

2013027310 DEED BOOK 23541 Pg 207

Georgia Intangible Tax Paid \$0.00
Real Estate Transfer Tax \$0.00

Filed and Recorded:
1/29/2013 9:39:03 AM
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

Return To: Lazega & Johanson, LLC
3520 Piedmont Road, N.E., Suite 415
Atlanta, Georgia 30305 Attn: JSL

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GEORGIA/DEKALB

Cross Reference: Deed Book 5104
Page 104

**AMENDMENT TO THE
DECLARATION OF CONDOMINIUM FOR
DUNWOODY RIDGE, A CONDOMINIUM**

WHEREAS, the Declaration of Condominium for Dunwoody Ridge, a Condominium was recorded on November 26, 1984, in Deed Book 5104, Page 104, *et seq.*, DeKalb County, Georgia records ("Declaration"), as amended; and

WHEREAS, Article 11, Section 11.1 of the Declaration provides that the Declaration may be amended in accordance with Section 44-3-93 of the Georgia Condominium Act by the agreement of owners of units at Dunwoody Ridge entitled to cast two thirds (2/3) of the votes in the Dunwoody Ridge Condominium Association, Inc. ("Association"); and

WHEREAS, owners of units at Dunwoody Ridge Condominium entitled to cast at least two thirds (2/3) of the Association votes desire to amend the Declaration have approved this Amendment;

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

1.

Article 5 of the Declaration is hereby amended by adding the following Sections 5.9 and 5.10 thereto:

5.9. Voting Suspension for Delinquent Owners and Violators. The Board of Directors may suspend the voting rights of any Owner and Unit, without compliance with Article 5, Section 5.7 hereof, if the Owner is shown on the Association's records to be delinquent in the payment of any assessment or charge owed to the Association. The Board of Directors also may suspend the voting rights of any Owner and Unit for other violations of the Declaration or Association rules, subject to Article 5, Section 5.7 hereof.

If the voting rights for a Unit have been suspended under this Declaration, the Owner of such Unit shall not be eligible to: (1) vote, either in person or by proxy, on any matter requiring or permitting a vote of the Owners or members under this Declaration or the Association Bylaws; (2) act as proxy for any other member; (3) issue a written ballot or written consent; (4) be elected to the Board of Directors; or (5) vote as a director (if serving on the Board of Directors). In establishing the total number of votes required for a quorum, or any other purposes under this Declaration or the Bylaws, such Unit shall not be counted as an eligible vote and shall not be counted for purposes of determining the total number of Units, Owners or members on which to base the calculation of a quorum, majority or other specified voting threshold.

5.10. Borrowing. The Board of Directors, on behalf of the Association, shall have the power to borrow money for any purpose with the approval of Owners holding a majority of the eligible vote which is cast at a duly called Association membership meeting, or is cast by ballot or consent as provided in the Georgia Nonprofit Corporation Code, O.C.G.A. Section 14-3-704 and Section 14-3-708.

2.

Article 6, Section 6.3 of the Declaration is hereby amended by deleting the first sentence thereof in its entirety and substituting the following therefor:

In addition to annual assessments, fines and other charges authorized under this Declaration or the Association's Bylaws, the Association shall be authorized to levy special assessments and specific assessments against Unit in accordance with, and following all procedures specified in, Section 44-3-80 of the Georgia Condominium Act.

3.

Article 11, Section 11.1 of the Declaration is hereby amended by adding the following to the end thereof:

Provided that the Board has issued to an Owner a copy of a Board-proposed amendment to the Declaration and/or Bylaws and, by certified mail, a ballot or consent form providing the Owner an opportunity to vote in favor of, vote against or abstain from voting on such proposed amendment, if the Owner fails to return such ballot or consent within 60 days of the date of its mailing by certified mail, such Owner will be deemed to have consented to and voted in favor of such amendments.

IN WITNESS WHEREOF, the undersigned officers of Dunwoody Ridge Condominium Association, Inc., hereby certify that the above Amendment to the Declaration was duly adopted by owners of units at Dunwoody Ridge Condominium entitled to cast two thirds (2/3) of the total Association vote, with any required notices properly given, this 9 day of JANUARY, 2013.

Sworn to and subscribed to before me this 9 day of JANUARY, 2013.

DUNWOODY RIDGE CONDOMINIUM ASSOCIATION, INC.

Cashid
Witness

By: Cynthia J. Noble (Seal)
President

David V. Anderson
Notary Public

Attest: Paul Perry (Seal)
Signature/Title

[Notary Seal]

[Corporate Seal] PCC

