

**12<sup>th</sup> AMENDMENT – ARCHITECTURAL CONTROL FUNCTIONS**

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Return to: Kiawah Island Community Association  
23 Beachwalker Drive  
Kiawah Island, South Carolina  
29455  
Attn: Chief Operating Officer

STATE OF SOUTH CAROLINA  
COUNTY OF CHARLESTON

Cross Reference: Deed Book M-114  
Page 407

**TWELFTH AMENDMENT TO THE DECLARATION OF COVENANTS  
AND RESTRICTIONS OF THE KIAWAH ISLAND COMMUNITY  
ASSOCIATION, INC.<sup>1</sup>**

**WHEREAS clauses to be inserted here.**

**NOW THEREFORE**, the Declaration of Covenants and Restrictions (the “Consolidated Declaration”) of the Kiawah Island Community Association, Inc. is hereby amended as follows:

**ARCHITECTURAL CONTROL**

Article VII, Architectural Control, of the Consolidated Declaration, is hereby deleted in its entirety and replaced as follows:

Section 1. **Architectural Control.** In the event that the Association becomes empowered by assignment, delegation or otherwise to exercise all or any of the architectural review powers described in Section 2 below, the Association, and/or any separate body or authority created or approved by the Association (a “Review Authority”), shall have the affirmative duty to exercise such powers. In that regard, the Association shall have the right to assign to any Review Authority any or all of the Association’s architectural control powers, subject to any restrictions or limitations imposed by the Association. Any such Review Authority shall have such a governance and operating structure as the Association shall determine or approve.

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<sup>1</sup> This title and the Whereas clauses are subject to change depending on which Covenant Amendments are approved.

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Section 2. **Architectural Review and Approval Powers.** The architectural control powers that may be exercised by the Association and/or any Review Authority may include the power to require that before any (i) building, wall, fence, swimming pool, or other structure to be commenced, erected, or maintained or any landscaping be done upon any of the Properties, (ii) exterior addition to any existing structure or change or alteration therein, be made, the plans and specifications therefore showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to the harmony and compatibility of its external design and location, with the surrounding structures and topography, by the Association and/or any Review Authority in exercising its architectural review function. The Association and/or any Review Authority shall be empowered to charge fees, impose fines and require deposits in connection with its activities and shall be required to maintain records of all of the actions taken in connection with its architectural review function. This paragraph shall not apply to any property utilized by a governmental entity or institution.

**IN WITNESS WHEREOF**, the undersigned officers of the Kiawah Island Community Association, Inc. hereby certify that the above amendment to the Declaration of Covenants and Restrictions of the Kiawah Island Community Association, Inc. was duly adopted by the requisite vote of the Kiawah Island Community Association Membership. This amendment will become effective as of the date listed below.

This \_\_\_ day of \_\_, 20\_\_.

**KIAWAH ISLAND COMMUNITY ASSOCIATION, INC.**

By: \_\_\_\_\_  
Chair

Attest: \_\_\_\_\_  
Secretary

[CORPORATE SEAL]