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CINDY G BROWN  
CLERK OF SUPERIOR COURT  
COWETA COUNTY

Reference: Deed Book 2171, Page 57

**AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS FOR MORNINGSID SUBDIVISION AND SUBMISSION TO  
THE GEORGIA PROPERTY OWNERS' ASSOCIATION ACT ("POAA")**

THIS AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS RESTRICTIONS AND EASEMENTS FOR Morningside Subdivision made this DEC. 21<sup>ST</sup>, 2020, by Morningside Homeowners Association, Inc., a Georgia non-profit corporation (hereinafter referred to as "Morningside"), in accordance with the then applicable Declarations governing such property.

**WITNESSETH:**

**WHEREAS**, on April 18, 2003, that certain Declaration of Protective Covenants, Conditions and Restrictions for Morningside was recorded in Deed Book 2171, Pages 57-97, Coweta County, Georgia records (hereinafter referred to as the "Declaration") and

**WHEREAS**, Morningside desires to amend its Declaration; and

**WHEREAS**, these amendments are not material with respect to the Mortgagee of a Lot in that they do not materially and adversely affect the security title or interest of any Mortgagee; provided, however, if a court of competent jurisdiction determines that these amendments do so without such Mortgagee's consent, then these amendments shall not be binding on the Mortgagee so involved, unless it consents hereto; and if such consent is not forthcoming, then the provisions of the Declaration prior to these amendments shall control with respect to the affected Mortgagee; and

**WHEREAS**, Morningside deems it desirable for the efficient operation of Morningside that the property be submitted to and the Declaration be amended to take advantage of the provisions of The Georgia Property Owners' Association Act; and

**WHEREAS**, the Amendment was presented to the membership at a duly called membership meeting on October 24, 2020; and

**WHEREAS**, a majority vote of the membership elected to be governed by and thereafter comply with the provisions of the Georgia Property Owner's Association Act, O.C.G.A. § 44-3-220, *et. seq.*; and

**NOW, THEREFORE**, the Declaration is hereby amended as follows:

**THIS AMENDMENT SUBMITS THE PROPERTY TO THE PROVISIONS OF THE GEORGIA PROPERTY OWNERS' ASSOCIATIONS ACT, O.C.G.A. § 44-3-220, ET. SEQ., AS THE SAME MAY HERETOFORE OR HEREAFTER BE SUPPLEMENTED, AMENDED OR MODIFIED (THE "ACT").**

**CLOSING ATTORNEYS SHOULD CONTACT THE ASSOCIATION FOR ESTOPPEL CERTIFICATES REGARDING ASSESSMENTS DUE ON LOTS.**

2/25  
BGF

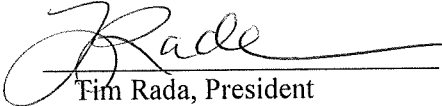
**The Declaration is hereby amended by adding the following section:**

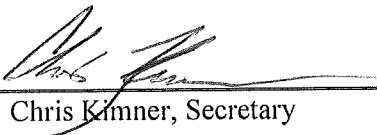
All of the Properties in Morningside development shall be owned in fee simple and subject to the provisions of this Declaration and the Georgia Property Owners' Association Act, O.C.G.A. § 44-3-220, et seq. The Property subjected to this Declaration constitutes a residential property owners' development which hereby submits to the Georgia Property Owners' Association Act, O.C.G.A. § 44-3-220, et seq. (Michie, 1982), as such act may be amended from time to time.

IN WITNESS WHEREOF, the undersigned officers of Morningside Homeowners Association, Inc. hereby certify that the above Amendment to the Declaration was duly adopted and that individual declaration agreement instruments are maintained in the corporate records of the Association.

This DEC. 21<sup>ST</sup>, 2020.

**MORNINGSIDE HOMEOWNERS ASSOCIATION, INC.,**  
a Georgia non-profit corporation


By:  [SEAL]  
Tim Rada, President

ATTEST:  [SEAL]  
Chris Kimner, Secretary

Sworn and subscribed to before me this

December 21, 2020.

  
Witness

  
Notary Public

[NOTARY SEAL]

