

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

ERECORDED

GWINNETT COUNTY, GEORGIA

Cross Reference

Deed Book 4762, Page 120
Deed Book 8518, Page 119
Deed Book 10298, Pages 229-231
Plat Book 45, Pages 13-14, 147
Plat Book 71, Pages 279-280
Plat Book 55, Page 16
Plat Book 39, Page 210
Plat Book 43, Pages 63-64, 292
Plat Book 46, Page 196
Plat Book 58, Page 46
Plat Book 44, Page 81
Plat Book 52, Page 148
Plat Book 60, Page 93

AMENDED AND RESTATED BYLAWS

SPRINGMONT HOMEOWNERS ASSOCIATION, INC.

These Amended and Restated Bylaws are adopted to establish a comprehensive governance framework for Springmont Homeowners Association, Inc., and supersede all prior Bylaws.

ARTICLE 1 – NAME, PURPOSE, AND INCLUDED PROPERTIES

Section 1. Name. The name of the corporation is Springmont Homeowners Association, Inc. (the “Association”), a nonprofit corporation organized under the laws of the State of Georgia.

Section 2. Purpose – General. The Association is formed to administer and enforce the Declaration of Covenants, Conditions, Restrictions and Easements for Springmont recorded at Deed Book 4762, Page 120, Gwinnett County, Georgia records (the “Declaration”), as amended at Deed Book 8518, Page 119 and Deed Book 10298, Pages 229-231, and as may be further amended from time to time, and to govern the rights and obligations of the membership of the Association as defined in the Governing Documents.

Section 3. Governing Documents. The term “Governing Documents” shall mean the Declaration, these Bylaws, and all Policies adopted by the Board of Directors, as each may be amended from time to time.

Section 4. Maintenance and Governance. The Association shall manage, regulate, maintain, preserve, and enhance the Common Property and amenities, enforce covenants and restrictions, and promote the health, safety, welfare, and property values of the community.

Section 5. Community Activities. The Association may support community activities and events that benefit Members, residents, and occupants.

Section 6. Limitation of Security Responsibility. The Association is not a provider of security or law enforcement services and shall not be responsible for the personal safety or security of Members, residents, guests, or their property. The provision of any security measures, if any, shall not be deemed a guarantee of safety, and all persons assume all risks relating to their personal safety and the security of their property.

Section 7. Included Properties. The Association shall act as the homeowners' association with respect to the subdivisions of Greenfield Estates Subdivision, Oak Creek Forest Subdivision, Springmont Subdivision, and Rivergate Subdivision. The recorded subdivision plats associated with such properties are identified in Appendix A attached hereto and incorporated herein by reference.

ARTICLE 2 – MEMBERSHIP

Section 1. Members. Every record Owner of a Lot within the Included Properties shall be a Member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a Lot.

Section 2. Good Standing. A Member shall be deemed to be in good standing if such Member (a) is current in the payment of all dues and assessments lawfully owed to the Association, and (b) has no outstanding violations under the Governing Documents

Section 3. Voting Rights. A Member's voting rights may be temporarily suspended only for failure to pay regular or special assessments and only to the extent authorized by the Declaration and applicable law. Outstanding fines, fees, charges, or unresolved violations shall not independently disqualify a Member from voting where such disqualification is prohibited by law.

Section 4. Responsibility for Conduct. Each Member shall be responsible for compliance by such Member's guests, tenants, lessees, invitees, and occupants with all Governing Documents.

Section 5. Definition of Violation. A violation shall mean any failure to comply with the Governing Documents, as properly adopted and within the authority granted therein, and shall remain unresolved until deemed cured or otherwise resolved by the Board.

Section 6. Enforcement; Compliance. Each Member shall comply with all Governing Documents. The Board shall have authority to impose administrative fees, fines, and

charges; assess costs of enforcement; and suspend privileges. Failure to comply after notice may result in corrective action taken by the Association, including entry upon a Lot to cure a violation as authorized by the Declaration, and all costs thereof shall be charged to the Member.

ARTICLE 3 – MEETINGS OF MEMBERS

Section 1. Annual Meeting. An annual meeting of Members shall be held at a time and location as determined by the Board. The Board may choose to hold meetings in person or by electronic teleconference, telephone, or other similar electronic means. At the Annual Meeting, Members shall elect Directors and transact other Association business that is properly brought before the meeting. At the Annual Meeting, the Board shall provide comprehensive reports concerning the affairs, finances, and budget projections of the Association.

Section 2. Election of Directors. The election of Directors shall not be subject to the quorum requirements set forth in Section 5 of this Article. Directors shall be elected by a plurality of the votes cast by Members present in person or by proxy at the Annual Meeting. The nominees receiving the highest number of votes shall be elected to fill the available positions on the Board of Directors.

Section 3. Special Meetings. Special meetings may be called by the President, a majority of the Board, or Members holding at least twenty-five percent (25%) of the total voting power of the Association.

Section 4. Notice. Notice of an annual or regularly scheduled meeting shall be given at least twenty-one days (21) in advance. Notice of any other meeting shall be given at least seven days in advance. The notice shall state the date, time, place or electronic access information, and, for a special meeting, the purpose or purposes of the meeting.

Section 5. Quorum. Except as otherwise provided in the Declaration, these Bylaws, or applicable law, Members entitled to cast at least ten percent (10%) of the total voting power of the Association, present in person or by proxy, shall constitute a quorum for the transaction of business requiring a vote of the Members. A meeting of the Members may be convened and conducted with less than a quorum present for purposes of presentation of reports, discussion of Association matters, and other informational or procedural matters; however, except as provided in Section 2 with respect to the election of Directors, no action requiring a vote of the Members shall be taken unless a quorum is present.

Section 6. Voting and Proxies. Each Lot entitled to vote shall have one (1) vote. If a Lot is owned by more than one person and only one Owner is present or votes by proxy, ballot, or written consent, that Owner may cast the vote for the Lot; if more than one Owner attempts to vote, the vote shall be cast only by their unanimous agreement, which shall be presumed if one Owner votes and no other Owner immediately objects. If a Lot is owned by a corporation, limited liability company, partnership, trust, estate, or other legal entity, its

vote shall be cast by an authorized representative or proxy. Votes may be cast in person or by written or electronic proxy. Each proxy shall identify the Member, the Lot, and the proxy holder, be dated, state any limitations, and expire at the close of the meeting or three (3) months after execution, whichever occurs first. A valid proxy may be counted for quorum and may be revoked or superseded in accordance with applicable law.

Section 7. Proxy Definition. A proxy shall clearly identify the Member granting the proxy, the person authorized to vote on behalf of the Member, and any limitations imposed by the Member on the exercise of such proxy.

ARTICLE 4 – BOARD OF DIRECTORS

Section 1. Authority. The property and business of the Association shall be managed by the Board of Directors (the “Board”), which shall have all powers necessary for governance and administration.

Section 2. Directors. The Directors shall be elected by the Members at the Annual Meeting in accordance with Article 3 of these Bylaws. Each Director must be a Member in good standing at the time of election and throughout the term of service. Nominations for Director may be made in advance of the Annual Meeting or from the floor at the Annual Meeting, in accordance with procedures established by the Board of Directors. Each Director shall serve until a successor is duly elected and qualified.

Section 3. Composition. The Board shall consist of not fewer than three (3) nor more than seven (7) Directors, each of whom must be a Member in good standing.

Section 4. Meetings. The Board shall meet no less than quarterly. The President shall generally call meetings; however, any Officer may call a meeting.

Section 5. Notice of Board Meetings. Notice of Board meetings shall be provided not less than seven (7) days prior to the meeting, unless a shorter period is required due to emergency circumstances.

Section 6. Quorum. A majority of Directors shall constitute a quorum.

Section 7. Manner of Acting. The act of a majority of Directors present at a meeting where a quorum exists shall be the act of the Board. Any action to be taken at a meeting of the directors, or any action that may be taken at a meeting of the directors, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by the required number of the directors for such action to be approved, but in no case less than a majority of the directors, and any further requirements of law pertaining to such consents have been complied with.

Section 8. Presiding Officer. The President shall preside. In the absence of the President the Vice President shall preside, then the Secretary, and then the Treasurer.

Section 9. Tie Votes. A tie vote shall result in the failure of the motion.

Section 10. Conference Meetings. Directors may participate via teleconference or similar means and shall be deemed present.

Section 11. Compensation. Directors shall not be compensated.

Section 12. Removal of Directors. Any Director may be removed from the Board for cause by a majority vote of the remaining Directors at a meeting duly called for such purpose. Cause shall include, but not be limited to, failure to attend meetings, loss of good standing, breach of fiduciary duty, discontinued Ownership, or conduct detrimental to the Association. The Director shall be given notice and an opportunity to be heard prior to removal.

Section 13. Order of Succession. In the absence or inability of the President to act, succession shall be Vice President, Treasurer, and Secretary. If none are available, the Board shall appoint an acting officer.

Section 14. Vacancies. Vacancies on the Board may be filled by majority vote of remaining Directors, and the appointee shall serve the remainder of the term.

Section 15. Validity of Actions. Failure of the Board of Directors to hold meetings at the frequency specified herein shall not invalidate any actions otherwise properly taken by the Board.

Section 16. Confidentiality. Members of the Board of Directors shall maintain the confidentiality of information relating to Members, including but not limited to financial accounts, violations, enforcement actions, and any information designated as confidential under the Policies of the Association.

Section 17. Standard of Conduct. Each Director and Officer shall perform his or her duties in good faith, in a manner reasonably believed to be in the best interests of the Association, and with such care as an ordinarily prudent person in a like position would exercise under similar circumstances. Directors and Officers shall act within the scope of their authority and in compliance with the Governing Documents.

Section 18. Conflict of Interest. Any Director or Officer who has a direct or indirect financial or personal interest in any matter before the Board shall disclose the existence and nature of such interest to the Board prior to any discussion or vote on the matter. The interested Director or Officer shall not participate in deliberations or vote on the matter, and such abstention shall be reflected in the minutes. The Board may adopt additional conflict of interest policies consistent with this Section.

Section 19. Emergency Powers. In the event of an emergency affecting the Association or the Common Property, the Board of Directors shall have the authority to take such actions as it deems necessary to protect persons and property, including the expenditure of funds not otherwise included in the approved budget. The Board may act without prior notice to

Members and may take actions that would otherwise require notice or a meeting, provided that such actions are reasonable under the circumstances. Any such actions shall be reported to the Members as soon as practicable.

Section 20. Limitation on Transfer of Common Property. The Board of Directors shall not sell, convey, transfer, or otherwise dispose of any Common Property or amenities owned by the Association without the approval of a majority of Association at a duly called meeting. Any such proposal shall include full disclosure to the Members of the nature of the transaction, the property involved, and the intended use of proceeds.

Section 21. Association Records. The Association shall maintain detailed minutes of all meetings of Members and Directors; detailed, accurate, and itemized financial records of receipts and expenditures; and all other books and records required by applicable law or reasonably necessary to reflect the Association's affairs and activities.

ARTICLE 5 – OFFICERS

Section 1. Election. The Board of Directors at its first meeting after each annual meeting shall elect the following Officers: a President, a Secretary and a Treasurer.

Section 2. Qualifications. Officers must be Owners, residents, and in good standing. The President may not serve as Secretary.

Section 3. Chief Executive Officer. Except as otherwise designated by the Board of Directors, the President shall be the Chief Executive Officer of Springmont Homeowners Association, Inc. The President of Springmont Homeowners Association, Inc. will, subject to the control of the Board of Directors, generally manage, supervise and control all operations and affairs of Springmont Homeowners Association, Inc. The President will preside at all meetings of Members and/or Directors at which he or she is present.

Section 4. Duties of Secretary. The Secretary shall (a) attend and keep minutes of all meetings of the Members and/or Directors; (b) see that all notices are duly given in accordance with these Bylaws and applicable law; and (c) attest the signatures of other officers and the validity of corporate actions and documents as may be necessary or desirable.

Section 5. Duties of Treasurer. The Treasurer shall (a) be responsible for the safekeeping of all funds of the Association; (b) oversee the receipt and deposit of all monies; (c) maintain accurate financial records; (d) provide financial reports to the Board; and (e) ensure that all financial obligations of the Association are properly managed.

ARTICLE 6 – POLICIES

Section 1. Definition. “Policies” shall mean all written rules, guidelines, procedures, or standards adopted by the Board of Directors to interpret, implement, and administer the Declaration and these Bylaws and to promote the orderly operation of the community.

Section 2. Scope and Application. Policies may address matters including, but not limited to, the use of Common Property, enforcement procedures, architectural and maintenance guidelines, and standards of conduct for Members, residents, occupants, and guests.

Policies shall not create, expand, or materially alter restrictions on the use of Lots or impose obligations that are not otherwise authorized by the Declaration or these Bylaws, but may clarify the application of existing restrictions and establish reasonable procedures, interpretations, and allowances consistent with the Governing Documents.

Section 3. Adoption and Amendment. The Board may adopt, amend, or repeal Policies from time to time in accordance with these Bylaws.

Section 4. Notice of Changes. Notice of policy changes shall be provided via U.S. Mail or approved electronic means.

Section 5. Website Publication. All Policies shall be posted on the Association website.

ARTICLE 7 – BUDGET AND FINANCES

Section 1. Budget. The Board of Directors shall prepare and adopt an annual budget for the Association. The budget shall be balanced and shall provide for the anticipated expenses of the Association, including the maintenance, repair, and operation of the Common Property and amenities. The adoption of the budget shall not require approval of the Members.

Section 2. Reserves. The budget shall include reserves in an amount sufficient, in the reasonable judgment of the Board of Directors, to fund the repair and replacement of significant components of the Common Property and amenities.

Section 3. Budget Publication. The proposed budget shall be made available to the Members before or at the Annual Meeting.

Section 4. Dues and Assessments. Members shall be obligated to pay regular dues and assessments as authorized by the Declaration as necessary for the Association to carry out its duties set forth in the Declaration. The Board of Directors shall have the authority to establish and collect such dues and assessments in accordance with the Governing Documents.

Section 5. Fees and Charges. The Board of Directors shall have the authority to establish and collect administrative fees, violation fees, and charges for the correction of violations, all as permitted by the Governing Documents.

Section 6. Interest and Collection. Dues, assessments, fees, and other charges shall be invoiced to Members by U.S. Mail or by electronic means to which the Member has consented. Each invoice shall provide at least thirty (30) days for payment. Any amounts not paid when due may be subject to late charges, interest at a rate not to exceed the maximum permitted by the laws of the State of Georgia, and costs of collection, including reasonable attorneys' fees, as permitted by the Declaration.

Section 7. Use of Funds. Funds of the Association shall be used solely for purposes consistent with the Governing Documents. Expenditures shall be made in accordance with the approved budget, except as otherwise authorized by a majority vote of the Board of Directors or as necessary under emergency circumstances.

ARTICLE 8 – INDEMNIFICATION

Section 1. Right to Indemnification. The Association shall indemnify and hold harmless any Director, Officer, employee, or agent of the Association to the fullest extent permitted by law, including expenses, attorney's fees, judgments, fines, and settlement amounts reasonably incurred.

Section 2. Authorization of Indemnification. Indemnification shall be provided upon a determination that the individual acted in good faith and in a manner reasonably believed to be in or not opposed to the best interests of the Association.

Section 3. Prepayment of Expenses. Expenses incurred in defending any action may be paid in advance upon receipt from the Director of a written affirmation of good faith belief that the standard of conduct was met and of a written undertaking from the Director to repay such amounts if it is ultimately determined that indemnification is not proper.

Section 4. Insurance. The Association shall have the authority to purchase and maintain insurance on behalf of the Association and its Directors, Officers, employees, and agents. Such insurance may include, but is not limited to:

- (a) general liability insurance covering bodily injury and property damage arising from the use and operation of the Common Property;
- (b) property insurance covering damage to Common Property and amenities, as applicable;
- (c) directors and officers liability insurance providing coverage for claims arising from acts or omissions in the performance of duties; and
- (d) such other insurance as the Board of Directors deems appropriate to protect the interests of the Association.

The amount, scope, and limits of such insurance shall be determined by the Board in its reasonable discretion.

Section 5. Notice to Members. If any indemnification payments are made, the Association shall provide notice to Members within ninety (90) days, specifying the persons paid, the amount paid, and the nature of the matter.

ARTICLE 9 – AMENDMENTS

Section 1. Amendments. These Bylaws may be amended by approval of the Board of Directors and approval of the Members at a duly called meeting. Any such amendment shall be recorded in the Gwinnett County, Georgia land records.

Section 2. Identification of Amendments. Any amendment to these Bylaws shall clearly identify the Association and these Bylaws, including reference to the name of the Association, the title of these Bylaws, and the date of adoption or last amendment.

Section 3. Content of Amendments. Each amendment shall specifically set forth the provision being amended, modified, or repealed, and shall include the full text of the provision as amended.

Section 4. Form of Amendment. Amendments may be adopted either by (a) an instrument setting forth specific changes to these Bylaws, or (b) a complete restatement of these Bylaws as amended. Any complete restatement shall supersede and replace all prior versions of the Bylaws.

Section 5. Recording and Effective Date. All amendments or restated Bylaws shall be recorded in the Gwinnett County, Georgia land records, and shall become effective upon the date of Adoption.

ARTICLE 10 – PRECEDENCE

Section 1. Precedence. In the event of any conflict or inconsistency among the Governing Documents, control shall be given in the following order: (a) the Declaration; (b) the Articles of Incorporation; (c) these Bylaws; and (d) the Policies. Applicable law shall control over any provision to the extent required by law.

ARTICLE 11 – FISCAL YEAR

Section 1. Fiscal Year. The fiscal year of the Association shall be established by resolution of the Board of Directors.

APPENDIX A – RECORDED PLATS

The following recorded subdivision plats identify the subdivisions comprising the Springmont community and provide references to the applicable real estate records of Gwinnett County, Georgia. References include original plats and subsequent revisions or replats, as applicable.

Inclusion of a plat in this Appendix does not independently subject any property to the Declaration. Applicability of the Declaration and these Bylaws to any particular property shall be determined from the Declaration, Bylaws, and other recorded instruments appearing in the applicable chain of title.

GREENFIELD ESTATES SUBDIVISION

- **Unit 1** — Plat Book 39, Page 202; as subsequently revised or replatted at Plat Book 45, Page 13 and Plat Book 71, Page 279, Gwinnett County, Georgia records.
- **Unit 2** — Plat Book 44, Page 32; as subsequently revised or replatted at Plat Book 45, Page 14, Plat Book 55, Page 16, and Plat Book 71, Page 280, Gwinnett County, Georgia records.

OAK CREEK FOREST SUBDIVISION

- **Unit 1** — Plat Book 39, Page 210, Gwinnett County, Georgia records.
- **Unit 2** — Plat Book 43, Page 292, Gwinnett County, Georgia records.

RIVERGATE SUBDIVISION

- **Unit 1** — Plat Book 42, Page 198; as subsequently revised or replatted at Plat Book 43, Page 63, Plat Book 45, Page 147, Plat Book 46, Page 196, and Plat Book 58, Page 46, Gwinnett County, Georgia records.
- **Unit 2** — Plat Book 43, Page 63; as subsequently revised or replatted at Plat Book 45, Page 147 and Plat Book 58, Page 46, Gwinnett County, Georgia records.

SPRINGMONT SUBDIVISION

- **Unit 1** — Plat Book 41, Page 179; as subsequently revised or replatted at Plat Book 43, Page 64, Plat Book 44, Page 81, Plat Book 52, Page 148, and Plat Book 60, Page 93, Gwinnett County, Georgia records.
- **Unit 2** — Plat Book 43, Page 64; as subsequently revised or replatted at Plat Book 44, Page 81 and Plat Book 60, Page 93, Gwinnett County, Georgia records.

CERTIFICATION AND ADOPTION

These Amended and Restated Bylaws of Springmont Homeowners Association, Inc. (the "Association") were duly adopted in accordance with the requirements set forth in the governing documents of the Association.

These Bylaws supersede and replace all prior Bylaws of the Association.

ADOPTED BY THE BOARD OF DIRECTORS

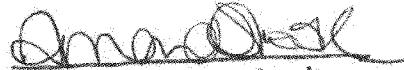
Adopted this 19 day of August, 2026.

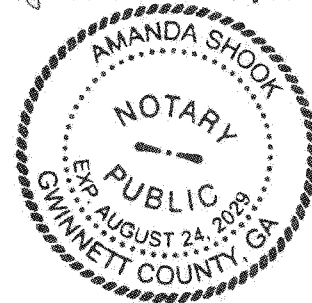


President



Secretary


my commission Expires on 8/24/29



CERTIFICATION

The undersigned, being the duly elected Secretary of Springmont Homeowners Association, Inc., hereby certifies that the foregoing Amended and Restated Bylaws were properly adopted in accordance with the then governing documents of the Association.



Secretary

EFFECTIVE DATE

These Amended and Restated Bylaws shall become effective upon the date of adoption by the Directors.