

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 2028400475 SubmitterID: 0848497841

After Recording Return To:
Lueder, Larkin & Hunter, LLC
5900 Windward Parkway, Suite 390
Alpharetta, Georgia 30005
Attn: David C. Boy, IV

Cross Reference:
Deed Book 2994, Page 299

STATE OF GEORGIA

COUNTY OF CHEROKEE

**AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR OAK HILL ESTATES**

WHEREAS, on February 10, 1998, Sugarpik Partners, LLC a Georgia Limited Liability Company (hereafter referred to as "Declarant"), executed that certain Declaration of Covenants, Conditions, Restrictions and Easements for Oak Hill Estates, recorded on February 16, 1998 in Deed Book 2994, Page 299 of the Cherokee County, Georgia land records (the "Declaration");

WHEREAS, Oak Hill Estates Homeowners' Association, Inc. (hereinafter referred to as the "Association") is the homeowners association formed by the Declarant and operating at the Oak Hill subdivision, pursuant to the terms of the Declaration;

WHEREAS, pursuant to Article 10, Section 5 of the Declaration, after the initial term of twenty (20) years from the date the Declaration was recorded, the Declaration may be amended by an instrument signed by members of the Association then entitled to cast at least fifty-one percent (51%) of the votes of the Association;

WHEREAS, pursuant to Section 44-3-226 of the Georgia Property Owners' Association Act, the Declaration may be amended by the agreement of lot owners of lots to which two-thirds of the votes in the Association pertain, or such larger majority as the Declaration may specify;

WHEREAS, lot owners of lots to which two-thirds of the votes in the Association pertain have approved this Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for Oak Hill Estates (hereinafter referred to as the "Amendment");

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

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1.

Article 1, Section (f) of the Declaration is amended by striking that Section and substituting the following therefor:

(f) "Association" shall mean and refer to Oak Hill Estates Homeowners Association, Inc., a nonprofit corporation organized and existing under the laws of the State of Georgia.

2.

Article 7, Subsection 7(b) of the Declaration is amended by striking that Subsection and substituting the following therefor:

(b) All assessments, together with late charges, interest, costs, and reasonable attorney's fees actually incurred (including post-judgment attorney fees from any prior judgment, if any), shall be a charge on the Lot and shall be a continuing lien upon the Lot against which each assessment is made. If any assessment is not paid in full within ten (10) days after the due date, a late charge equal to the greater of ten dollars (\$10.00) or ten percent (10%) of the amount not paid, or such higher amounts as may be authorized by the Act, may be imposed without further notice or warning to the delinquent Owner, and interest at the rate of ten percent (10%) per annum, or such higher rate as permitted by the Act, shall accrue from the due date. If partial payment of an assessment is made, the amount received may be applied by the Association, in respective order, to post-judgment attorney's fee from any prior judgment, if any, then to costs and attorney's fees not reduced to a judgment, then to interest, then to late charges, then to delinquent assessments, and then to current assessments. If an assessment remains unpaid more than thirty (30) days after the due date, the Association, acting through the board, may institute suit to collect all amounts due pursuant to the provisions of the Act, the Declaration, and Georgia law, including reasonable attorney's fees actually incurred (and including post-judgment attorney's fees from any prior judgment, if any).

[SIGNATURES ON FOLLOWING PAGE]

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IN WITNESS WHEREOF, the undersigned hereby unequivocally certifies that agreement of the required parties was lawfully obtained for this Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for Oak Hill Estates and that all notices were properly given.

Dated this 30 day of July, 2020.

OAK HILL ESTATES HOMEOWNERS ASSOCIATION, INC.

[Handwritten Signature]

Signature of President

Print Name: LARS ANDREASSEN

Sworn to and subscribed before me this 30 day of JULY, 2020.

Witness: [Handwritten Signature]

Notary Public



[Handwritten Signature]

Signature of Secretary

Print Name: Rebecca French

Sworn to and subscribed before me this 30 day of JULY, 2020.

Witness: [Handwritten Signature]

Notary Public

