

Return To:
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STATE OF GEORGIA
COUNTY OF FULTON

Cross Reference: Deed Book 20127
Page 01

**AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF
CONDOMINIUM FOR THE PONCE CONDOMINIUM
COMBINATION OF UNITS 406E & 407**

WHEREAS, the Amended and Restated Declaration of Condominium for The Ponce Condominium was recorded on October 17, 1995, in Deed Book 20127, Page 01, *et seq.*, Fulton County, Georgia land records, as amended (“Declaration”); and

WHEREAS, a plat of survey related to the Condominium was filed in Condominium Plat Book 6, Page 31, *et seq.*, Fulton County, Georgia records; and

WHEREAS, floor plans (“Floor Plans”) relating to the Condominium were filed in Condominium Floor Plan Book No. 2, Page 127, Fulton County, Georgia Records, as amended; and

WHEREAS, Paragraph 6(b) of the Declaration and O.C.G.A. § 44-3-82(b) provide that the Association’s Board of Directors, without need for a membership vote, is authorized to assign and reassign Limited Common Elements provided that any such assignment or reassignment be made in accordance with O.C.G.A. § 44-3-82(b) and (c); and

WHEREAS, Paragraph 15(b)(ii) of the Declaration provides that boundaries between adjoining Units may be relocated only in accordance with the provisions of O.C.G.A. § 44-3-91 and O.C.G.A. § 44-3-91 provides that such relocation may be done without need for a membership vote; and

WHEREAS, the mortgage holder for Units 406E and 407 has provided written consent to this relocation of boundaries and combination of units; and

WHEREAS, Winston John Eckel, Jr., is the Owner of Units 406E and 407 at The Ponce Condominium and desires to combine such Units into a single Unit identified as Unit 406E.

NOW, THEREFORE, in accordance with O.C.G.A. § 44-3-91, O.C.G.A. § 44-3-82(b) and (c) and Paragraph 15(b)(ii) of the Declaration, the Ponce Condominium Association, Inc. (“Association”) and Winston John Eckel, Jr. hereby amend the Declaration as follows:

1.

From and after the date of recording of this Amendment to the Declaration in the Fulton County, Georgia land records (the “Effective Date”), Units 406E and 407 shall be and are hereby combined into a single Unit under the Declaration, henceforth identified as Unit 406E (“Combined Unit”). The boundaries of the Combined Unit are shown in Exhibit A of this amendment.

2.

The undivided interest in the Common Elements, votes in the Association, and liability for Common Expenses previously assigned to Units 406E and 407 in Exhibit "B" are hereby reallocated to the Combined Unit, Unit 406E, as having approximately 2073 square feet and a 2.74% undivided interest in the Common Elements, voting rights, and liability for Common Expenses.

The table in Exhibit "B" to the Declaration is hereby amended by removing the entries for Unit 406E and 407 and replacing them with one line entry for Unit 406E as follows:

<u>Unit Number</u>	<u>Percentage Allocation of Interest in Common Elements, Voting Rights and Liability for Common Expenses</u>
406E	2.74%

3.

From and after the Effective Date, any and all Limited Common Elements assigned to Units 406E and 407 are hereby assigned to the Combined Unit 406E.

IN WITNESS WHEREOF, the undersigned duly authorized officers of the Association and the affected Unit Owner have executed this Amendment to the Declaration of Condominium for The Ponce Condominium this 15th day of January, 2026.

ASSOCIATION:

**THE PONCE
CONDOMINIUM ASSOCIATION, INC.**

Sworn to and subscribed before me this
15th day of January, 2026.

Laura Draywell
Witness Laura Draywell

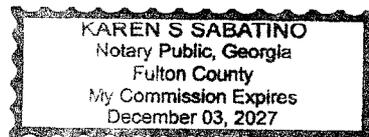
Karen Sabatino
Notary Public

By: *Paul Jannuzo* (Seal)
Vice President Paul Jannuzo

Attest: *Christopher Justice* (Seal)
Treasurer Christopher Justice

[Notary Seal]

[Corporate Seal]



OWNER OF UNITS 406E & 407:

WINSTON JOHN ECKEL, JR.

Sworn to and subscribed before me this

29th day of JANUARY, 2026.



Witness TIM B. DAVIS



Notary Public

[Notary Seal]

By: 

Winston John Eckel, Jr. (Seal)

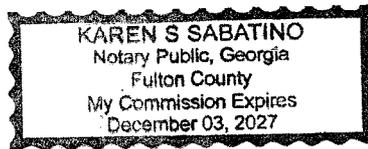


Exhibit A

