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STATE OF GEORGIA

CROSS REFERENCE: Deed Book 13190
Page 592
Deed Book 13190
Page 627

COUNTY OF DEKALB

**AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS
FOR FAIRINGTON FARMS
FOR SUBMISSION TO
THE GEORGIA PROPERTY OWNERS' ASSOCIATION ACT ("POAA")**

This Amendment to the Declaration of Protective Covenants for Fairington Farms (hereinafter referred to as "Declaration Amendment") is made on the date first set below.

WITNESSETH:

WHEREAS, on March 26, 2002, DOZIER DEVELOPMENT CO., LLC, a Georgia limited liability company (hereafter referred to as "Declarant"), executed that certain Declaration of Protective Covenants for Fairington Farms, recorded on April 26, 2002 in Deed Book 13190, Page 592 of the DeKalb County, Georgia property records (hereafter referred to as "Declaration");

WHEREAS, the Fairington Farms Homeowners Association, Inc. (hereafter referred to as "Association") is the homeowners association identified and defined within the Declaration;

WHEREAS, Article XIII, Section 4 of the Declaration provides that the Board of Directors, with the written consent of the Declarant, and without a vote of the members, may amend this Declaration

THIS AMENDMENT SUBMITS THE PROPERTY TO THE PROVISIONS OF THE GEORGIA PROPERTY OWNERS' ASSOCIATION ACT, O.C.G.A. SECTION 44-3-220, ET SEQ.

CLOSING ATTORNEYS SHOULD CONTACT THE ASSOCIATION FOR ESTOPPEL CERTIFICATES REGARDING ASSESSMENTS DUE ON LOTS.

for the sole purpose of submitting the Community to the provisions of the Georgia Property Owners Association Act, O.C.G.A. Section 44-3-220 et seq.; and

WHEREAS, the Bylaws for Fairington Farms Homeowners Association, Inc. were originally recorded as Exhibit "D" to the Declaration in Deed Book 13190, Page 627, et seq., of the DeKalb County, Georgia land records (hereinafter referred to as the "Bylaws"); and

WHEREAS, the Board of Directors pursuant to Article XIII, Section 4(e) of the Declaration desires to amend the documents to comply with the provisions of the Georgia Property Owners Association Act, O.C.G.A. Section 44-3-220 et seq. and did duly pass a resolution adopting same; and

WHEREAS, consent from the Declarant is not required as Declarant no longer owns any of property in the Community or any additional property; and

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

1.

Article I, Exhibit "A" of the Declaration, "Definitions", is hereby amended by adding the following to the end thereto:

(o) "Act" shall mean the Georgia Property Owners' Association Act, O.C.G.A. Section 44-3-220, et seq. (Michie 1982), as such Act may be amended from time to time.

2.

Article II of the Declaration is hereby amended by adding the following language to the end thereto:

The property subject to this Declaration constitutes a residential property owners development which hereby submits to the Georgia Property Owners' Association Act, O.C.G.A. Section 44-3-220, et seq. (Michie, 1982), as such Act may be amended from time to time.

3.

Article IV, Section 5 of the Declaration is hereby amended by deleting therefrom the second sentence thereof, which begins with the phrase "*The lien shall be superior to all other liens and encumbrances...*" and substituting therefor the phrase "*The lien provided for herein shall have priority as provided in the Act.*"

4.

Article IV, Section 6 is hereby amended by deleting therefrom the following phrase:

"interest at a rate not to exceed the highest rate allowed under Georgia law"

and substituting therefore the following:

"interest (at the rate of ten percent (10%) per annum, or such higher rate as may be authorized by the Act)"

5.

Article XIII, Section 3 of the Declaration is amended by deleting that Section in its entirety and replacing it with the following new Section 3:

Section 3. Duration. The covenants and conditions of this Declaration shall run with and bind the Property perpetually to the extent provided in the Act.

IN WITNESS WHEREOF, the undersigned officers of the Fairington Farms Homeowners Association, Inc., hereby certify that the above Amendment to the Declaration was duly adopted by the Association's Board of Directors as provided for by the Declaration.

This 11th day of January, 2017.

FAIRINGTON FARMS HOMEOWNERS
ASSOCIATION, INC.

By: [Signature] [SEAL]
President

Attest: [Signature] [SEAL]
Secretary

[CORPORATE SEAL]

SWORN TO AND SUBSCRIBED BEFORE ME
this 11th day of January, 2017.

[Signature]
Witness
[Signature]
Notary Public
[NOTARY SEAL]

