

---

[Space Above Reserved for Recording]

Return to: NowackHoward, LLC  
Resurgens Plaza, Suite 1250  
945 East Paces Ferry Rd, NE  
Atlanta, GA 30326

STATE OF GEORGIA  
COUNTY OF GWINNETT

Cross Reference: Deed Book 29055  
Page 108

Deed Book 49561  
Page 201

**SCRIVENER'S AFFIDAVIT**

Personally appeared before me, the undersigned deponent, George E. Nowack, Jr. who, being duly sworn, deposes and says as follows:

1. THAT, I am George E. Nowack, Jr. I am an attorney with NowackHoward, LLC, of legal age, under no legal disability and make this affidavit based upon my personal knowledge and I authorize its use for any and all purposes allowed by Georgia law.
2. THAT, while employed by the firm of Weissman, Nowack, Curry & Wilco, I prepared an Amendment to the Bylaws of the River Club Community Association, Inc. (the "Bylaws Amendment") recorded on June 26, 2009 ("Effective Date") in Deed Book 49561, Page 201, Gwinnett County, Georgia records; and
3. THAT, at the time of the Bylaws Amendment, the Founder Member possessed authority to unilaterally amend the Bylaws pursuant to Article 10, Section 10.6(a) of the Charter and amended the Bylaws through such authority without a vote of the Association membership;
4. THAT, through inadvertence and oversight, the second and third WHEREAS clauses of the Bylaws Amendment incorrectly state that the Association membership voted upon the Bylaws Amendment in accordance with Article 10, Section 10.06(b) of the Charter;
5. FURTHER THAT, through inadvertence and oversight, the signature page of the Bylaws Amendment also incorrectly states that the Bylaws Amendment was voted upon by the membership and contains the signature of the River Club Community Association, Inc.;

THAT, the oversight was recently discovered; and

6. It is requested that the following be substituted for the Second and Third "WHEREAS" paragraphs of the Bylaws Amendment, and that the signature page of the Founder Member, attached hereto as Exhibit "A", be added to the end thereof, as originally intended:

**WHEREAS**, Article 10, Section 10.6(a) of the By-Laws authorizes the Founder Member to unilaterally amend the Bylaws at any time prior to the termination of the Founder Control Period; and

**WHEREAS**, the Founder Control Period has not terminated and the Founder Member desires to amend the Bylaws as stated herein; and

7. THAT, from the date that the Bylaws Amendment was initially recorded in the Gwinnett County, Georgia records, the second and third WHEREAS paragraphs shall be deemed to be those stated above, and the signature page shall be deemed that of the Founder Member attached hereto as Exhibit "A".

This Scrivener's Affidavit is made this \_\_\_\_ day of \_\_\_\_\_, 2018.

**DEPONENT:** \_\_\_\_\_  
George E. Nowack, Jr.

Sworn to and subscribed to before me  
This \_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

[NOTARY SEAL]

“EXHIBIT A”

IN WITNESS WHEREOF, Founder Member hereby approves the above amendment to the Bylaws as indicated by its signature hereto.

**FOUNDER MEMBER:**  
**RIVER CLUB INVESTORS, LLC, a Delaware limited liability Company**

By: LRC MANAGERS, LLC, a Delaware limited liability company, Manager

Name: [Signature]

Title: AUTHORIZED SIGNATOR

[CORPORATE SEAL]

Sworn to and subscribed to before me  
this 10 day of MAY, 2018.

Witness

Notary Public

[NOTARY SEAL]

