



Doc ID: 014421610003 Type: GLR
 Recorded: 11/20/2014 at 03:03:46 PM
 Fee Amt: \$16.00 Page 1 of 3
 Forsyth County, GA
 Greg G. Allen Clerk Superior Ct
 BK 7197 PG 532-534

PH

After Recording Return To:
 Lueder, Larkin & Hunter, LLC
 5900 Windward Parkway, Suite 390
 Alpharetta, Georgia 30005
 Attn: Brendan R Hunter

Cross Reference:
 Deed Book 7172, Page 486

STATE OF GEORGIA

COUNTY OF FORSYTH

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR CARRAMORE

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

WITNESSETH:

WHEREAS, KM Homes, LLC, a Georgia limited liability company, (hereafter referred to as the "Harris Homes") recorded that certain Declaration of Covenants, Conditions, Restrictions, and Easements for Carramore on October 23, 2014, in Deed Book 7172, Page 486 of the Forsyth County, Georgia land records (hereafter referred to as the "Declaration");

WHEREAS, pursuant to Article XVI, Section 16.2 of the Declaration, Until the date on which one hundred percent (100%) of the Lots shown on the final recorded plat or plats for the Community have been issued a certificate of occupancy and have been conveyed to any Person not constituting Declarant or a Builder for residential use, Declarant may unilaterally amend the Declaration without the approval of the Association members;

WHEREAS, as of the date of this Amendment, one hundred percent (100%) of the Lots shown on the final recorded plat or plats for the Community have not been issued a certificate of occupancy and have been conveyed to any Person not constituting Declarant or a Builder for residential use;

WHEREAS, Declarant desires to amend the Declaration; and

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

1.

Article V, Section 5.1 of the Declaration is amended by adding the following thereto as subsection (h):

(h) collect assessments, deposit the proceeds thereof in a financial depository or institution which it shall approve, or otherwise invest the proceeds in accordance with any limitations set forth in O.C.G.A. Section 14-3-302, and use the proceeds to administer the Association.

2.

Article X, Section 10.4 of the Declaration is amended by striking same in its entirety and substituting the following therefor:

10.4 Maintenance Standards and Interpretation. The Board of Directors, in its discretion, may determine schedules of maintenance and repair for the Common Property, and may do so based on the availability of funds for performance of such projects; provided, however, the Board of Directors shall determine schedules of maintenance and repair for the private streets within the Community. The Board shall attempt to determine and prioritize schedules based on its opinion of severity of damage and need for corrective work or maintenance. Maintenance and repairs which are part of the Association's responsibility need not be made upon Owner request if, in the Board's discretion, an emergency condition does not exist and such maintenance or repair is included or is to be included within the Board's schedule of maintenance or repairs.

The maintenance standards and the enforcement thereof and the interpretation of maintenance obligations under this Declaration may vary from one term of the Board to another. These variances shall not constitute a waiver by the Board of the right to adopt and enforce maintenance standards under this Article. No decision or interpretation by the Board shall constitute a binding precedent with respect to subsequent decisions or interpretations of the Board.

3.

The first paragraph of Article XVII, Section 17.1 of the Declaration is amended by striking same in its entirety and substituting the following therefor:

17.1 Enforcement. In addition to any other enforcement right set forth within the Declaration or Bylaws, the Association, acting through the Board of Directors, shall have the right to enforce, in its sole discretion, any violation of the Declaration, Bylaws or rules and regulations of the Association by a proceeding at law or in equity, or as otherwise provided herein. Failure of the Declarant or the Board of Directors to exercise its authority to take enforcement action authorized by the Declaration, Bylaws or rules and regulations of the Association shall not be grounds for any action against the Declarant, the Association, or the Board of

Directors, or any of the directors, officers, employees, committee members, or agents of the foregoing. Owners may enforce the Declaration against other Persons subject to this Declaration by a proceeding at law or in equity.

The remaining provisions of Article XVII, Section 17.1 of the Declaration are not being amended, and shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this Amendment under seal this 18 day of NOVEMBER, 2014.

DECLARANT:

KM HOMES, LLC, a Georgia limited liability company

By: *Ruth Kennay* (Seal)

Its: COO

[CORPORATE SEAL]

Signed, seal and delivered
in the presence of:

Witness: *[Signature]*

[Signature]
Notary Public

