

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 October, 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 **Exhibit "A"**, 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]

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: 1 2018

The undersigned Board President has reviewed and does hereby ratify the votes via proxy and ballot of the Ownership for the modifications to the Declaration of Covenants, Conditions, and Restrictions for The Dye Estates as stated in the Third Amendment to the Declaration of Covenants, Conditions, and Restrictions for of The Dye Estates Homeowners Association, Inc. to which this document has been attached.

Reba Siniscalchi

Sept 21, 2018

Reba Siniscalchi, Board President
The Dye Estates Homeowners Association, Inc.

Date

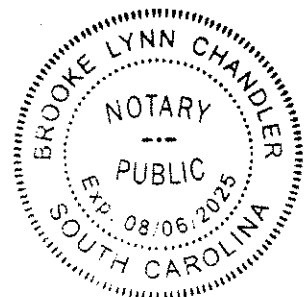
I, the undersigned Notary Public, do hereby certify that Reba Siniscalchi, President of The Dye Estates Homeowners Association, Inc., personally appeared before me this day and acknowledged the due execution of the foregoing instrument as his or her act and deed and as the act and deed of the limited liability company.

WITNESS my hand and official stamp or seal this 21 day of September, 2018.

Notary Public for South Carolina

Name: Brooke Lynn Chandler

My Commission Expires: 08/06/2025



Contact Information for The Dye Estates Homeowners Association, Inc.

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President of The Dye Estates Homeowners Association, Inc.

Reba Siniscalchi
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