

Tiana P Garner, Clerk of Superior Court
Gwinnett County, GA

ERECORDED
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SPACE ABOVE RESERVED FOR RECORDING DATA

After recording, please return to:

Coulter & Sierra, LLC
1770 Indian Trail Road, Suite 440
Norcross, GA 30093
Attn.: KMK

STATE OF GEORGIA
COUNTY OF GWINNETT

Cross Reference: Deed Book: 42690
Page: 12

**FOURTH AMENDMENT TO THE MASTER DECLARATION OF PROTECTIVE
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR NORCROSS
DOWNTOWN**

THIS FOURTH AMENDMENT TO THE MASTER DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR NORCROSS DOWNTOWN ("Fourth Amendment") is made as of the 16 day of May, 2022 ("Effective Date"), by SEVEN NORCROSS RESIDENTIAL ASSOCIATION, INC., a Georgia nonprofit corporation ("Association").

WITNESSETH:

WHEREAS, Norcross Downtown, LLC, a Georgia limited liability company, as Declarant, recorded that certain Master Declaration of Protective Covenants, Conditions, Restrictions and Easements for Norcross Downtown on May 10, 2005, in Deed Book 42690, Page 12, *et seq.*, of the Gwinnett County, Georgia land records (hereinafter, as may be amended and/or supplemented from time to time, the "Declaration"); and

WHEREAS, United Family Homes, LLC assumed and was assigned all Declarant rights pursuant to that certain Assignment and Assumption of Declarant Rights, which was recorded on March 8, 2018, in Deed Book 55745, Page 652, *et seq.*, of the Gwinnett County, Georgia land records; and

WHEREAS, the Association is a nonprofit corporation organized under the Georgia Nonprofit Corporation Code to be the Association named in the Declaration to have the power and authority set forth therein; and

WHEREAS, pursuant to Article 11, Section 11.9 of the Declaration, the Board of Directors, with the written consent of the Declarant and Rock-Tenn, and without a vote of the Owners may amend the Declaration for the sole purpose of electing to be governed by the provisions of the Georgia Property Owners' Association Act, O.C.G.A. § 44-3-220, *et seq.*; and

WHEREAS, the Association, acting through its Board of Directors, desires to amend the Declaration for the sole purpose of electing to be governed by the provisions of the Georgia Property Owners' Association Act, O.C.G.A. § 44-3-220, *et seq.*; and

WHEREAS, to the best of Declarant's knowledge, the rights of Rock-Tenn to take, approve or consent to actions have been terminated; and

WHEREAS, Declarant has provided notice of this Fourth Amendment to Rock-Tenn; and

WHEREAS, Declarant has consented to amend the Declaration as set forth herein and intends for this Fourth Amendment to be prospective only; and

WHEREAS, this Fourth Amendment does not materially adversely affect the substantive rights of any Owners nor does it adversely affect title to any Unit.

NOW, THEREFORE, the undersigned hereby adopt this Amendment to the Declaration, hereby declaring that all the property now or hereafter subject to the Declaration shall be held, conveyed, encumbered, used, occupied and improved subject to the Declaration, amended as follows:

1.

Article 2 of the Declaration is hereby amended by adding the following new Section 2.6 to the end thereof:

2.4 Submission to Georgia Property Owners' Association Act; Conflict. The real property now or hereafter subject to the Declaration shall be held, conveyed, encumbered, used, occupied, and improved subject to the Georgia Property Owners' Association Act, O.C.G.A. Section 44-3-220, *et seq.* (the "Act"), as the Act may be amended from time to time. In the event of a conflict between the provisions of this Declaration and the provisions of the Act, then to the extent that the provisions of the Act cannot be waived by agreement, the Act shall control.

2.

Unless otherwise defined herein, the words used in this Fourth Amendment shall have the same meaning as set forth in the Declaration.

3.

This Fourth Amendment shall be effective only upon being recorded in the records of the Clerk of Superior Court of Gwinnett County, Georgia.

4.

Except as herein modified, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have caused this Fourth Amendment to be executed under seal the day and year first above written.

ASSOCIATION: SEVEN NORCROSS RESIDENTIAL
ASSOCIATION, INC., a Georgia nonprofit
corporation

By: [Signature]

Name: PAT EAST

Its: President

Attest: [Signature]

Name: April M. Caltabiano

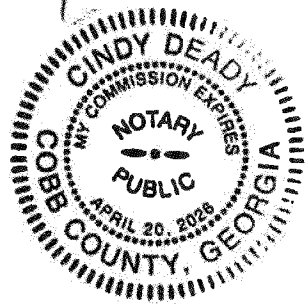
Its: Secretary

Signed, sealed, and delivered
in the presence of:

[Signature]
WITNESS

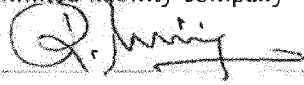
[Signature]
NOTARY PUBLIC

My Commission Expires:
4-20-26
[AFFIX NOTARY SEAL]



[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

DECLARANT: UNITED FAMILY HOMES, LLC, a Georgia
limited liability company

By: 

Name: RAMAKRISHNAN SRINIVASAN

Its: UNITED FAMILY HOMES LLC

Signed, sealed, and delivered
in the presence of:


WITNESS Minda Mojalal


NOTARY PUBLIC

My Commission Expires: 10/12/2025

[AFFIX NOTARY SEAL]

