

**CYNTHIA B FORTE**  
**BERKELEY COUNTY**  
**REGISTER OF DEEDS**

Po Box 6122 ~ Moncks Corner, SC 29461 (843) 719-4084

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

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<b>Instrument #:</b>	2023023944	<b>Return To:</b>	SIMONS & DEAN
<b>Receipt Number:</b>	298548		
<b>Recorded As:</b>	MISCELLANEOUS DOCUMENT		147 WAPPOO CREEK DRIVE SUITE 604
<b>Recorded On:</b>	August 07, 2023		CHARLESTON, SC, 29412
<b>Recorded At:</b>	10:39:45 AM	<b>Received From:</b>	SIMONS & DEAN
<b>Recorded By:</b>	WK02	<b>Parties:</b>	
<b>Book/Page:</b>	RB 4630: 282 - 287		Direct- SUMMER WOOD PROPERTY OWNERS
<b>Total Pages:</b>	6		Indirect- SUMMER WOOD PROPERTY OWNERS

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

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



*Cynthia B. Forte*  
 Cynthia B Forte - Register of Deeds

Berkeley

**SUMMER WOOD PROPERTY  
OWNERS ASSOCIATION, INC.**

**BOARD RESOLUTION**

**Re-Adoption and Re-Affirmation of  
Collection Policy**

WHEREAS, the Board of Directors ("Board") of Summer Wood Property Owners Association, Inc. ("Association") is responsible for the management, operation and control of Summer Wood, and is also responsible for exercising for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the Declaration of Covenants, Conditions and Restrictions for Summer Wood, as amended, ("Declaration") and Bylaws of Summer Wood Property Owners Association, Inc., as amended, ("Bylaws") recorded July 30, 2002, in Book R413 at Page 075 with the Charleston County Register of Deeds and November 14, 2002, in Book 2996 at Page 176 with the Berkeley County Register of Deeds. The Declaration was amended by that Amendment to Declaration of Covenants, Conditions and Restrictions for Summer Wood recorded February 28, 2014, in Book R, Volume 10629 at Page 90 with the Berkeley County Register of Deeds (such amendment and Declaration collectively hereinafter referred to as ("Declaration")). The Bylaws were amended by that Amendment to the Bylaws of Summer Wood Property Owners Association, Inc. recorded November 27, 2018, in Book 0762 at Page 603 with the Charleston County Register of Deeds and November 30, 2018, in Book RB 2900 at Page 453 with the Berkeley County Register of Deeds (such amendment and Bylaws collectively hereinafter referred to as ("Bylaws")); Board Resolution Re-Adoption and Re-Affirmation of Appointment of The Board of Directors/Leases & Fine Schedule and Violation Enforcement recorded May 21, 2020, in Book 0884 at Page 595 with the Charleston County Register of Deeds and May 26, 2020, in Book 3369 at Page 45 with the Berkeley County Register of Deeds; Board of Directors Resolution Collection Policy recorded March 23, 2020, in Book 0869 at Page 077 and re-recorded August 12, 2020, in Book 0905 at Page 676 with the Charleston County Register of Deeds and recorded March 23, 2020, in Book 3308 at Page 101 and re-recorded August 3, 2020, in Book 3448 at Page 106 with the Berkeley County Register of Deeds; Board of Directors Resolution Rules and Regulations recorded September 28, 2020, in Book 0919 at Page 521 in the Charleston County Register of Deeds and September 24, 2020, in Book 3512 at Page 335 with the Berkeley County Register of Deeds; Board of Directors Resolution Enforcement Policy recorded August 2, 2022, in Book 1128 at Page 294 with the Charleston County Register of Deeds and July 25, 2022, in Book 4318 at Page 279 and re-recorded August 15, 2022, in Book 4336 at Page 367 with the Berkeley County Register of Deeds; Adoption and Affirmation of Summer Wood Townhomes Architectural Application for Change/Review recorded May 22, 2023, in Book 1181 at Page 349 with the Charleston County Register of Deeds and recorded May 19, 2023, in Book 4560 at Page 344 with the Berkeley County Register of Deeds; Hereinafter, the Articles of Incorporation, Declaration, Bylaws and any promulgated rules, regulations and guidelines, and any amendments and supplements to any of them, collectively referred to as "Governing Documents".

WHEREAS, Section 3 of Article VI of the Bylaws provides that a majority of directors shall constitute quorum for the transaction of business and the affirmative vote of a majority of directors shall be the act of the Board.

WHEREAS, Section 5 of Article IV of the Bylaws states that "directors shall have the right to take any action in the absence of a meeting, which they could take at a meeting by obtaining the written

approval of all the directors. Any action so approved shall have the same effect as though taken at a meeting of the directors.”

WHEREAS, the South Carolina Homeowners Association Act, S.C. Code Ann. Section 27-30-110, et seq., requires all existing homeowner association’s rules, regulations, and amendments to the rules and regulations be recorded.

WHEREAS, the Board has determined to re-adopt and re-affirm the attached Collection Policy, and to record same.

WHEREAS, a duly held and authorized meeting of the Board was held 7/15/23, 2023, and the within Resolution and the attached Collection Policy were put to a vote of the Board. The required quorum was present and the within Resolution was approved by the requisite members of the Board.

NOW THEREFORE, BE IT RESOLVED, in order to protect and assure an attractive, high-quality community, and to best maintain and preserve the community, the Board hereby approves, re-affirms and re-adopts the attached Collection Policy as follows:

1. The foregoing whereas paragraphs and recitals are and shall be deemed material and operative provisions of this Resolution 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 Declaration and Bylaws, unless the context shall clearly suggest or imply otherwise.
3. Each member of the Board expressly waives notice requirement, if any, for the meeting.
4. The Board hereby re-affirms and re-adopts Summer Wood Property Owners Association, Inc. Collection Policy attached hereto as Exhibit A and incorporated herein by reference.
5. Distribution. The Association and/or the Association's property manager is authorized and directed to circulate a copy of this Resolution and Collection Policy upon recording. Members/Owners are responsible for distributing the same to all occupants and residents.

Each Board Member/Director voting in favor of this resolution has signed his/her name below, and by signing below, s/he acknowledges that this Resolution and the attached shall be effective upon recording.

**SUMMER WOOD PROPERTY OWNERS ASSOCIATION, INC.:**

<u>[Signature]</u> Board Member/Director	<u>7-15-23</u> Date	<u>[Signature]</u> Board Member/Director	<u>7-15-2023</u> Date
<u>[Signature]</u> Board Member/Director	<u>7/16/2023</u> Date	<u>[Signature]</u> Board Member/Director	<u>7-16-2023</u> Date
<u>[Signature]</u> Board Member/Director	<u>7-17-23</u> Date	<u>[Signature]</u> Board Member/Director	<u>7-16-2023</u> Date

**Summer Wood Property Owners Association, Inc.****Collection Policy**

The Board of Directors ("Board") of the Summer Wood Property Owners Association, Inc. ("Summer Wood") provides the collection procedures for a delinquent account pursuant to the Declaration of Covenants, Conditions and Restrictions for Summer Wood, as amended, ("Declaration") and Bylaws of Summer Wood Property Owners Association, Inc., as amended, ("Bylaws") (collectively Declaration and Bylaws, "the Governing Documents").

1. All capitalized terms used herein shall have the same meaning ascribed to them in the Declaration and Bylaws, as each may be amended, unless defined herein or the context clearly suggests or implies otherwise.

2. Assessments whether annual, special, working capital or otherwise, including without limitation, fines and sanctions, (all collectively hereinafter referred to as, "Assessment" or "Assessments") are due and payable as determined by the Board and/or set forth in any notice.

If no due date is included in such notice, then payment shall be due fourteen (14) days from date of the notice.

3. Any Assessment not paid when due shall be delinquent.

**In the event, any payment is or will be late or past due for any reason, the Board strongly encourages such Owner to contact the property manager regarding the same as soon as possible.**

4. Assessments not paid in accordance with such schedule as may be determined by the Board shall be considered late after the due date therefor. After initial written notice of the Assessments for the Association's fiscal or calendar year is sent to the Owners, no further notice of the Assessments (annual or otherwise) shall be required and payments are due and payable whether or not an Owner receives a annual/quarterly/monthly bill or whether the Association sends one.

5. Special and other Assessments are due by the date determined by the Board and set forth in the notice for the same. After written notice or a bill of the Assessments is sent to the Owners, no further notice of such Assessment shall be required and payments are due and payable whether or not an Owner receives a bill or another notice, or whether the Association sends one.

6. A late charge of \$25.00 shall be added to any Assessment not paid within fifteen (15) days after the due date.

7. Interest at eight percent (8%) per annum from the due date shall also be added to any assessment not paid within fifteen (15) days after the due date.

8. The Assessments, together with interest, late charges, costs and reasonable attorneys' fees (collectively, "Costs"), shall be (a) a charge on the Lots, (b) a continuing lien upon the Lots against which each such Assessment is made, and (c) the personal obligation of the person who was the Owner of such Lot at the time when the Assessment fell due.

9. Payments must be in the form of a personal check, certified check or money order and made payable to Summer Wood Property Owners Association, Inc. Other accepted forms of payment are: online bill pay, e-check and online debit or credit cards. For online payments, please follow the instructions provided on the property management company's website. The Association requires an Owner to create/register his/her account.

10. When an Assessment and Costs are:

- a. thirty (30) days past due, the Association may, but is not required to, send a delinquency notice;
- b. sixty (60) days past due, the Association may, but is not required to, send another delinquency;
- c. ninety (90) days past due, the account must be brought current within ten (10) days.

Further, the Board, in its discretion, may turn the delinquent account over to the Association's counsel for collection, including, but not limited to, the filing of a lien against the Lot in favor of the Association, collection and/or other legal action.

At such time as a delinquent account is delivered to the Association's counsel for collection, the delinquent Owner must communicate directly with the Association's attorney regarding the delinquent account and resolution of the same.

- d. ninety (90) days past due, the Board, in its discretion, may direct the Association's counsel to institute action against the Owner to collect such amounts and/or foreclose its lien on the Lot in the same manner as a mortgage on property.

11. Further, when an Assessment is delinquent, the Board, in its discretion, may also suspend the rights of an Owner to vote and the rights of an Owner (and/or his/her family, guests, tenants, residents, occupants and invitees (and the family, guests, tenants, residents, occupants and invitee of the same)) and the right to use of the recreational facilities.

12. Any checks returned to the Association for non-sufficient funds shall be debited to the Owner's account and the account shall be deemed delinquent. Such Owner will be charged the statutory service charge set by Section 34-11-70(a)(3), South Carolina Code of Laws, as amended, which is thirty dollars (\$30.00) as of the date of this Collection Policy. Owners are responsible for knowledge of the law and the Association is not and shall not be responsible for informing Owners or amending this Collection Policy if such statutory sum is changed. Further, the Association shall have the right, but not the obligation, to re-submit the returned check to

Owner's bank. If two or more personal checks of an Owner are returned for non-sufficient funds, the Board, in its sole and absolute discretion, may require that future payments by that Owner be made by cash, certified check, money order or other method determined by the Board.

13. Fines and penalties levied by the Association for violations of the Governing Documents, including any promulgated rules, regulations and guidelines, shall be added to an Owner and Lot's account and shall be part of the Assessment obligation.

14. Payments received from Owners shall be applied first to any legal fees and costs incurred by the Association, and then to any collection fees, late charges, interest and delinquent Assessments and Costs, in that order.

15. The Board shall have the discretion and authority to deviate from the policies and procedures set forth herein (excluding those which mirror the Declaration and Bylaws) in the event that it deems any particular matter warrants different procedures or processes.

16. To the extent this Collection Policy conflicts with the Declaration or Bylaws, the Declaration and then the Bylaws in that order shall control.

17. This Collection Policy shall be effective upon recording.