

Type: STATE LAND RECORDS
Recorded: 12/12/2019 11:37:00 AM
Fee Amt: \$18.00 Page 1 of 4
Forsyth County, GA
Greg G. Allen Clerk Superior Ct

Participant ID(s): 2028400475,
0848497841

BK 9143 PG 722 - 725

After Recording Return To:
Lueder, Larkin & Hunter, LLC
5900 Windward Parkway, Suite 390
Alpharetta, Georgia 30005
Attn: Cynthia C. Hodge, Esq.

Cross Reference:
Deed Book 622, Page 615

STATE OF GEORGIA

COUNTY OF FORSYTH

**AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND
RESTRICTIONS**

This Amendment to the Declaration of Covenants, Conditions, and Restrictions hereafter referred to as "Amendment") is made on the date set below.

WITNESSETH:

WHEREAS, Jerry L. Morris and David Greer (hereafter referred to as "Declarant"), two (2) individuals recorded that certain Declaration of Covenants, Conditions, and Restrictions on November 19, 1992, in Deed Book 622, Page 615 *et seq.* of the Forsyth County, Georgia land records (hereafter referred to as "Declaration");

WHEREAS, Bethany Spring Homeowners Assoc., Inc. (hereafter referred to as "Association") is the homeowners association referred to and identified in the Declaration;

WHEREAS, the Declaration has been amended, as follows:

<u>Recording Date</u>	<u>Deed Book/Page</u>
January 18, 1993	633 / 302 <u>et seq.</u>
May 14, 1993	657 / 428 <u>et seq.</u>
December 7, 1993	713 / 326 <u>et seq.</u>
August 1, 2003	2930 / 392 <u>et seq.</u>
November 14, 2005	4045 / 28 <u>et seq.</u>
October 2, 2012	6426 / 15 <u>et seq.</u>

WHEREAS, the Declaration has been amended by certain prior amendment recorded in Deed Book 6426, Pages 15 – 63 of the Forsyth County, Georgia land records, wherein the Association has been submitted to the Georgia Property Owners' Association Act, O.C.G.A. § 44-3-220 *et seq.*, as the same may be modified, supplemented or amended; and

WHEREAS, pursuant to Article VII, Section 3 of the Declaration, the Declaration may be amended by an agreement or agreements signed by at least two-thirds (2/3) of the Owners of Lots and incorporate by reference into the amendment, and that the agreement or agreements signed by at least two-thirds (2/3) of the Owners of Lots may be, but shall not be required to be, submitted to the Owners for approval in the form of written consent, written ballot, or affirmative vote, or any combination thereof; and

WHEREAS, at least two-thirds (2/3) of the Owners of Lots have consented to this Amendment by providing approval in the form of written consents, and those written consents are incorporated herein by reference; and

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

1.

Article IV, Section 4 of the Declaration is amended by striking same in its entirety and substituting therefore the following:

Section 4. Special Assessments. The Board may levy a special assessment against all Lots to pay the costs of any improvement or repair on the Common Area, or for any other purpose as determined by the Board; provided, however, any special assessment which would cause the total of special assessments levied in one fiscal year not to exceed Eight Hundred Dollars and Zero Cents (\$800.00) per Lot, or an aggregate total not to exceed Four Thousand Dollars and Zero Cents (\$4,000.00) per Lot to be levied in installments over a period of five (5) consecutive years, must be approved by the majority of members voting in person or by proxy at any annual or special meeting of the members at which a quorum has been reached in order to be effective. The Board of Directors may make an approved special assessment payable in installments over a period which may, in the Board's discretion, extend in excess of the fiscal year in which adopted. Such approved special assessments are to be prorated among the Lots equally as provided with respect to annual assessment.

2.

Article IV, Section 5 of the Declaration is amended by striking any reference to "Section 4" but leaving the remaining language intact and unaltered. The purpose of this revision is to require notice and quorum for actions authorized under Section 3 only.

3.

Any action to challenge the validity of this Amendment must be brought within one (1) year of the recording of same in the Forsyth County, Georgia land records. No action to challenge this Amendment may be brought after such time.

IN WITNESS WHEREOF, the undersigned hereby certify that this Amendment was properly approved.

Dated this 9 day of December, 2019.

BETHANY SPRING HOMEOWNERS
ASSOC., INC.

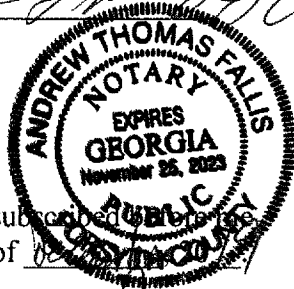
Signature of President

Print Name: CHRISTOPHER HARDING

Sworn to and subscribed before me
this 9 day of December, 2019.

Witness: [Signature]

[Signature]
Notary Public



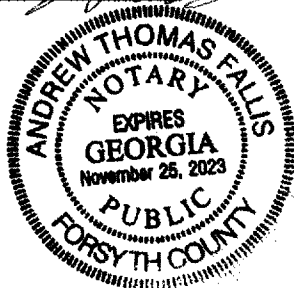
Signature of Secretary

Print Name: Peggy Saemisch

Sworn to and subscribed before me
this 9 day of December, 2019.

Witness: [Signature]

[Signature]
Notary Public



Note to Clerk

Please cross reference with this filing:

Deed Book 622, Page 615