

STATE OF GEORGIA
COUNTY OF COBB

Return To:
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Cross Reference: Deed Book 14247, Page 2598.

REGULATIONS REGARDING SHORT-TERM RENTALS FOR WILMINGTON

These Regulations Regarding Short Term Rentals for Wilmington ("Regulation"), are made on the date hereinafter set forth by the Board of Directors ("Board"), for Wilmington Homeowners Association, Inc. ("Association").

WITNESSETH:

WHEREAS, on the 6th day of June 1995 that certain Declaration of Covenants, Conditions, Restrictions and Easements for Wilmington Subdivision was recorded in Deed Book 14247, Page 2598, Superior Court Records, Cobb County, Georgia, as amended from time to time ("Covenants").

WHEREAS, Article VII, Section 1 of the Covenants, provides in part as follows: *Residential Use...All Lots shall be restricted exclusively to single-family residential use. No Lot, or any portion thereof, shall at any time be used for any commercial, business or professional purpose;*

WHEREAS, Article VIII, Section 1 (a) regarding Enforcement provides in part that *The Association, or any Owner shall have the right to enforce, by a proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges nor or hereafter imposed by the provisions of this Declaration;*

WHEREAS, Article VII, Section 1(c) of the By-Laws of Wilmington Homeowners Association, Inc. ("Bylaws") states in part that *The Board of Directors shall have the power to exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these by-laws, the Articles of Incorporation, or the Declaration;* and

WHEREAS, the Board has determined it is in the best interest of the Association to adopt regulations in order to clarify and define 'single-family residential use' versus a commercial or unauthorized business use of the Lots, including short-term rentals.

NOW, THEREFORE, the Board has adopted the regulations attached as Exhibit "A".

IN WITNESS WHEREOF, after any required notice, the regulations contained in Exhibit "A" were lawfully adopted by at least a majority of the Board of Directors for the Association, on the date set forth in Exhibit "A", which is attached hereto and incorporated herein.

Wilmington Homeowners Association, Inc.

Sworn to, signed and sealed before us
this 28 day of October, 2024:

WITNESS

LOGAN ZACHARY SMITH
[SEAL]

By:

President

Attested to By:

SECRETARY

LOGAN ZACHARY SMITH
NOTARY PUBLIC
Paulding County
State of Georgia
My Comm. Expires June 21, 2027

Exhibit "A"

RESOLUTION ADOPTING REGULATIONS RE: SHORT TERM RENTALS FOR WILMINGTON

WHEREBY: Article VII, Section 1 of the Covenants, provides in part as follows: *Residential Use...All Lots shall be restricted exclusively to single-family residential use. No Lot, or any portion thereof, shall at any time be used for any commercial, business or professional purpose;*

WHEREBY: Wilmington subdivision should be maintained as a permanent resident neighborhood, and not a rental community;

WHEREBY: Article VII, Section 1(c) of the By-Laws of Wilmington Homeowners Association, Inc. ("Bylaws") states in part that *The Board of Directors shall have the power to exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these by-laws, the Articles of Incorporation, or the Declaration;* and

WHEREBY: The Board of Directors ("Board") for Wilmington Homeowners Association, Inc. ("Association") has determined it is in the best interest of the Association to adopt regulations in order to further clarify and define the Covenants regarding a commercial or unauthorized business use of the Lots, including short-term rentals.

WHEREFORE: The following regulations have been adopted by the Board, and will be effective upon mailing copies to the Owners.

**REGULATIONS REGARDING COMMERCIAL OR UNAUTHORIZED BUSINESS USE
OF A LOT AND PROHIBITION OF SHORT TERM RENTALS**

Short-Term Rentals Prohibited. All short-term rentals are strictly prohibited, including those through online services, such as Airbnb and VRBO. Any such rental is considered a commercial or unauthorized business use of the Lot, in violation of Article VII, Section 1, of the Declaration of Covenants for Wilmington subdivision.

Definition of Short-Term Rental. A 'short-term rental' shall be defined as the occupancy of a Lot by anyone other than the Owner, or the Owner's child, parent, grandparent, spouse, former spouse, or life partner, for a period shorter than six (6) months.

No Grandfathering & County Ordinances RE Occupancy. There is no grandfathering of this regulation because short-term rentals have always constituted a commercial and unauthorized business use of a Lot, and each incident is considered a separate and new violation.

All Lots, including those leased for a term of more than 6 months, must comply with the Cobb County Ordinance that limits occupancy of a home to no more than two unrelated adults, along with their children and/or grandchildren.

The foregoing regulation was adopted by resolution of the Association's Board on this 18 day of DECEMBER 2024, as indicated by signatures below.

(Signature) Marty Reese

[Print Name] Martin Reese

(Signature) Aletha B. Rivers

[Print Name] Aletha B. Rivers

(Signature) Carol Caines

[Print Name] Carol Caines

(Signature) Alan Miller

[Print Name] Alan Miller