

NOTE TO CLERK:

Please Cross Reference to
Deed Book 46084, page 133,
Deed Book 54406, Page 424,
Deed Book 54406, Page 433,
Fulton County, Georgia Records

After Recording Return to:

Mahaffey Pickens Tucker, LLP
1550 North Brown Road, Ste 125
Lawrenceville, GA 30043
Attn: Jeffrey R. Mahaffey, Esq.

COUNTY OF GWINNETT

STATE OF GEORGIA

**FIRST AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
COUNTRY HILLS ESTATES**

THIS AMENDMENT is made this 12th day of August, 2015, by Honour Homes, LLC, a Georgia limited liability company ("Declarant").

W I T N E S S E T H

WHEREAS, Southern Gentry Developments II, LLC executed and recorded that certain Declaration of Covenants, Conditions, and Restrictions for Country Hills Estates, dated December 12, 2007, and recorded December 12, 2007 in Deed Book 46084, Page 133, *et seq.* of the records of the Clerk of the Superior Court of Fulton County, Georgia (this document, along with the bylaws attached thereto, shall hereinafter be referred to as the "Declaration");

WHEREAS, Southern Gentry Developments II, LLC assigned its interest as declarant under the Declaration to DGH Land Holdings, LLC, pursuant to that certain Assignment of Declarant Rights dated September 30, 2014, filed November 26, 2014, recorded in Deed Book 54406, Page 424, aforesaid Records;

WHEREAS, DGH Land Holdings, LLC assigned its interest as declarant under the Declaration to Honour Homes, LLC, a Georgia limited liability company ("Declarant") pursuant

to that certain Assignment of Declarant Rights dated November 14, 2014, recorded November 26, 2014, recorded in Deed Book 54406, Page 433, aforesaid Records;

WHEREAS, pursuant to Section 17.1 of the Declaration, the Declaration may be amended unilaterally by the Declarant during the Declarant Control Period (as defined in the Declaration);

WHEREAS, pursuant to Section 10.6 of the By-laws of Country Hills Estates Homeowners Association, Inc. (attached as Exhibit "D" to the Declaration) ("Bylaws"), the Bylaws may be amended unilaterally by the Declarant during the Declarant Control Period;

WHEREAS, the Declarant Control Period has not expired;

WHEREAS, the Declarant desires to amend the Declaration to provide for a capital contribution assessment upon the resale of any Lot;

WHEREAS, the Declarant desires to amend the Bylaws to correct a typographical error in Section 3.2 establishing the number of directors;

WHEREAS, the Declarant desires to amend Section 3.3 of the Bylaws to modify the number of directors and terms of office; and

WHEREAS, the Declarant desires to delete Article 4 of the Bylaws.

NOW, THEREFORE, pursuant to the powers of the Declarant under the Declaration and Bylaws, Declarant hereby amends the Declaration and Bylaws as set forth hereinbelow:

1. Capitalization of CHEHOA. Section 8.10 of the Declaration is hereby amended to read as follows:

Upon acquisition of record title to a Lot by any Owner other than Declarant, a contribution in the amount of \$3,000.00 shall be made by or on behalf of the purchaser to the working capital of CHEHOA. This amount shall be in addition to, not in lieu of, the annual Base Assessment and shall not be considered an advance payment of such assessment. This amount shall be deposited into the purchase and sales escrow and disbursed therefrom to CHEHOA for use in covering operating expenses and other expenses incurred by CHEHOA pursuant to this Declaration and the By-Laws.

2. Number of Directors. Section 3.2 is deleted and amended to read as follows:

The Board shall consist of one (1) to three (3) directors, as provided in Section 3.3.

3. Selection of Directors; Term of Office. Section 3.3 and 3.4 are hereby deleted and replaced with the following:

3.3 Selection of Directors; Term of Office.

- (a) Initial Board. The initial Board shall consist of one (1) director appointed by the Declarant as set forth in the Articles or resolutions. During the Developer Control Period, the Declarant shall be entitled to appoint, remove and replace the directors in its sole discretion.
- (b) Directors after the Declarant Control Period. Notwithstanding any other provision of these By-Laws:

Not later than 60 days after termination of the Developer Control Period, the Board shall increase to three directors and the President shall call for an election by which the Owners shall be entitled to elect all of the three directors. The directors elected by the Owners shall serve until the first annual meeting following the termination of the Developer Control Period. If such annual meeting is scheduled to occur within 60 days after termination of the Developer Control Period, the Owners shall elect the three directors at the annual meeting. The directors shall serve a term of two years.

Upon the expiration of the term of office of each director elected by the Owners, the Owners shall be entitled to elect a successor to serve a term of two years. The directors elected by the Owners shall hold office until their respective successors have been elected.

4. Article 4. Article 4 of the Bylaws is hereby deleted in its entirety.
5. Any capitalized terms used herein, but not defined in this Amendment, shall have the meaning ascribed to such terms in the Declaration and Bylaws.
6. Except as modified herein, the Declaration and Bylaws shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

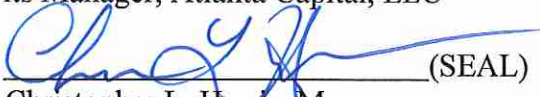
IN WITNESS WHEREOF, the Declarant has executed this Amendment on the date and year first written above.

DECLARANT:

Signed, sealed, and delivered
In the presence of:


HONOUR HOMES, LLC, a Georgia
limited liability company

By: its Manager, Atlanta Capital, LLC

By:  (SEAL)
Christopher L. Harris, Manager



Unofficial Witness



Notary Public

My commission expires: 5.7.2017

