

Upon recording return to:  
Spencer S. Farnery  
Dorough & Dorough, LLC  
Attorneys at Law  
160 Clairemont Avenue, Suite 650  
Decatur, Georgia 30030  
(404) 687-9977

Cross Reference: Deed Book: 25258  
Page: 39

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**AMENDMENT TO THE BYLAWS OF  
THE ALDREDGE CONDOMINIUM, INC.**

THIS AMENDMENT TO THE BYLAWS OF THE ALDREDGE CONDOMINIUM, INC. (hereinafter referred to as the "Amendment") is made this 3rd day of January, 2020 2023 by **THE ALDREDGE CONDOMINIUM ASSOCIATION, INC.**, a Georgia nonprofit corporation (hereinafter referred to as the "Association").

**WITNESSETH**

**WHEREAS**, JW Homes, LLC, a Delaware limited liability company ("JW Homes"), as Declarant, executed that certain Declaration of Condominium for The Aldredge Condominium, recorded November 12, 2015 at Deed Book 25258, Page 39, *et seq.*, DeKalb County, Georgia land records; as amended by that certain Amendment to Declaration of Condominium for The Aldredge Condominium, recorded May 12, 2016 at Deed Book 25552, Page 41, *et seq.*, aforesaid records (hereinafter as such document may have been supplemented and/or amended from time to time collectively referred to as the "Declaration"); and

**WHEREAS**, recorded as Exhibit "C" to the Declaration are the Bylaws of The Aldredge Condominium Association, Inc. ("Bylaws"); and

**WHEREAS**, the Association is a nonprofit corporation formed in accordance with the Georgia Nonprofit Corporation Code to be the Association named in the Declaration to have the power and authority set forth herein; and

**WHEREAS**, JW Homes assigned all of its rights, title, interests, powers and authority as the Declarant under the Declaration to Pulte Home Corporation, a Michigan corporation, pursuant to that certain Assignment of Declarant's Rights (The Aldredge Condominium, DeKalb County, Georgia), recorded January 28, 2016 at Deed Book 25375, Page 470, *et seq.*, aforesaid records; and

**WHEREAS**, Article 7, Section 7.6 of the Bylaws provides that the Bylaws may be amended in the same manner as provided in the Declaration; and

**WHEREAS**, Section 16.1(a) of the Declaration provides that the Declaration may be amended by the affirmative vote, written consent, or any combination of affirmative vote and written consent, of the Owners holding at least two-thirds (2/3) of the Total Association Vote; and

**WHEREAS**, Section 16.1(a) further provides that during the Declarant Development Control Period, an amendment to this Declaration requires the affirmative vote, written consent, or any combination of affirmative vote and written consent of the Owners holding at least two-thirds (2/3) of the Total Association Vote, exclusive of any vote or votes appurtenant to any Unit then owned by Declarant, plus the written consent of the Declarant; and

**WHEREAS**, Owners holding at least two-thirds of the Total Association Vote agreed to amend the Bylaws as provided herein; and

**WHEREAS**, attached hereto as Exhibit "A" and incorporated by reference herein is the sworn statement of the Secretary of the Association which sworn statement states unequivocally that: (a) Owners holding at least two-thirds (2/3) of the Total Association Vote agreed to amend the Bylaws as provided herein; (b) the consent of Owners holding at least two-thirds of the Total Association Vote was lawfully obtained; and (c) any notices required by the Declaration, Bylaws and Georgia law were given; and

**WHEREAS**, the Declarant has consented to this Amendment as evidenced by its signature attached hereto and by this reference incorporated herein; and

**NOW THEREFORE**, the undersigned hereby adopts this Amendment to the Bylaws of The Aldredge Condominium Association, Inc., hereby declaring that all of the property now or hereafter subject to the Bylaws shall be held, conveyed, encumbered, used, occupied and improved subject to the Bylaws, amended as follows:

1.

The Bylaws are hereby amended by deleting Article 5, Section 5.3 of the Bylaws, and replacing it with a new Article 5, Section 5.3 to read as follows:

**5.3 Election and Term of Office.** At the first annual meeting following adoption of this Amendment, the members shall elect one (1) director to a term of three (3) years and at each subsequent annual meeting one (1) director shall be elected to a term of three (3) years as herein provided. The director seat up for

election at the first annual meeting following adoption of this amendment shall belong to the director receiving the lowest number of votes (between the two elected directors) at the 2019 annual meeting. The director seat up for election at the second annual meeting following the adoption of this amendment shall belong to the director receiving the greatest number of votes (between the two elected directors) at the 2019 annual meeting. The director seat up for election at the third annual meeting following the adoption of this amendment shall belong to the director elected at the 2020 annual meeting. The person who receives the largest number of votes at any election of directors shall be elected whether or not such number constitutes a majority of the votes cast. Cumulative voting shall not be permitted. Each director shall hold office for the term to which he is elected or appointed and until his successor shall have been elected or appointed and qualified or until his earlier resignation, removal from office or death.

2.

Unless otherwise defined herein, the defined terms 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 DeKalb County.

4.

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

[SIGNATURES BEGIN ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Association hereby executes and consents to this Amendment under seal as of the date and year first written above.

ASSOCIATION: THE ALDREDGE CONDOMINIUM ASSOCIATION, INC., a Georgia nonprofit corporation

By: [Signature]
Print Name: Mark J. Christopher
President

[CORPORATE SEAL]

Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature]
Notary Public



My Commission Expires: 10-16-26

[AFFIX NOTARY SEAL]

Attest:
Print Name:
Secretary

[CORPORATE SEAL]

Signed, sealed and delivered in the presence of:

Witness

Notary Public

My Commission Expires:

[AFFIX NOTARY SEAL]

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

**IN WITNESS WHEREOF**, the Association hereby executes and consents to this Amendment under seal as of the date and year first written above.

**ASSOCIATION:** **THE ALDREDGE CONDOMINIUM ASSOCIATION, INC.**, a Georgia nonprofit corporation

**By:** \_\_\_\_\_  
**Print Name:** \_\_\_\_\_  
President

[CORPORATE SEAL]

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

[AFFIX NOTARY SEAL]

**Attest:** Julie Fortin  
**Print Name:** Julie Fortin  
Secretary

[CORPORATE SEAL]

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
Witness

D. Robinson  
Notary Public

My Commission Expires: 11/04/25

[AFFIX NOTARY SEAL]



[SIGNATURES CONTINUED ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Pulte, as the Declarant, hereby consents to this Amendment, under seal, by and through its authorized representative this \_\_\_\_ day of \_\_\_\_\_, 2023.

DECLARANT: **PULTE HOME COMPANY, LLC**, a Michigan limited liability company, an entity legal converted from Pulte Home Corporation

By: *[Signature]* (SEAL)  
Print Name: Jasen Barrett  
Title: VP of Land

Signed, sealed and delivered in the presence of:  
*[Signature]*

Witness  
*[Signature]*  
Notary Public

My Commission Expires

[AFFIX NOTARY SEAL]



EXHIBIT "A"

Sworn Statement of Secretary of  
The Aldredge Condominium Association, Inc.

STATE OF GEORGIA

COUNTY OF DEKALB

Re: The Aldredge Condominium 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 The Aldredge Condominium 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 Amendment to the Bylaws of The Aldredge Condominium was approved upon the affirmative vote or written consent, of Owners holding at least two-thirds (2/3) of the Total Association Vote, which approval was lawfully obtained.
4. Any notices required by the Declaration, By-Laws and the Act were properly given.
5. Deponent makes this Affidavit pursuant to Official Code of Georgia Annotated Section 44-3-93.

This the 3rd day of January, ~~2020~~ 2023

By: Julie Fortin  
Print Name: Julie Fortin

Sworn to and subscribed before me  
this 3 day of January, 2023

D. Robinson

Notary Public

My Commission Expires: 11/4/25

[AFFIX NOTARY SEAL]

