amendment, by reference as if set forth herein verbatim; and

WHEREAS, the Declarant and the HOA, together with D.R. Horton, Inc., a Delaware corporation ("*Horton*"), now wish to amend the Declaration to remove and withdraw Lot 105, Lot 106A and Lot 106B from the Declaration, said Lots being more particularly described below.

WITNESSETH

NOW, THEREFORE, for and in consideration of Five and No/100 Dollars (\$5.00), the premises herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Declarant, the HOA and Horton hereby declare and agree that said Declaration shall be amended as follows:

The real property described below is hereby withdrawn and removed from and shall not longer be subject to the Declaration of Covenants, Conditions and Restrictions for The Dye Estates dated December 14, 2000 and recorded in the Office of the Register of Deeds for Horry County, South Carolina on December 29, 2000, in Deed Book 2328 at Page 745, as previously amended, to wit:

ALL AND SINGULAR, that certain piece, parcel or tract of land, lying and being located in Little River Township, Horry County, South Carolina, and being more particularly described as LOT 105 as shown on Map of Lots 105, 106 and Pump Station Site, "The Dye Estates" at Barefoot Resort, City of North Myrtle Beach, Horry County, South Carolina, dated April 1, 2003, last revised October 16, 2003, prepared by DDC Engineers, Inc., recorded November 16, 2004 in Plat Book 201 at Page 65, records of Horry County, S.C., said plat being incorporated herein and made a part hereof by reference.

AND

ALL AND SINGULAR, that certain piece, parcel or tract of land, lying and being in the City of North Myrtle Beach, County of Horry, State of South Carolina, containing 2.55 Acres, more or less, shown and identified as NEW LOT 106A on Subdivision Plat of Lot 106 The Dye Estates at Barefoot Resort, dated July 10, 2017, prepared by Robert A. Warner and Associates, Inc., for Coastal Resort Holdings, LLC, recorded in the Office of the Register of Deeds for Horry County in Plat Book 276 at Page 112, said plat being incorporated herein and by reference.

DERIVATION: This being the same property conveyed to D. R. Horton, Inc. by Deed of Coastal Resort Holdings, LLC recorded August 7, 2017 in Deed Book 4032 at Page 806, in the public records of Horry County, South Carolina.

TMS/PIN No.: 143-18-01-001/358-16-01-0003

AND

ALL AND SINGULAR, that certain piece, parcel or tract of land, lying and being in the City of North Myrtle Beach, County of Horry, State of South Carolina, containing 2.55

Acres, more or less, shown and identified as **NEW LOT 106B** on Subdivision Plat of Lot 106 The Dye Estates at Barefoot Resort, dated July 10, 2017, prepared by Robert A. Warner and Associates, Inc., for Coastal Resort Holdings, LLC, recorded in the Office of the Register of Deeds for Horry County in Plat Book 276 at Page 112, said plat being incorporated herein and by reference.

DERIVATION: This being a portion of the property conveyed to Coastal Resort Holdings, LLC by Deed of NFPS, Inc., recorded November 16, 2004 in Deed Book 2822 at Page 554, in the public records of Horry County, South Carolina.

PIN No.: 358-16-01-0004

RATIFICATION

FURTHER, it is hereby agreed that the aforesaid Declaration, and all previous amendments thereto, if any, shall be and the same are hereby ratified, confirmed and adopted in all respects and all particulars as to each and every provision thereof, except as to those provisions expressly amended as set forth herein and shall be and hereby are, binding upon and inure to the benefit of all present and future Owners, their mortgagees and lien holders and their heirs, successors, successors-in-title and assigns.

FURTHER, the above shall and does hereby constitute the Third Amendment to the Declaration with regard to the matters and things set forth herein, and the Declarant, HOA and Horton, and the requisite number of Owners do hereby ratify and affirm and adopt the terms and conditions of this Third Amendment as evidenced by the signatures to follow.

[Separate signature pages to follow]

	, 2018.	
		DECLARANT:
Witness #1 Name: Otis Allen Jeffcoat		By: Name: Samuel W. Puglia Title: Member/Manager
Mitness #2 Name: Glinda K. Risher	<u>'</u>	Title:
STATE OF SOUTH CAROLINA COUNTY OF HORRY	A))	ACKNOWLEDGEMENT
a North Carolina limited liab Member/Manager ,1	oility com personally	by certify that COASTAL RESORT HOLDINGS, inpany, by Samuel W. Puglia appeared before me this day and acknowledged the his or her act and deed and as the act and deed of
MITNESS my hand and of Munda Y. Rish Notary Public for South Carolina Name: Glinda K. Risher	w	mp or seal this <u>19</u> thay of <u>October</u> , 2
My Commission Expires: 4/2	1/2025	
Communication of the second of		

its duly authorized officer has executed this I Restrictions for The Dye Estates, this 2 2
YE ESTATES HOA:
THE DYE ESTATES HOMEOWNERS ASSOCIATION, INC., a South Carolina on-profit corporation
y: Pela Imiscale hi ame! REBA SINISCALCIII itle: PLESIDENT
· ·
WLEDGEMENT
at THE DYE ESTATES HOMEOWNERS by Reba Siniscalchi its efore me this day and acknowledged the due at and deed and as the act and deed of the
nis <u>22 day</u> of <u>October</u> , 2018.

JOINDER OF OWNER OF LOT 105 AND 106A

The undersigned D.R. HORTON, INC., being the Owner of Lot 105 and Lot 106A, Dye Estates, Barefoot Resort, City of North Myrtle Beach, South Carolina, more fully described in that certain Third Amendment to Covenants, Conditions and Restrictions for Dye Estates, to which this Joinder is attached, do hereby join in and consent to the filing of the foregoing Third Amendment to Declaration of Covenants, Conditions and Restrictions for Dye Estates and the withdrawal of Lot 105 and Lot 106A, owned by the undersigned, from Dye Estates and release of the same from the Declaration of Covenants, Conditions and Restrictions for Dye Estates.

1 I	D.R. HORTON, INC., a Delaware corporation
Witness #1 Name: John Heter	By: All (My Name: Bridford (Bring) Title: Devise Preside
Witness #2 Name: Staptonie Hoi har	
I, the undersigned Notary Public, do hereby cert corporation, by Bracket C Rounds	α its λ is α α β β
personally appeared before me this day and acknown instrument as his or her act and deed and as the act a	ewledged the due execution of the foregoing
WITNESS my hand and official stamp with the stamp w	day of Ot , 2018.

Exhibit "A"

Owner Approval of the Third Amendment to The Dye Estates Homeowners Association, Inc. Declaration of Covenants, Conditions, and Restrictions

DATE OF NOTICE OF OWNERS' MEETING:	August 21,	2018
DATE OF OWNERS' MEETING:	September 21,	_2018
EFFECTIVE DATE OF THIRD AMENDMENT:		2018
TOTAL NUMBER OF VOTES NEEDED FOR APPROVAL:	41	_2018
TOTAL NUMBER OF VOTES CAST AT MEETING:	71	2018
TOTAL NUMBER OF VOTES CAST IN FAVOR OF AMENDMENT:	70	_2018
TOTAL NUMBER OF VOTES CAST AGAINST AMENDMENT:		_2018
of the Ownership for the modifications to the Declaration of for The Dye Estates as stated in the Third Amendment to the and Restrictions for of The Dye Estates Homeowners Associated attached. **Pelastiniscalchi** Reard President** **Pata** Siniscalchi** Reard President** **Pata** Pata** **Pata** President** **Pata** Presid	e Declaration of Covenants,	Conditions,
Reba Siniscalchi, Board President Date The Dye Estates Homeowners Association, Inc.		
I, the undersigned Notary Public, do hereby certify that Reba Homeowners Association, Inc., personally appeared before mexecution of the foregoing instrument as his or her act and de liability company. WITNESS my hand and official stamp or seal this 21 day of	e this day and acknowledged ed and as the act and deed of	the due the limited
Notary Public for South Carolina Name: 2006 Lyn Chardler My Commission Expires: 08/06/2025	MAN AND AND AND AND AND AND AND AND AND A	N CHANNA

Contact Information for The Dye Estates Homeowners Association, Inc.

Attorneys for The Dye Estates Homeowners Association, Inc.

Christopher H. Pearce, Esq. L. Raymond Wells, Esq. The Pearce Law Group, P.C. 1314 Professional Drive Myrtle Beach, SC 29577 (843) 839-3210

Property Manager for The Dye Estates Homeowners Association, Inc.

Melanie Elsea Waccamaw Management, LLC (843) 272-8705

President of The Dye Estates Homeowners Association, Inc.

Reba Siniscalchi thedyehoa@gmail.com