

Instrument#: 2019000003318, DEED BK: 4175
PG: 992 DOCTYPE: 082 01/10/2019 at 04:15:47
PM, 1 OF 12 MARION D. FOXWORTH III,
HORRY COUNTY, SC REGISTRAR OF DEEDS

BAREFOOT RESORT JOINT COMMITTEE

Barefoot Resort, Myrtle Beach

Horry County, South Carolina

SOUTH CAROLINA HOA ACT COMPLIANCE DOCUMENT

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SECRETARY OF STATE
NONPROFIT CORPORATION
ARTICLES OF INCORPORATION

1. Name of this corporation is Barefoot Resort Joint Committee, Inc.

2. The initial registered office of the corporation is:

4898 Highway 17S North Myrtle Beach Horry
Street address City County

South Carolina 29582
State, Zip Code
[The complete address is required by SC Code 33-31-202(a)(3)]

3. The name of the registered agent at the above office is:
Robert S. Guyton

4. Check either (a), (b), or (c). Check only one box.
- The nonprofit corporation is a public benefit corporation.
 - The nonprofit corporation is a religious corporation.
 - The nonprofit corporation is a mutual benefit corporation.

5. Check (a) or (b), whichever is applicable:
- This corporation will have members who will vote for the board of directors. See Section 33-31-202(a)5.
 - This corporation will not have members.

6. The address of the principal office of the nonprofit corporation is:

4898 Highway 17 S
Street address

North Myrtle Beach Horry South Carolina 29582
City, County, State, Zip Code
[The complete address is required by SC Code 33-31-202(a)7]

7. If the corporation is either public benefit or religious, complete either (a) or (b) below. Do not check both. [This information is required by 33-31-202(a)6]

Upon dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)3 of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such asset not so disposed of shall be disposed of by the court of common pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

Upon dissolution of the corporation, consistent with law, the remaining assets of the corporation shall be distributed to:

8. If the corporation is a mutual benefit corporation, complete either (a) or (b) to describe how the assets of the corporation will be distributed upon dissolution of the corporation.

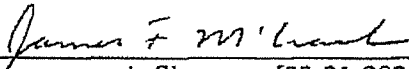
Upon dissolution of the mutual benefit corporation, the assets shall be distributed to its members, or if it has no members, to those persons to whom the corporation holds itself out as benefiting or serving.

Upon dissolution of the mutual benefit corporation the assets, consistent with law, shall be distributed to _____

9. Please include any option provisions which the nonprofit elects to include in these articles of incorporation. See Section 33-31-202(b) through 33-31-202(e).

10. The name and address of each incorporator is as follows:

James F. McCrackin
2411 North Oak Street, Myrtle Beach, South Carolina 29577
[This information is required by SC Code 33-31-202(a)4]

11. 
Incorporator's Signature [33-31-202(d)]

James F. McCrackin
Incorporator's Name (typed)

12. _____
Signature of any director named in these articles

Director's Name (typed)

Signature of any director named in these articles

Director's Name (typed)

Date and Time

NORTH TOWER POOL RULES AND REGULATIONS

1. Swimming is permitted only during hours as posted at the pool area – 9:00 am to 10:00 pm.
2. The use of the swimming pool and adjacent pool deck are at the user's own risk at all times. No lifeguard is present.
3. State law imposes the following rules with respect to the pool:
 - No solo swimming is permitted.
 - No running.
 - No boisterous or rough play.
 - No person under the influence of alcohol or drugs should use the pool.
 - No spitting or blowing nose in the pool.
 - No persons with a communicable disease allowed in the pool.
 - No children less than 16 years old allowed in the pool without parental supervision.
 - You should take a shower before entering the pool.
4. Infant children must wear “little swimmers” when in pools. No diapers are permitted. Children that are not potty trained are not permitted in the pool unless they are wearing “little swimmers”. Hygienic and economic reasons require strict enforcement of this policy.
5. The maximum pool depth is 5-feet. Diving is absolutely prohibited at all times. No jumping into the pool from running starts.
6. Glass containers or any glass products are strictly prohibited in the pool or on the pool deck.
7. Pets are not permitted in the pool or pool area.
8. The use of floats, running, hard ball playing, noisy or hazardous activity, or excessive splashing will not be permitted in the pool area.
9. The use of the pool area shall be in a considerate and respectful manner. As such, the volume of radios, recorders, CD's, etc., shall be kept at a low level at all times. Management may require headphones, as it deems necessary, to control the volume or nature of the material being broadcast which may interfere with the peaceful enjoyment of others.

NORTH TOWER POOL RULES AND REGULATIONS

10. Pool furniture must not be removed from the pool deck. Table umbrellas should be closed when leaving pool area.
11. As a matter of courtesy to others, swimmers and sunbathers may not reserve lounges or chairs.
12. Owners, guests and lessees are to clean up food, snack and drink containers prior to leaving the pool area.
13. All bathers must be appropriately attired in garments designed specifically as swimming wear. No jeans, cuts-offs, tank tops, etc., are permitted in the pool(s).
14. In the event of thunder and/or a lightning storm, owners and guests will be asked to vacate the pool for their own safety.
15. An emergency phone is located at the pool for 911 emergency calls.
16. Life-saving equipment is located along the perimeter of the pool area.
17. A first aid kit is available at the pool facility.
18. All persons using the pool and washrooms shall keep the areas clean by properly disposing of paper goods, trash, cans, etc.
19. A designated smoking area is located adjacent to the Restroom Area. Please use ashtrays and place all trash in containers as provided. Smoking is prohibited in all other areas of the pool and/or pool deck.
20. Reserving the pool area for private functions is not permitted.
21. Pools require proper maintenance. As such, the Association will close the pool for cleaning and maintenance as necessary.

BAREFOOT JOINT COMMITTEE, INC.
INSPECTION AND COPYING OF ASSOCIATION RECORDS

1. RECORDS DEFINED

The records available for inspection and copying are those records designated by *Code Sections 33-31-1601, 33-31-1602 and 33-31-1605, Code of Laws of South Carolina (1976)*, as amended, et seq.

2. PERSONS ENTITLED TO INSPECT OR COPY

Every member shall have the right to inspect or copy the Association's records as required by the Code Sections referenced above in compliance with the rules and procedures contained in this policy. A member may authorize, in writing, an attorney or other designated representative, to conduct the inspection or request copies on the member's behalf. Any such authorized representative shall be considered a "member" for the purposes of this policy.

3. WRITTEN REQUEST REQUIRED

- a. Inspection or copying shall be limited to those records specifically requested in advance, in writing which fall within the parameters of the Code Sections referenced above. A member who wants to inspect or copy the Association's records shall submit a written request to the Association's property management company. The request must specify the particular record desired, including pertinent dates or time periods if applicable, and shall state whether the request is for inspection, copying or both. The request must be sufficiently detailed to allow the Association to retrieve the record(s) requested.
- b. No member may submit more than one request for inspection and/or copying in a 30-day period.
- c. Records permitted to be inspected or copies will be limited to those delineated in the Code Sections referenced above.

4. INSPECTION RULES

- a. No member may request an inspection of more than thirty (30) records at any one time, nor shall the Association be required to produce more than two hundred (200) pages of records at any one time. If the member's request exceeds either of these limitations, the Association shall provide records for inspection in the order requested by the

member up to the limiting factor. The member shall then make written request(s) for additional sessions until the member has inspected all the records originally requested. Requests for additional sessions are subject to all the same rules and restrictions as any other inspection request.

- b. All inspections shall take place at the property management company's office or at such other location as the Association designates. No member shall remove original records from the location where the inspection is taking place.
- c. Members shall not alter the records in any way.
- d. The Association in accordance with Code Section 33-31-1602 shall make records as set forth in Code Section 33-31-1601(e) available for inspection on or before the fifth working day after the Association actually receives the written inspection request. This time frame may be extended upon the member's written request, or if the records requested are so voluminous or otherwise in such condition as to render this time frame unreasonable, the Association shall notify the member (by telephone, in person, in writing, or by e-mail transmission) that the records are available and specify the time, date, and place for the inspection.
- e. Inspections shall be by appointment only, during the normal business hours of the property management company.
- f. As to records, other than those required to be produced for inspection pursuant to Code Section 33-31-1601(e), such shall be produced upon compliance with the requirements of Code Section 33-31-1602, being that the request for inspection be made in good faith and a proper purpose and describe, with reasonable particularity, the purpose and the records desired to be inspected.

5. COPYING RULES

- a. If a member wants a copy of any record, the member shall designate in writing the record desired. Any written request shall designate the specific record or portion thereof.
- b. During an inspection, a member may designate such record by use of a tab, clip, or Post-It note upon the page(s) desired.
- c. Copies of said documents shall be available within seven (7) working days after the inspection and designation by the inspecting member, unless the voluminous nature or condition of the records make this time frame

impractical. In such cases, the copies will be made available as soon as is practical.

- d. A member shall pay \$0.25 per page for regular or legal sized photocopies, payable in cash or by personal check, at the time the copies are delivered. However, the property management representative may require advance payment in his or her discretion, taking into account such factors as the amount of the copying charge, the member's payment record and other relevant factors.

6. MANNER OF INSPECTION OR COPYING

- a. Members shall not exercise their inspection or copying rights in order to harass any other member or resident, Association agent, officer, director, or employee and shall not publish or communicate any information obtained or viewed to parties other than fellow members. All members inspecting or requesting copies of records shall conduct themselves in a businesslike manner and shall not interfere with the operation of the property management company's office or the office at such other location where the inspection or copying is taking place. The property management representative shall assign one staff person to assist in the inspection. Requests for further assistance and copying during an inspection should be directed to that staff person.
- b. The Association shall maintain a log detailing:
 - i. The date the written request was received;
 - ii. The name of the requesting party;
 - iii. A list of the requested records;
 - iv. The date the Association notified the member that the records were available;
 - v. The date the records were made available; vi. The date of actual inspection or copying; and
 - vii. The signature of the member acknowledging receipt of, or access to, the records. Every person inspecting or receiving copies of records shall sign said log or a comparable receipt prior to inspection or receipt of copies.

7. ENFORCEMENT OF INSPECTION AND COPYING RULES

- a. Any violation of these rules shall cause the immediate suspension of the inspection or copying until the violator agrees in writing to comply herewith.

- b. The Association shall not honor any requests for inspection or copying that do not comply with this policy. Within five working days of receiving the non-compliant request, the Association shall send a written notice to the person who made the request indicating the nature of any non-compliance. Any Association representative who receives an oral request for inspection or copying shall refer the person making the request to this policy, and the Association will have no further obligation to respond until it receives a written request.

8. NON-PRODUCTION OF PRIVILEGED DOCUMENTS

The Board may withhold from inspection any records that in its reasonable business judgment would:

- a. Constitute an unwarranted invasion of privacy;
- b. Constitute privileged information under the attorney-client privilege;
- c. Involve pending or anticipated litigation or contract negotiations;
- d. Involve the employment, promotion, discipline, or dismissal of a specific board member or employee; and/or
- e. Involve notices or letters to members regarding covenant and/or rule violations.

The undersigned member having reviewed the document inspection protocol set forth above hereby acknowledges and agrees to comply with the same.

Member signature

Date

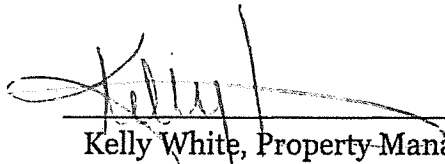
CERTIFICATION

Matter: Barefoot Resort Joint Committee

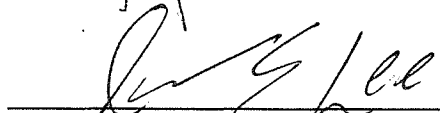
Location: 4876 Barefoot Resort Bridge Road
Suite C
North Myrtle Beach, SC 29582

Contact: Kelly White
Ponderosa Management, LLC
Phone: (843) 399-9888
Fax: (843) 399-1761
kwhite@pm-llc.com

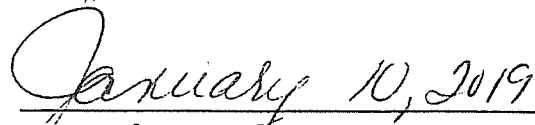
The rules, regulations, and policies of the above named Association were approved by the Board and President prior to filing.



Kelly White, Property Manager



Robert E. Lee, Esq.



Date of Approval

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this 10 day of January, 2019 by Kelly White, as Property Manager of Barefoot Resort Joint Committee.

SWORN this the 10 day of January,
2019

Brandy Reaves
Notary Public for South Carolina
My Commission Expires: 11/12/2020

