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CARROLL COUNTY GEORGIA

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Return to: Lazega & Johanson, LLC
3520 Piedmont Road, NE, Suite 415
Atlanta, Georgia 30305 Attn: Robert Stein robs@ljlaw.com

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STATE OF GEORGIA
COUNTY OF CARROLL

Cross Reference: Deed Book 3376
Page 051

**AMENDMENT TO THE
PROTECTIVE COVENANTS AND RESTRICTIONS
RUNNING WITH THE LAND AND RESERVATIONS
OF EASEMENTS FOR REID PLANTATION SUBDIVISION**

WHEREAS, the Protective Covenants and Restrictions Running With The Land and Reservations of Easements for Reid Plantation Subdivision was recorded on December 12, 2005, in Deed Book 3376, Page 051, *et seq.*, Carroll County, Georgia land records, as supplemented and amended ("Declaration"); and

WHEREAS, Article VIII, Section 8.01(a) provides that this Declaration may be amended by an Amendment approved by the record owners of two-thirds of the Lots within the subdivision; and

WHEREAS, the Association and the President of the Association, in his/her capacity as the record owner of a Lot, have signed this Amendment and attached written evidence of the approval of this Amendment by the requisite number of record owners; and

WHEREAS, officers of the Association have executed this instrument attesting to and evidencing that record owners of at least two-thirds (2/3) of the Lots of the Subdivision have approved this Amendment by signing individual instruments to vote in favor of and consent to this Amendment, which instruments are attached hereto as Exhibit "A" and are on file with and maintained in the Association's records and are incorporated herein by this reference as permitted in Bowman v. Walnut Mountain Property Owners Association, Inc., 251 Ga. App. 91, 553 S.E.2d 389 (2001); and

WHEREAS, Home 101 Builders, LLC was the Declarant under the Declaration and approval by the Declarant is no longer required as neither Declarant nor its successor or assign owns any Lot within the Subdivision.

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

1.

Article I, Section 1.05 is amended by the additional of the following at the end of such Section:

Developer/Declarant status is no longer existing and notwithstanding anything in the Declaration to the contrary, all rights, privileges, authority, reservations, exemptions and the like have all ended and/or terminated.

2.

Article V is amended by the addition of the following at as Sections 5.05:

5.05 Annexation of Phase 4. Notwithstanding anything in the Declaration to the contrary, the Association, acting solely through the Board of Directors shall have the unilateral right, privilege, and option, from time to time to authorize the submission/annexation of all or portions of the Reid Plantation Phase 4 Property (as defined in Exhibit "B") to the provisions of this Declaration and the jurisdiction of the Association such that the lots and all or portions of the common areas therein (as determined by the Board) are subject to this Declaration and the lots and lot owner(s) shall be members and subject to all provisions of the Declaration (as it may be amended); provided the Association Board may, in its discretion, as a part of such submission/annexation provide for certain modifications to the Declaration as it applies to the Reid Plantation Phase 4 Property. Such submission/annexation shall be accomplished by filing one or more Supplemental Declarations annexing such property in the public records of Carroll County which Supplemental Declarations shall require the written consent/approval of the Association. Any such annexation shall be effective upon the filing for record of such Supplemental Declaration unless otherwise provided therein. Nothing in this Declaration shall require the Association to allow the submission of the Phase 4 Property to this Declaration.

3.

Article VIII, Section 8.01 of the Declaration is hereby amended by deleting that Section in its entirety and substituting the following therefore:

8.01 Amendment. Except where a higher vote is required action under any other provision of this Declaration, the Declaration may be amended by the affirmative vote, written consent, or any combination of affirmative vote and written consent of the members of the Association holding 66-2/3% of the total eligible vote thereof. Notice of a meeting, if any, at which a proposed amendment will be considered shall state the fact of consideration and the subject matter of the proposed amendment. No amendment shall be effective until certified by the President and Secretary of the Association and recorded in Carroll County, Georgia land records.

IN WITNESS WHEREOF, the undersigned Owners and officers of The Reserve at Reid Plantation Homeowners Association, Inc., hereby certify, attest to and evidence that record owners of at least two-thirds (2/3) of the Lots of the Subdivision have approved this Amendment by signing individual instruments which instruments are attached hereto as Exhibit "A" and are on file with and maintained in the Association's records and are incorporated herein by this reference as permitted in Bowman v. Walnut Mountain Property Owners Association, Inc., 251 Ga. App. 91, 553 S.E.2d 389 (2001).

This 6th day of November, 2017.

THE RESERVE AT REID PLANTATION HOMEOWNERS ASSOCIATION, INC.

Sworn to and subscribed to before me this 6 day of November 2017.

Brandie Mend
Witness

By: Josh Outaey (Seal)
as President and as Owner of 505 Bonckerry

Attest: Brandie Mend (Seal)
Secretary

[Corporate Seal]

Leanna Morris
Notary Public



Owner:

Sworn to and subscribed to before
me this 16 day of November
(Seal)

2016-2017
Brandie Morris

Witness
Leanne Morris

Notary Public



Co-Owner of Rebecca Allen

Lot Address: 505 Barberry Dr

EXHIBIT A BEGINS ON FOLLOWING PAGE