

COVENANTS AMENDMENT
** DOCUMENT CAN BE CHANGED*
ANYTIME (WITH VOTE) IN LIEU
OF ONLY 10 YEAR INTERVALS (PREVIOUS)

FILED & RECORDED
DATE: 8/22/2018
TIME: 11:35AM
BOOK: L45
PAGE: 190-192
Holly Henry-Perry, Clerk
Rabun County, GA

[Space Above Reserved For Recording Data.]

Return to: NowackHoward, LLC
945 East Paces Ferry Road
Suite 1250
Atlanta, GA 30326
Attn: RFD

STATE OF GEORGIA

Cross Reference: Deed Book Z6
Page 615

COUNTY OF RABUN

Deed Book L42
Page 451

AMENDMENT TO THE DECLARATION

This Amendment is made this 22nd day of August, 2018, by Laurel Ridge Association Inc., a Georgia not for profit corporation ("Association").

WHEREAS, Fred A. Worley, James C. Wallace Sr., and James C. Wallace, Jr., ("Developer") recorded that certain Declaration of Covenants, Conditions and Restrictions Made Applicable to Certain Lots Owned By Fred A. Worley, James C. Wallace, Sr., and James C. Wallace, Jr. in Deed Book Z6, Page 615 of the Rabun County, Georgia records on February 27, 1979 ("Original Declaration") establishing the planned development known as Laurel Ridge; and

WHEREAS, an amendment to the Original Declaration was recorded on April 10, 2015, in Deed Book T41, Page 182, et seq. of the Rabun County, Georgia records submitting the Association to the Georgia Property Owners Association Act (the "POAA Amendment"); and

WHEREAS, an Amended and Restated Declaration of Restrictions and Covenants for Laurel Ridge ("Restated Declaration") was recorded on November 30, 2015 in Deed Book L42, Page 451 of the Rabun County, Georgia land records, which Restated Declaration amends and restates the Original Declaration; and

WHEREAS, pursuant to Article V, Section 1 of both the Original Declaration and the Restated Declaration, the covenants and restrictions set forth in the Declaration run with and bind the land for a term of twenty (20) years from the date the Declaration was recorded and automatically extends for successive periods of ten (10) years unless an agreement for termination and modification is signed by

two-thirds (2/3) of the subdivision property owners and is recorded in the Office of the Clerk of the Superior Court of Rabun County, Georgia; provided, however, that such agreement shall specify which such covenants and restrictions are terminated or modified and no such agreement to terminate or modify said covenants and restrictions shall be effective unless filed for record at least one hundred and eighty (180) days prior to the date of a renewal and extension; and

WHEREAS, the Association wishes to modify Article V, Section 1 of the Restated Declaration, the POAA Amendment, and the Original Declaration to take advantage of modern community association duration and amendment provisions allowed by present day Georgia statutes as further set forth below; and

WHEREAS, the following Amendment to the Restated Declaration, the Original Declaration, and the POAA Amendment was approved by two-thirds (2/3) of the subdivision property owners by such property owners' execution of individual amendment agreement forms which are maintained in the Association's records and incorporated herein by reference as permitted in Bowman v. Walnut Mountain Property Owners Association, Inc., 251 Ga. App. 91, 553 S.E.2d 389 (2001);

NOW, THEREFORE, the Restated Declaration, Original Declaration and POAA Amendment are hereby amended and modified as follows:

1.

Article V, Section 1 is hereby amended by deleting it in its entirety and replacing it with the following:

Section 1. Duration and Amendment.

(a) Duration. The covenants and restrictions of this Declaration shall run with and bind the land, be and remain in effect, and shall inure to the benefit of and be enforceable by the Association or the owner of any property subject to this Declaration, their respective legal representatives, heirs, successors and assigns, perpetually to the extent permitted by Georgia law. Provided, however, that so long as Georgia law limits the period during which covenants may run with the land, any provision of this Declaration affected by such law shall run with and bind the land for so long as permitted by the law, after which time the provisions shall be automatically extended for successive periods of ten (10) years, unless terminated in accordance with O.C.G.A. Section 44-5-60, as it may be amended, within the year preceding any extension.

Every purchaser or grantee of any interest (including, without limitation, a security interest) in any real property subject to this Declaration, by acceptance of a deed or other conveyance, agrees that the provisions of this Declaration may be extended and renewed as provided in this Section.

(b) Amendment. This Declaration may be amended at any time by the agreement of at least two-thirds (2/3) of the subdivision property owners.

Unless a later effective date is specified in the amendment, an amendment shall be effective when certified by the President and Secretary of the Association and recorded in the Rabun County, Georgia

land records.

IN WITNESS WHEREOF, the undersigned officers of Laurel Ridge Association, Inc. hereby certify under oath that the agreement of the required two-thirds majority to this Amendment to the Restated Declaration, Original Declaration and POAA Amendment was lawfully obtained, with all required notices properly given, and that the individual declaration agreement instruments evidencing the two-thirds majority's agreement to this Amendment are maintained in the corporate records in accordance with Bowman v. Walnut Mountain Property Owners Association, Inc., 251 Ga.App. 91; 553 S.E.2d 389 (2001).

This 22 day of Aug, 20 18.

LAUREL RIDGE ASSOCIATION, INC.

By: [Signature]
President

Attest: [Signature]
Secretary

Signed, sealed, and delivered this
22 day of Aug, 20 18.

D. Juliette Smith

Witness

[Signature]

Notary Public

My Commission Expires:

[NOTARY SEAL]

