

After recording, please return to:
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CROSS REFERENCE: Deed Book: 43055
Page: 1

**FIRST AMENDMENT TO THE BYLAWS OF
ST. JOSEPH'S NEIGHBORHOOD ASSOCIATION, INC.**

THIS FIRST AMENDMENT TO THE BYLAWS OF ST. JOSEPH'S NEIGHBORHOOD ASSOCIATION, INC. (hereinafter referred to as "Amendment") is made this 17 day of June, 2014 by **ST. JOSEPH'S NEIGHBORHOOD ASSOCIATION, INC.**, a Georgia nonprofit corporation (hereinafter referred to as the "Association") and **LGI HOMES – GEORGIA, LLC**, a Texas limited liability company (hereinafter sometimes referred to as "LGI Homes" or "Declarant");

WITNESSETH

WHEREAS, Joseph John Simpson-Rich, d/b/a Concord Development ("Simpson-Rich"), and Bowlin Properties, Inc., a Georgia corporation ("Bowlin Properties"), collectively as "Declarant", executed that certain Declaration of Covenants, Conditions and Restrictions for St. Joseph's, which was recorded July 21, 2006 at Deed Book 43055, Page 1, *et seq.*, Fulton County, Georgia land records (hereinafter as such document may have been supplemented and/or amended from time to time referred to as the "Declaration"), together with the Bylaws of St. Joseph's Neighborhood Association, Inc., which are attached to the Declaration as Exhibit "C" and recorded therewith (hereinafter as amended, the "Bylaws"); and

WHEREAS, Simpson-Rich and Bowlin Properties transferred all of their rights and privileges as Declarant under the Declaration to United Community Bank pursuant to that certain Assignment of Declarant's Rights, dated November 3, 2009 and recorded at Deed Book 53523, Page 183, *et seq.*, aforesaid records; and

WHEREAS, United Community Bank assigned all of its rights and privileges as Declarant under the Declaration to Pittsford Development, LLC, a Georgia limited liability company ("Pittsford Development") pursuant to that certain Assignment of Declarant's Rights, dated June 24, 2011 and recorded at Deed Book 53523, Page 187, *et seq.*, aforesaid records; and

WHEREAS, Pittsford Development assigned all of its rights and privileges as Declarant under the Declaration to LGI Homes pursuant to that certain Assignment of Declarant Rights, dated January 15, 2014 and recorded at Deed Book 53523, Page 203, *et seq.*, aforesaid records; 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, Article VI, Section 8 of the Bylaws provides that the Bylaws may be amended upon the affirmative vote or written consent, or any combination of affirmative vote and written consent, of Owners holding at least a Majority of the total Association vote, plus the consent of Declarant; and

WHEREAS, Article VI, Section 8 of the Bylaws further provides that the U.S. Department of Veterans Affairs ("VA") and the U.S. Department of Housing and Urban Development ("HUD") shall have the right to veto amendments to the Bylaws so long as the Declarant has the right to appoint and remove the officers and directors of the Association under Article III, Section 2 of the Bylaws; and

WHEREAS, Owners holding at least a Majority of the total Association vote agreed to amend the Bylaws as provided herein; and

WHEREAS, attached hereto as Exhibit "A" and incorporated herein by this reference is the sworn statement of the Secretary of the Association, which sworn statement states that: (a) Owners holding at least a Majority of the total Association vote agreed to amend the Bylaws as provided herein; and (b) the agreement of Owners holding at least a Majority of the total Association vote was lawfully obtained; and

WHEREAS, Declarant consents to the foregoing Amendment, as evidenced by the signature attached hereto and by this reference incorporated herein; and

WHEREAS, applicable guidelines of the U.S. Department of Housing and Urban Development and the U.S. Department of Veterans Affairs in effect as of the date this Amendment is recorded in the Fulton County, Georgia land records do not require the consent, approval or rejection of amendments to the Bylaws;

NOW THEREFORE, the undersigned hereby adopts this First Amendment to the Bylaws of St. Joseph's Neighborhood Association, Inc., hereby declaring that all of the property now or hereafter subject to the Declaration shall be held, conveyed, encumbered, used, occupied and improved subject of the Declaration, amended as follows:

1.

The Bylaws are hereby amended by deleting Article III, Section 2, entitled "Directors Appointed by Declarant," in its entirety and replacing it with a new Section 2 to read as follows:

Section 2. Directors Appointed by Declarant. Notwithstanding anything to the contrary herein, Declarant shall have the exclusive authority to appoint and remove directors and officers until the earlier of: (1) fifteen (15) years after the recording of the Declaration; (2) the date as of which one hundred percent (100%) of the Lots shall have been conveyed by Declarant to Owners other than a Person constituting Declarant unless the Declarant at that time has an unexpired option to add Additional Property; or (3) the surrender in writing by Declarant of the authority to appoint and remove officers and directors of the Association. Each Owner, by acceptance of a deed to or other conveyance of a Lot, vests in Declarant the authority to appoint and remove officers and directors of the Association.

2.

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

3.

This Amendment shall be effective only upon being recorded in the records of the Clerk of Superior Court of Fulton County, Georgia and shall be enforceable against current Owners of a Lot subject to the Declaration.

4.

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

[SIGNATURES BEGIN ON FOLLOWING PAGE]

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

ASSOCIATION: ST. JOSEPH'S NEIGHBORHOOD ASSOCIATION, INC., a Georgia nonprofit corporation

By: [Signature]
Print Name: Seth Yurman
President

Attest: [Signature]
Print Name: STEVEN GUAN
Secretary

Signed, sealed, and delivered in the presence of:

[AFFIX CORPORATE SEAL]

[Signature]
WITNESS

[Signature]
NOTARY PUBLIC

My Commission Expires: 8/21/17

Michelle Henderson
Notary Public
Gwinnett County, Georgia
My Commission Expires
August 21, 2017



[AFFIX NOTARY SEAL]

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, LGI Homes, as the Declarant under the Declaration, hereby consents to this Amendment to the Bylaws of St. Joseph's Neighborhood Association, Inc. under seal as of this 17 day of June, 2014.

DECLARANT: **LGI HOMES - GEORGIA, LLC**, a Texas limited liability company

By: [Signature] (SEAL)
Print Name: Seth Giveman
Title: VP

Signed, sealed, and delivered in the presence of:

[Signature]
WITNESS

[Signature]
NOTARY PUBLIC

My Commission Expires: 8/21/17

Michelle Henderson
Notary Public
Gwinnett County, Georgia
My Commission Expires
August 21, 2017

[AFFIX NOTARY SEAL]

EXHIBIT "A"

Sworn Statement of Secretary of
St. Joseph's Neighborhood Association, Inc.

STATE OF GEORGIA

COUNTY OF FULTON


Re: St. Joseph's Neighborhood 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 St. Joseph's Neighborhood Association, Inc.
2. Deponent is duly qualified and authorized to make this Affidavit and knows the facts contained herein are of his/her own personal knowledge.
3. The foregoing First Amendment to the Bylaws of St. Joseph's Neighborhood Association, Inc. was approved by Owners holding at least a Majority of the total Association vote.
4. The consent of Owners holding at least a Majority of the total Association vote was lawfully obtained.
5. Deponent makes this Affidavit pursuant to Official Code of Georgia Annotated Section 44-2-20.


This the 17 day of June, 2014.

By:
Print Name:



STEVEN GILLIAM

Sworn to and Subscribed
before me this 17 day of June, 2014.



Notary Public

[AFFIX NOTARY SEAL]

Michelle Henderson
Notary Public
Gwinnett County, Georgia
My Commission Expires
August 21, 2017