



BP0414061

# PGS:

4

<b>STATE OF SOUTH CAROLINA</b>	)	<b>FIRST AMENDMENT TO</b>
	)	<b>ANDOVER AT PARK WEST</b>
	)	<b>ASSOCIATION, INC. A PARK WEST</b>
	)	<b>NEIGHBORHOOD DECLARATION OF</b>
	)	<b>COVENANTS, CONDITIONS, AND</b>
<b>COUNTY OF CHARLESTON</b>	)	<b>RESTRICTIONS</b>

THIS First Amendment to Andover at Park West Association, Inc. a Park West Neighborhood Declaration of Covenants, Conditions, and Restrictions is made this 30th day of June, 2014.

**WITNESSETH THAT:**

WHEREAS, Park West Development, Inc, original Declarant, by Andover at Park West Association, Inc. a Park West Neighborhood Declaration of Covenants, Conditions, and Restrictions dated November 30, 1999, and recorded December 3, 1999, in the RMC Office for Charleston County in Book T-338 at Page 303, as supplemented by First Supplemental Declaration to Andover at Park West Association, Inc. A Park West Neighborhood Declaration of Covenants, Conditions, and Restrictions dated September 16, 2004, and recorded September 23, 2004, in the RMC Office for Charleston County in Book K510 at Page 549, and by Second Supplemental Declaration to Andover at Park West Association, Inc. A Park West Neighborhood Declaration of Covenants, Conditions, and Restrictions dated May 22, 2006, and recorded May 23, 2006, in the RMC Office for Charleston County in Book M584 at Page 703 (herein the "Declaration") made certain properties described therein subject to the Declaration; and

WHEREAS, Declarant no longer has a Controlling Interest in the Andover at Park West Association, Inc. ("Association") and the Association is governed by a Board of Directors ("Board") elected by the Members; and

WHEREAS, Section 8.1 of the Declaration provides that the Declaration may be amended by a vote of not less than seventy-five percent (75%) of the existing Board of Directors, after notice of the proposed amendment is given to the Board in writing by a director proposing the amendment, which notice shall contain a description of the proposed amendment and the general purpose thereof; and

WHEREAS, one of the existing directors has given the Board notice of a proposed amendment providing to amend the cap in order to adequately fund the needs of the Association and also give Directors of the Association greater authority to determine the budget and revenue needs of the Association when the Directors are elected by Owner of Units and not designated by the Declarant; and

WHEREAS, after due consideration, the Board of Directors, by the affirmative vote of not less than seventy-five percent (75%) of the existing directors, has adopted the proposed amendment and desires to amend the Declaration, together with the

Bylaws attached thereto as Exhibit "B", as set forth herein.

NOW, THEREFORE, the Board of Directors of the Association hereby declares that the Declaration, and Bylaws attached thereto as Exhibit "B", shall be amended as follows:

1. Section 6.1.8 of the Declaration is hereby amended by deleting the existing provisions in their entirety and replacing them with the following:

6.1.8 Cap on Regular Assessments

The maximum annual assessment shall be established by the Andover Board of Directors so that the total assessments paid by all Owners of Lots is sufficient to adequately maintain the Common Areas and improvements thereon and to pay any expenses related to the operation of the Association.

IN WITNESS WHEREOF, the undersigned has set its hand and seal the date first written above.

SIGNED, SEALED, AND DELIVERED  
IN THE PRESENCE OF:

Michelle Wang  
Michelle J

ANDOVER AT PARK WEST  
ASSOCIATION, INC.

By: Gary Neiderberger  
Name: Gary Neiderberger  
Its: President

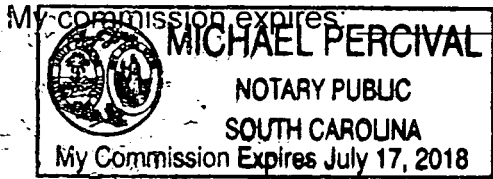
STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF CHARLESTON  )

ACKNOWLEDGMENT

I, Michael Percival, Notary Public for the State of South Carolina, do hereby certify that Andover at Park West Association, Inc., by Gary Neiderberger its President, personally appeared before me this day and acknowledgment the due execution of the foregoing instrument.

Subscribed to and sworn before me the 30<sup>th</sup> day of June, 2014.

Michael Percival  
Notary Public, State of South Carolina



# RECORDER'S PAGE



**NOTE:** This page **MUST** remain with the original document

*cmf*  
*abhi*

**Filed By:**

COUNTER CUSTOMER  
GARY NEIDERBERGER  
2072 ASHBURTON WAY  
MT PLEASANT, SC 29466

RECORDED		
Date:	June 30, 2014	
Time:	11:26:49 AM	
<u>Book</u>	<u>Page</u>	<u>DocType</u>
0414	061	Misc/Amend
Charlie Lybrand, Register Charleston County, SC		

**MAKER:**

ANDOVER AT PARK WEST ETC

**RECIPIENT:**

N/A

**Original Book:**

T338

**Original Page:**

303

# of Sats:		# of Pages:	4
		# of References:	

Note:

Recording Fee	\$ 10.00
Extra Reference Cost	\$ -
Extra Pages	\$ -
Postage	\$ 2.00
Chattel	\$ -
<b>TOTAL</b>	<b>\$ 12.00</b>

<b>DRAWER</b>	Drawer 6
<b>CLERK</b>	JBA



0414  
Book



061  
Page



06/30/2014  
Recorded Date



4  
# Pgs



T338  
Original Book



303  
Original Page



D  
Doc Type



11:26:49  
Recorded Time