

SPACE ABOVE RESERVED FOR RECORDING DATA

After recording, please return to:

Coulter & Sierra, LLC
1770 Indian Trail Road, Suite 440
Norcross, GA 30093
Attn.: KMK

STATE OF GEORGIA
COUNTY OF FULTON

Cross Reference: Deed Book: 56303
Page: 248

THIRD AMENDMENT TO THE
DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS
FOR
VOYSEY @ ALPHARETTA DOWNTOWN

THIS THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR VOYSEY @ ALPHARETTA DOWNTOWN ("Third Amendment") is made as of the 24 day of March, 2021 ("Effective Date"), by VOYSEY COMMUNITY ASSOCIATION, INC., a Georgia nonprofit corporation ("Association").

WITNESSETH:

WHEREAS, Newhall Land Co., a Georgia corporation, as Declarant, recorded that certain Declaration of Covenants, Restrictions and Easements for Voysey @ Alpharetta Downtown on June 2016, 2016, in Deed Book 56303, Page 248 *et seq.*, of the Fulton County, Georgia land records (hereinafter, as may be amended and/or supplemented from time to time, the "Declaration"); and

WHEREAS, the Association is a nonprofit corporation organized under the Georgia Nonprofit Corporation Code to be the Association named in the Declaration to have the power and authority set forth therein; and

WHEREAS, pursuant to Article XII of the Declaration, after the termination of the Development Period, the Board of Directors, without the vote of the Members, may amend this Declaration for the sole purpose of electing to be governed by the provisions of the Georgia Property Owners' Association Act, O.C.G.A. § 44-3-220 *et seq.*; and

WHEREAS, the Development Period has terminated; and

WHEREAS, the Association, acting through its Board of Directors, desires to amend the Declaration for the sole purpose of electing to be governed by the provisions of the Georgia Property Owners' Association Act, O.C.G.A. § 44-3-220 *et seq.*; and

WHEREAS, attached hereto as Exhibit "A" and incorporated herein by reference is the sworn statement of the Secretary of the Association, which sworn statement certifies that the approval of the Board of Directors was lawfully obtained.

NOW, THEREFORE, the undersigned hereby adopt this Third Amendment to the Declaration, hereby declaring that all the property now or hereafter subject to the Declaration shall be held, conveyed, encumbered, used, occupied and improved subject to the Declaration, amended as follows:

1.

Article II of the Declaration is hereby amended by adding the following new Section 8 to the end thereof:

Section 8. Submission to Georgia Property Owners' Association Act; Conflict.
The real property now or hereafter subject to the Declaration shall be held, conveyed, encumbered, used, occupied and improved subject to the Georgia Property Owners' Association Act, O.C.G.A. Section 44-3-220 *et seq.* (the "Act"), as the Act may be amended from time to time. In the event of a conflict between the provisions of this Declaration and the provisions of the Act, then to the extent that the provisions of the Act cannot be waived by agreement, the Act shall control.

2.

Unless otherwise defined herein, the words used in this Third Amendment shall have the same meaning as set forth in the Declaration.

3.

This Third Amendment shall be effective only upon being recorded in the records of the Clerk of Superior Court of Fulton County, Georgia.

4.

Except as herein modified, the Declaration shall remain in full force and effect.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned have caused this Third Amendment to be executed under seal the day and year first above written.

ASSOCIATION: VOYSEY COMMUNITY ASSOCIATION,
INC., a Georgia nonprofit corporation

By: Janel M. Newell

Name: Janel M. Newell

Its: President

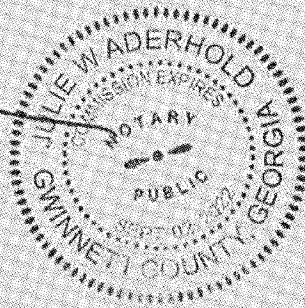
Signed, sealed, and delivered
in the presence of:

[Signature]
WITNESS

[Signature]
NOTARY PUBLIC

My Commission Expires: 9/2/2022

[AFFIX NOTARY SEAL]



[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

Attest:



Name:

MARY E. KRIEGER

Its:

Secretary

Signed, sealed, and delivered
in the presence of:

WITNESS

NOTARY PUBLIC

My Commission Expires:

9/2/2022

[AFFIX NOTARY SEAL]

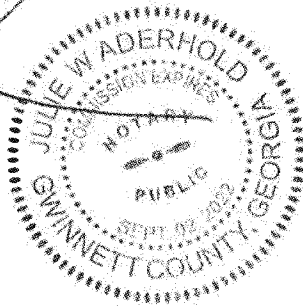


EXHIBIT "A"
Sworn Statement of the Secretary of
Voysey Community Association, Inc.

STATE OF GEORGIA
COUNTY OF FULTON

Re: Voysey Community Association, Inc.

Personally appeared before me, the undersigned deponent who, being duly sworn, deposed and said on oath that:

1. Deponent is the Secretary of Voysey Community Association, Inc.
2. Deponent is duly qualified and authorized to make this Affidavit and knows the facts contained herein are of his or her own personal knowledge.
3. The foregoing Third Amendment to the Declaration of Covenants, Restrictions and Easements for Voysey @ Alpharetta Downtown was approved by the Board of Directors.
4. Deponent makes this Affidavit pursuant to Official Code of Georgia Annotated Section 44-2-20 and the Declaration of Covenants, Restrictions and Easements for Voysey @ Alpharetta Downtown.

This 24 day of March, 2021.

By: [Signature]

Name: MARY E. KRIEGER

Sworn to and subscribed before me this
24th day of March, 2021.

[Signature]
NOTARY PUBLIC

My Commission Expires:

[AFFIX NOTARY SEAL]

