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BARROW COUNTY, GA

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GLORIA M. WALL, CLERK

[SPACE ABOVE RESERVED FOR RECORDING DATA]

Return to: Weissman, Nowack, Curry & Wilco, P.C.
One Alliance Center, 4th Floor
3500 Lenox Road
Atlanta, Georgia 30326
Attention: Kimberly C. Gaddis

STATE OF GEORGIA

CROSS REFERENCE: Deed Book 535
Page 050

COUNTY OF BARROW

**AMENDMENT TO THE DECLARATION OF COVENANTS, AND RESTRICTIONS
FOR CRUCE LAKE AND
TO THE BY-LAWS OF CRUCE LAKE HOMEOWNERS ASSOCIATION**

WHEREAS, the Declaration of Covenants, and Restrictions for Cruce Lake was recorded on March 23, 2000, in Deed Book 535, Page 050, *et seq.*, Barrow County, Georgia Records ("Declaration"), as amended; and

WHEREAS, Article IX, Section 9.03 of the Declaration provides that the Declaration may be amended upon notice of the subject matter being given of the proposed amendment to the members and upon approval by at least two-thirds (2/3) of the total votes in the Association; provided that any amendment which materially or adversely affects the security title and interest of any mortgagee must be approved by such mortgagee, and during any period in which the Declarant has the right to appoint and remove directors of the association, the Declarant also must approve any amendment to the Declaration; and

WHEREAS, Article VI, Section 7.9 of the By-Laws of Cruce Lake Homeowners Association ("By-Laws") provides that the By-Laws may be amended in the same manor as provided in the Declaration for amendments; and

WHEREAS, this Amendment to the Declaration has been approved by at least two-thirds (2/3) of the votes in the Association; and

WHEREAS, this Amendment to the By-Laws has been approved by at least two-thirds (2/3) of the votes in the Association; and

WHEREAS, this Amendment does not materially or adversely affect the security title and interest of any mortgagee; and

WHEREAS, the Declarant no longer has the right to appoint and remove directors of the Association.

NOW, THEREFORE, the Declaration and the By-Laws are hereby amended as follows:

1.

Article IV, Section 4.04 of the Declaration (Assessments; Initiation Fee and Annual Assessment) is hereby amended by deleting the current annual assessment amount of \$182.00 and increasing said assessment amount to \$279.00 effective January 1, 2008.

2.

Article VI, Section 6.20 (General Covenants and restrictions; Artificial Vegetation, Exterior Sculpture and Similar Items) is hereby amended by deleting that section in its entirety and replacing it with the following:

Artificial vegetation and exterior sculptures will be permitted as long as the size and quantity are commensurate with the landscape of the surrounding homes and the community-wide-standards as determined in the discretion of the Board. All holiday/seasonal items must be removed no later than fourteen (14) days after the holiday or season. The Board reserves the right to reject any sculpture or vegetation whose size and quantity are not consistent with the community-wide-standard of the community.

Basketball goals and similar recreational equipment are permitted in the driveway no farther than half the distance to the street. Equipment must be kept in good repair, used during reasonable hours and removed when no longer in use. As per county ordinances equipment is not permitted in the street.

Playground equipment must be placed in the rear yard, in a location which provides the least visibility from the street upon which the residence faces. Equipment must be kept in good repair and used during daylight hours.

3.

Article VII, Section 7.5 of the Bylaws is hereby amended by deleting that section in its entirety and replacing it with the following:

The fiscal year of the Association shall be March 1 through February 28/29 for Leap Year, and the annual assessments shall be due March 1.

4.

Article V, Section 5.8 of the Bylaws is hereby deleted by adding the following to the end thereto:

(d) The Treasurer shall cause an annual audit of the Association books to be made by one board member and a member of the association at the completion of each fiscal year.

5.

Except as otherwise provided herein, the Declaration and By-Laws shall remain unchanged.

This 10th day of January, 2007.

Sworn to and subscribed before me

this 10th day of January, 2007.

CRUCE LAKE HOMEOWNERS ASSOCIATION, INC.

By: Alissa B. Goss
President

Attest: Michelle Johnson
Title: Secretary

Sharon Becker

Witness
Audrey Frost

Notary Public

[Notary Seal]