

MARGARET L BAILEY
DORCHESTER COUNTY
REGISTER OF DEEDS

201 Johnston Street ~ Saint George, SC 29477 (843) 563-0181

***** THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE *****

*** DUPLICATE HEADER ***

Instrument #:	2025002135		
Receipt Number:	200680	Return To:	CAPELL THOMSON LLC
Recorded As:	RESTRICTIONS		
Recorded On:	February 03, 2025		
Recorded At:	10:37:30 AM	Received From:	CAPELL THOMSON LLC
Recorded By:	CB	Parties:	
Book/Page:	RB 15717: 192 - 195		Direct- FIELDVIEW HOMEOWNERS ASSOCIATION INC
Total Pages:	4		Indirect- FIELDVIEW SUBDIVISION

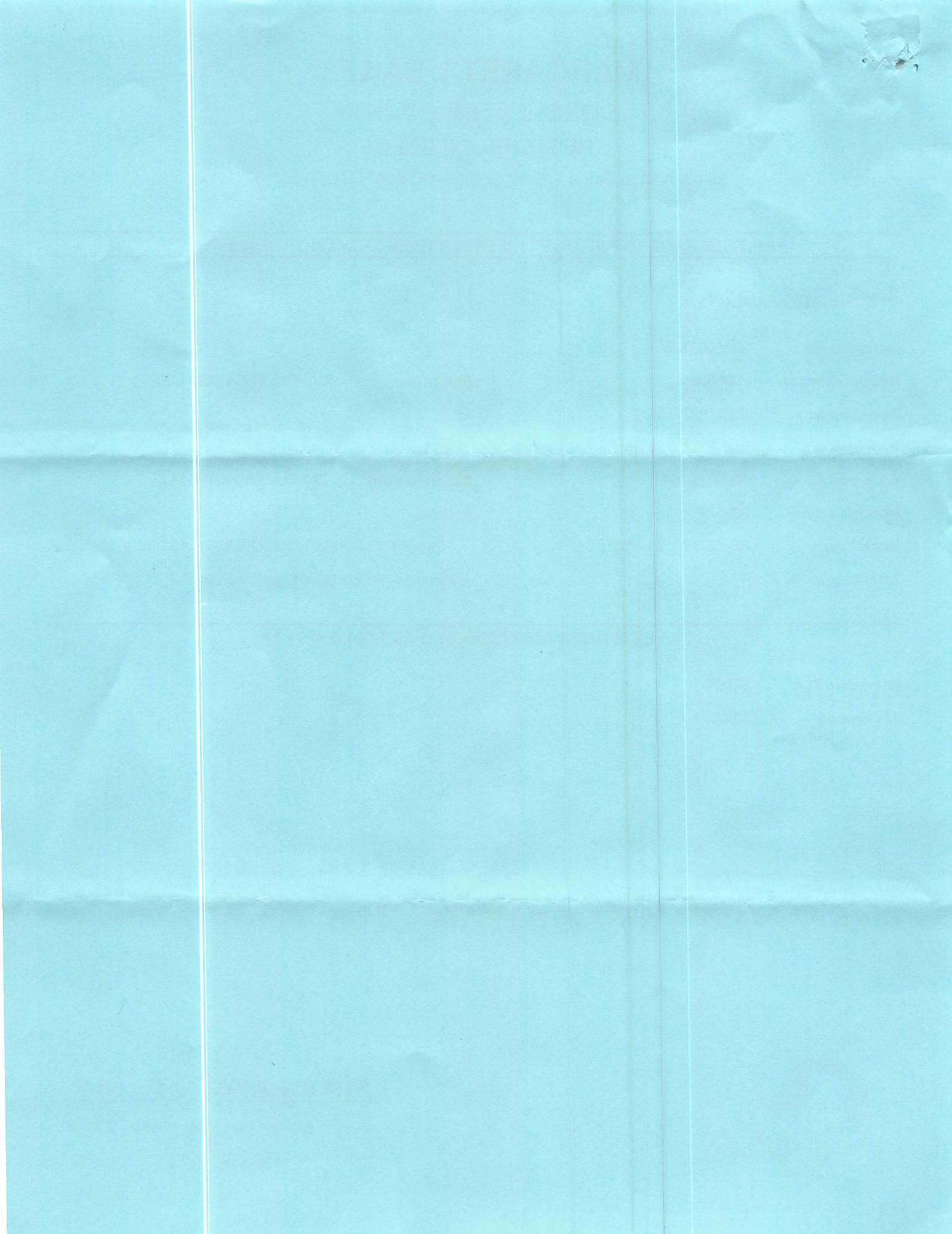
***** EXAMINED AND CHARGED AS FOLLOWS *****

Recording Fee:	\$25.00
Tax Charge:	\$0.00



Margaret Bailey

Margaret Bailey - Register of Deeds



**FIFTH AMENDMENT TO THE RESTATED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
FIELDVIEW SUBDIVISION**

Whereas, this is the Fifth Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Fieldview Subdivision ("this Amendment").

Whereas, the Fieldview Homeowners Association, Inc. ("Association") is constituted to provide and charged with the operation, care, upkeep and maintenance of the Association and its property as provided for in:

- a) the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Fieldview, as amended, ("Declaration") recorded April 25, 2007, in Book 5984 at Page 196, with the Dorchester County Register of Deeds;
- b) the Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Fieldview Subdivision ("1st Declaration Amendment") recorded January 28, 2011, in Book 7783 at Page 100, with the Dorchester County Register of Deeds;
- c) the Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Fieldview Subdivision ("2nd Declaration Amendment") recorded January 8, 2019, in Book 11700 at Page 5, with the Dorchester County Register of Deeds; and
- d) the Third Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Fieldview ("3rd Declaration Amendment") recorded January 14, 2020, in Book 12278 at Page 41, with the Dorchester County Register of Deeds.
- e) the Fourth Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Fieldview ("4th Declaration Amendment") recorded January 20, 2022, in

After recording, return to:
Capell Thomson, LLC
102 Wappoo Creek Drive
Charleston, SC 29412
(843) 501-0423

Book 13937 at Page 353, with the Dorchester County Register of Deeds.

- f) The Declaration, 1st Declaration Amendment, 2nd Declaration Amendment, and 3rd Declaration Amendment, 4th Declaration Amendment may be collectively referred to as "Declarations."
- g) The Articles of Incorporation, Declaration, Bylaws, 1st Declaration Amendment, 2nd Declaration Amendment, 3rd Declaration Amendment, 4th Amendment and any promulgated rules, regulations and guidelines, and any amendments and supplements to any of them, collectively referred to as "Governing Documents."

Whereas, Article 9, Section 9.1 of the Declarations provides that the Declarations may be amended by the approval of "a vote of not less than seventy-five (75%) percent of the then existing Board of Directors"; and

Whereas, at a special meeting on May 21, 2024, this Amendment was put to a vote of the Directors. The required quorum was present and this Amendment was approved by the requisite number of Directors.

Now, therefore, in order to protect and preserve a safe, secure, valued and attractive community, to maintain good order and property values, and to promote the common good, the Declarations are hereby amended, and any prior amendments to any of them are hereby amended as follows.

1. The foregoing recitals are and shall be deemed material and operative provisions of this Amendment and not mere recitals and are fully incorporated herein by this reference.

~~2. All capitalized terms used herein shall have the same meaning ascribed to them in the Governing Documents.~~

AMENDMENTS TO DECLARATION

3. Section 1.1.4 of Article 1 of the Declarations is hereby amended by the insertion of the following new sentence at the beginning of Section 1.1.4, in bold:

Three (3) ARB Members will be appointed by the Board of Directors as follows: One (1) ARB member will be appointed on EVEN calendar years for a two (2) year term and (2) two ARB members will be appointed for a (2) year term on ODD calendar years. ARB members can be reappointed.

WITNESS:

FIELDVIEW HOMEOWNERS
ASSOCIATION, INC.

[Signature]
[Signature]

By: [Signature]
Carson Burgess
Its: President

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER

ACKNOWLEDGEMENT

I, the undersigned Notary Public, do hereby certify that Carson Burgess, President of Fieldview Homeowners Association, Inc., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 17 day of January, 2024.

[Signature]
WITNESS

SWORN TO AND SUBSCRIBED before
me this 17 day of January, 2024.

[Signature]
Notary Public, State of SC
My Commission expires: 3/11/34

