

202200002459
NEWPORT PDA, SC

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STATE OF SOUTH CAROLINA

COUNTY OF GREENWOOD

BYLAWS OF NEWPORT PROPERTY OWNERS
ASSOCIATION, INC. (Declaration recorded in Deed Book
1002 at Page 263; Bylaws recorded in Deed Book 1614 at Page
2655)

Board Resolution 2022-1 to the BYLAWS OF NEWPORT PROPERTY OWNERS' ASSOCIATION, INC.

WHEREAS, the Board of Directors believes it to be in the best interest of the Association to adopt the following Bylaws "clarification" pursuant to the South Carolina Nonprofit Corporation Act (S.C. Code Ann. § 33-31-206), and to record this Bylaws Clarification pursuant to the South Carolina Homeowners Association Act (S.C. Code Ann. §§ 27-30-110 to -170).

This Board Resolution constitutes a clarification to the Bylaws. Specifically, but not limited to: Article III, Purpose and Powers of the Association; and Article VIII, Powers Duties and Requirements of the Board of Directors. Those provisions state, in relevant part:

Article III: Purpose and Powers of the Association

"This Association does not contemplate pecuniary gain or profit to the Members thereof, and the specific purposes for which it is formed are to (i) enforce the Declaration, (ii) provide for maintenance, preservation, and architectural control of the Property described in the Declaration, including the Lots and Common Area, and (iii) to **promote the health, safety and welfare of the Owners within Newport** and any additions thereto as may hereafter be brought within the jurisdiction of the Association, and for this purpose to:

a) Exercise all of the powers and privileges and to perform, or delegate to an appropriate person or entity the authority to perform, all of the duties and obligations of the Association, including the **establishment and amendment of the Rules and Regulations of the Association** and the use and maintenance of the Common Area, as set forth in the Declaration;"

Article VIII: Powers, Duties, and Requirements of the Board of Directors.

"a) **Adopt, amend and publish Rules and Regulations of the Association** governing (i) the Property, Lots, the Common Area, as well as any facilities that may be placed or constructed thereon; (ii) the personal conduct of the Members and their guests while within the Property; and (iii) the establishment of Assessments for the infraction thereof;"

"d) **Declare the office of a Director to be vacant in the event such Director (i) is absent from three (3) consecutive regular meetings** of the Board of Directors unless such absence shall have been excused by the President of the Association or other person(s) authorized to do so, or (ii) is not in good standing as a Member of the Association, including without limitation failure to pay any Assessments when due;"

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Clarification:

This Board Resolution clarifies that a Board member's "in-person" attendance at all regularly scheduled Board meetings is required, unless excused by the President or a duly authorized Board member. Absences caused by illness, travel, or situations of a pandemic nature are examples of absences that would be excused. The Board believes in-person attendance is critical to carry out the duties of the Board member on behalf of the Property. Owners. Newport is not a fully mature neighborhood community; therefore, "in-person" meeting attendance is essential. There are numerous examples of situations that require Board member physical presence, such as decisions on physical activities. Examples of such are, but not limited to, decisions affecting roads, landscaping, or dispute resolution. These examples demand a physical, collaborative presence in order to make a factually informed decision on sensitive issues affecting Newport.

IN WITNESS WHEREOF, the Association, by its authorized representative, has properly adopted these Bylaws on the signature date(s) below (the "Execution Date").

SIGNED SEALED AND DELIVERED
in the presence of:

Newport Property Owners Association, Inc.

[Signature]
(witness #1)
[Signature]
(witness #2)

By: [Signature] (SEAL)
Name: Stephen D. Wilson
Its: NEWPORT PUA PRESIDENT

STATE OF SOUTH CAROLINA)
)
COUNTY OF Greenwood)

ACKNOWLEDGMENT

I, Robert S. Patterson, Notary Public for the State of South Carolina, do hereby certify that the above-signed authorized signatory for **Newport Property Owners Association, Inc.** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Sworn and subscribed before me this
16 day of March, 2022.

[Signature] (SEAL)
Notary Public for South Carolina
My Commission Expires: 03-14-2029

