

CYNTHIA B FORTE  
BERKELEY COUNTY  
REGISTER OF DEEDS

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

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\*\*\* ELECTRONICALLY RECORDED DOCUMENT \*\*\*

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Instrument #: 2024016631

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Recorded On: June 03, 2024

Recorded At: 09:48:12 AM      Received From: EPN

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Book/Page: RB 4876: 324 - 331      Direct- RIVERS REACH POINTE PROPERTY OWNERS

Total Pages: 8      Indirect- RIVERS REACH POINTE PROPERTY

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

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Recording Fee: \$25.00

Tax Charge: \$0.00



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

**STATE OF SOUTH CAROLINA ) AMENDED AND RESTATED RULES AND  
COUNTY OF BERKELEY ) REGULATIONS OF RIVER REACH POINTE**

The herein Rules and Regulations of River Reach Pointe (“Rules and Regulations”) are made and enacted as of the \_\_\_\_\_ day of May, 2024.

**BACKGROUND**

A. WHEREAS, the Declaration of Covenants, Conditions, Restrictions and Easements for River Reach Pointe (“Declaration”) was recorded in the Register of Deeds office for Berkeley County, South Carolina (“ROD”) on March 29, 2005 in Book 4600 at Page 300.

B. WHEREAS, the Declaration was thereafter amended as follows:

- (a) The First Amendment to the Declaration was recorded in the ROD on February 22, 2006 in Volume 5382 at Page 2215;
- (b) The Second Amendment to the Declaration was recorded in the ROD on July 20, 2006 in Volume 5800 at Page 1;
- (c) The Third Amendment to the Declaration was recorded in the ROD on August 8, 2016 in Volume 2243 at Page 410;
- (d) The Fourth Amendment to the Declaration was recorded in the ROD on May 4, 2020 in Volume 3348 at Page 890;
- (e) The Fifth Amendment to the Declaration was recorded in the ROD on May 4, 2020 in Volume 3348 at Page 896.

C. WHEREAS, the Amended and Restated Bylaws of River Reach Pointe Property Owners Association, Inc. (“Bylaws”) were recorded in the ROD on March 29, 2005 in Book 4600 at Page 300.

D. WHEREAS, Article IV, Section 11 of the Bylaws states as follows: “The Board of Directors may adopt such rules and regulations for the conduct of its meetings and for the management of the property, affairs and business of the Corporation as it may deem proper and not inconsistent with law, the Articles of Incorporation, as amended, and these Bylaws.”

E. WHEREAS, the Rules and Regulations of River Reach Pointe were recorded in the ROD on October 30, 2020, in Book 3560 at Page 756; and the Amended and Restated Rules and Regulations were recorded in the ROD on April 9, 2024 in Book 4827 at Page 559. The herein version corrects a scrivener’s error which appeared at Section V, Subsection A, and removes subsection d. under Section II, Subsection C.2, which contained no text.

F. THEREFORE AND ACCORDINGLY, the duly elected Board of Directors of River Reach Pointe Property Owners Association, Inc., duly exercising the powers enumerated and described in Article IV, Section 11 of the Bylaws, has adopted by majority vote of said Board the herein Amended and Restated Rules and Regulations of River Reach Pointe Property Owners

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Association, Inc., which replace and supersede the original Rules and Regulations adopted and approved by vote of the Board in October 2020.

G. In accordance with S.C. Code Ann § 27-30-130 (B)(1)(a), the herein Rules and Regulations became effective immediately upon the passage by vote of the Board on March 24, 2024.

H. In accordance with S.C. Code Ann. § 27-30-130 (B)(2), the herein Rules and Regulations shall be duly recorded in the ROD Office for Berkeley County on or before January10, 2025.

**[RULES AND REGULATIONS CONTINUE ON FOLLOWING PAGE]**

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## Amended and Restated Rules and Regulations of River Reach Pointe

### I. ARCHITECTURAL RULES

- A. The Architectural Control Committee (“ACC”) regulates the external design and appearance of all properties. The ACC reports to the Board of Directors (“Board”), which has final authority and may overrule the ACC.
- B. The ACC will review submissions from Owners and deliver a written response to the applicant within 60 days of submission. If the 60th day falls on a Saturday, a Sunday or a federal or state holiday, the deadline shall be the next day that is not a Saturday, a Sunday or a federal or state holiday.
- C. Request forms for the ACC can be found under <https://riversreach.org/>
- D. ACC Rules:
  - 1. Grass must be edged and removed from driveway/sidewalk breaks and all crevices.
  - 2. Painting of homes: Color must be approved.
  - 3. House/driveway/sidewalk and curbing along the property line must be power washed when mold/dirt/grime becomes noticeable.
  - 4. Yards/bushes/trees must remain well-groomed and maintained at all times.
  - 5. Grass clippings and debris must be blown into other green space or collected (not left in street).
  - 6. Additional Use Restrictions are listed in Article VII of the “Declaration of Covenants, Conditions, Restrictions and Easements for River Reach Pointe” was recorded in the Register of Deeds office for Berkeley County, South Carolina on March 29, 2005 in Book 4600 at Page 300 (“DCCR”).

### II. MAILBOXES

- A. Mailboxes are permitted to serve as delivery receptacles and property identification markers.
- B. Mailboxes must be uniform, approved before installation and made from approved materials.
- C. Mailbox specifications:
  - 1. Post:
    - a. wood
    - b. painted black
    - c. with copper cap(s)
  - 2. Mail receptacle:
    - a. Black metal box
    - b. 7” width x 9.5” height
    - c. with white numbers on center of door (1” height)

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### III. SIGNS AND FLAGS

#### A. Definitions.

1. A “flag” as defined for the purpose of these Rules and Regulations is a piece of cloth or other fabric or material, varying in size, shape, color, and design, usually attached at one edge to a pole or cord, and typically but not necessarily used as a symbol of a nation, state, organization, occasion, idea or cause.
2. A “sign” as defined for the purpose of these Rules and Regulations is any physical object which displays information, varying in size, shape, color, and design. Usually, although not necessarily or exclusively, the main purpose of a sign is to communicate information intended to assist observers with decision-making based on the information provided, and/or to persuade observers of the merits of a given product, service, person, group, idea or cause.

#### B. General Prohibition of Signs. No sign shall be permitted to be displayed on any Owner’s Property, including but not limited to the yard, window, or any other surface or location that is visible from the street or from other Properties, except the following:

1. Marketing. One (1) “For Sale” or “For Rent” sign not exceeding 36” x 24” in size;
2. Political / Campaign. Temporary political signs advertising a candidate or issue may be erected 30 days before the election, run-off, primary or referendum, and must be removed within 5 days following the election, run-off, primary or referendum. Only one (1) sign per each candidate or issue may be displayed. No political sign shall exceed ten (10) square feet.

#### C. Flags.

1. United States flag. In recognition of the Freedom to Display The American Flag Act, 4 U.S.C. § 5 (2006), the United States flag may be displayed at any and all times. However, size of the flag may not exceed 4 ½ ft. x 6 ft. The U.S. flag may not be displayed in any disrespectful, vulgar or other inappropriate manner. Residents who wish to display the U.S. flag shall do so in accordance with 4 U.S.C. § 7 (2006), “Position and manner of display,” and 4 U.S.C. § 8 (2006), “Respect for flag.”
2. Freestanding flagpoles on lawns are prohibited, except veterans who provide documentation to the ACC. Upon approval by the ACC, flagpoles on lawns must be illuminated from sunset to sunrise.
3. Schools and sports teams. Flags reflecting the name, logo and colors of schools and sports teams may be displayed at any and all times. However, size of the flag may not exceed 4 ½ ft. x 6 ft.
4. Seasonal or holiday. Portable and/or removable seasonal and/or holiday flags not exceeding 4 ½ ft. x 6 ft. may be displayed in accordance with the appropriate season or holiday. Seasonal or holidays flags are defined as representation of any recognized season (winter, spring, summer, or fall) and any federally recognized holiday (Thanksgiving, Christmas, Easter, etc.) Seasonal flags must be removed within seven (7) days of the changing of the season. Holiday flags shall be installed not before fourteen (14) days prior to the holiday and must be removed no later than fourteen (14) days

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after the holiday, with the exception of Christmas. Christmas flags may be displayed from the day after Thanksgiving until fourteen (14) days after Christmas day.

3. Political / Campaign. Temporary political flags advertising a candidate or issue may be erected 30 days before the election, run-off, primary or referendum, and must be removed within 5 days following the election, run-off, primary or referendum. Only one (1) flag per each candidate or issue may be displayed. No political flag shall exceed 4 ½ ft. x 6 ft.
- D. Offensive or inappropriate.
  1. No offensive or inappropriate sign or flag shall be displayed at any time. Any verbiage, pictures or symbols implicating, referencing or relating to race, creed, religion, sex, etc. shall necessarily be considered offensive and/or inappropriate, but a flag may be considered offensive and/or inappropriate for other reasons as well.
  2. Final determination and ruling on whether any sign or flag is allowed or prohibited, including but not limited to what is and is not a sign or flag, and what constitutes an offensive or inappropriate sign or flag, will be determined solely by the ACC or the Board.
- E. Any other sign or flag not meeting the criteria set forth herein must be approved in advance by the ACC or the Board.

#### **IV. RECREATIONAL VEHICLES**

- A. The following shall not be parked in driveways more than 48 consecutive hours:
  1. motor homes
  2. buses
  3. boats
  4. trailers
  5. all-terrain vehicles
  6. golf carts
  7. go-carts
  8. mopeds
  9. scooters
  10. minibikes

#### **V. TRANSFER FEE**

- A. Upon the sale and transfer of title to any Lot, the transferring Titleholder shall pay to River Reach Pointe Property Owners Association, Inc. (RRP POA) a transfer fee in the amount of 0.25% (One Quarter of One Percent) of the final sales price.
- B. Such transfer fee shall be the personal obligation of the transferring Titleholder and, in addition, RRP POA shall have a lien to secure payment of such transfer fee.
- C. In the event of non-payment of the transfer fee, the lien may be foreclosed by the Association in the same manner as set forth in Article IV, Section 8 of the "Declaration of Covenants, Conditions, Restrictions and Easements for River Reach Pointe" was recorded in the Register of Deeds office for Berkeley County, South Carolina on March 29, 2005 in Book 4600 at Page 300 ("DCCR"), as

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amended by the Fourth Amendment to the DCCR, recorded in the ROD on May 4, 2020 in Book 3348 at Page 890.

**VI. ENFORCEMENT**

- A. ACC fines shall not exceed \$50.00 (Fifty Dollars) per violation per day for first time violators, and shall not exceed \$100.00 (One Hundred Dollars) per violation per day for repeated violations.
- B. All fines shall be the personal obligation of the Lot Owner, as set forth in greater detail in Article X, Section 1 of the DCCR, as amended by the Fourth Amendment to the DCCR, recorded in the ROD on May 4, 2020 in Book 3348 at Page 890.

**[END OF RULES AND REGULATIONS]**

**[PROBATE PAGE FOLLOWS]**

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WHEREAS, the Board of Directors of River Reach Pointe Property Owners Association, Inc. have determined that the herein Rules and Regulations are necessary for the preservation and well-being of the subdivision known as River Reach Pointe, and the requisite majority of the Board of Directors voted to approve same in accordance with Article IV, Section 11 of the Bylaws.

In witness whereof, the undersigned has executed this instrument on this, the 30<sup>th</sup> day of MAY, 2024.

Donna E. Hohler  
 Witness #1 Signature (not notary)

Donna E. Hohler  
 Witness #1 Printed Name

Courtney Smith  
 Witness #2 Signature (not notary)

Courtney Smith  
 Witness #2 Printed Name

Jim Hohler  
 Jim Hohler  
 President  
 Rivers Reach Pointe  
 Property Owners Association, Inc.

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF BERKELEY )

ACKNOWLEDGMENT

PERSONALLY appeared before me, DONNA HOHLER and COURTNEY SMITH the above signed witnesses, who are personally known to me or provided satisfactory evidence of his/her identity, and oath is made that (s)he saw the within named Rivers Reach Pointe Property Owners Association, Inc., sign, seal and as its act and deed, deliver the within instrument, that (s)he, with the other witnesses subscribed above, witnessed the execution thereof, and that neither subscribing witness is a party to or a beneficiary of the transaction.

Acknowledged, sworn to and subscribed before me )

This, the 30<sup>th</sup> day of May, 2024 )

Dale S.  
 Notary Public for the State of South Carolina  
 My commission expires: 9/4/29

