



*Timothy J. Hanney*

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

AMENDMENT TO THE BY-LAWS OF LISMORE VILLAGE HOMEOWNERS' ASSOCIATION, INC. (ORIGINAL DECLARATION RECORDED IN DEED BOOK 2242 AT PAGE 1633)

THIS AMENDMENT TO THE BY-LAWS OF LISMORE VILLAGE HOMEOWNERS' ASSOCIATION, INC. (the "*Amendment*") is made on the Execution Date (hereinafter defined) by the Members of the Lismore Village Homeowners' Association (the "*Association*").

WHEREAS, The BY-LAWS OF LISMORE VILLAGE HOMEOWNERS' ASSOCIATION, INC., were recorded as Exhibit B to the Declaration of Covenants, Conditions, Restrictions, and Easements for Lismore Village, dated and recorded on December 20, 2006, in the Register of Deeds Office for Greenville County in Deed Book 2242 at Page 1633 (as further amended and supplemented the "*By-Laws*" and the "*Declaration,*" respectively); and

WHEREAS, Article IX, Section 1 of the By-Laws provides that the By-Laws may be amended by a majority of the Members at a regular or special meeting of the Members at which a quorum is present; and

WHEREAS, the Association held a special meeting by mail in ballot pursuant to Section 33-31-708 of the South Carolina Code of Laws, with notice thereof being sent on June 11, 2019; and

WHEREAS, 77 ballots were received by the stated deadline of August 12, 2019, with 77 in favor of the proposed amendment and none opposed.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that having met the aforementioned requirements the Association hereby declares that the By-Laws are amended as follows:

**1. Modify Article IV, Section 1 by deleting it in its entirety and replacing with the following:**

1. **Number and Term of Office.** The business and affairs of the Association shall be managed by a Board of Directors of no fewer than three (3) persons, who shall be Members of the Association and who shall be in good standing with the Association, in the sole discretion of the Board, in order to seek election to, or to remain on, the Board. At the first annual meeting after the adoption of this Amendment to the By-Laws, the Members shall elect five (5) Directors to staggered terms as follows: the Director receiving the highest number of votes for a term of three (3) years; the two (2) Directors receiving the second highest number of votes for a term of two (2) years, and the remaining two (2) Directors for a term of one (1) year; and at each annual meeting thereafter, the Members shall elect successor Directors for terms of three (3) years. The purpose of this provision is to provide for staggered terms for Directors and all efforts shall be made to maintain staggered terms hereafter. The term of any Director shall be automatically extended and

shall not expire until the annual meeting at which a successor for that Director is elected or appointed.

**2. Modify Article IV, Section 7 in its entirety and replace with the following:**

7. **Meetings.** Meetings of the Board shall be held three (3) times annually in the months of February, June and October, without notice, at such place and hour, as may be fixed from time to time by resolution of the Board. Special Meetings of the Board may be called by any Director after not less than five (5) days' notice to each Director.

**3. Modify Article IV, Section 11(a) by deleting it in its entirety and replacing with the following:**

(a) To adopt rules and regulations governing the use of the Common Areas and facilities, Lots, and all other Property; the personal conduct of the Members and their guests thereon; and establish penalties for the infraction thereof;

**4. All capitalized terms not defined herein shall have the meaning set forth in the By-Laws or the Declaration.**

**5. If any term or condition of this Amendment conflicts with the terms or conditions of the By-Laws, the terms and conditions of this Amendment shall control. Otherwise, the terms and conditions of the By-Laws shall remain in full force and effect.**

**Therefore, the above are annexed into the By-Laws and become a part hereof.**

IN WITNESS WHEREOF, **Lismore Village Homeowners' Association, Inc.** has by its duly authorized officers set its hand and seal this 15<sup>th</sup> day of August, 2019 (the "Execution Date"), and by doing so acknowledges and affirms that the amendment requirements of the By-Laws have been met and therefore the provisions contained in this Amendment have been duly approved and authorized by the Association.

**WITNESSES:**

**Lismore Village Homeowners' Association, Inc.**

Donna S. Lewis  
(witness #1)

By: Richard A. Falconer  
Print Name: RICHARD A. FALCONER  
Its: President

Chaira Boman  
(witness #2)

STATE OF South Carolina )  
COUNTY OF Spartanburg )

**ACKNOWLEDGEMENT**

I, Jean Hackney, a Notary Public for the State of South Carolina, do hereby certify that **Lismore Village Homeowners' Association, Inc.**, by Richard Falconer, its President personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Given under my hand and official seal this 15<sup>th</sup> day of August, 2019.

Jean Hackney  
Notary Public for State of South Carolina  
My Commission Expires: 3.7.2026

**JEAN A. HACKNEY  
NOTARY PUBLIC  
STATE OF SOUTH CAROLINA  
MY COMMISSION EXPIRES  
MARCH 7, 2026**