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CLERK SUPERIOR COURT  
GWINNETT COUNTY, GA.

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Wellington Walk Homeowners Association  
Post Office Box 227  
Grayson, GA 30017

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TOM LAWLER, CLERK

REFERENCES: Declaration:

Book: 13879

Page: 0076

309141-2

**AMENDMENT TO THE  
DECLARATION OF COVENANTS,  
RESTRICTIONS AND EASEMENTS FOR  
WELLINGTON WALK SUBDIVISION**

This AMENDMENT is made by **WELLINGTON WALK HOMEOWNERS ASSOCIATION (WWHOA)**, a Georgia Corporation.

WHEREAS, Declarant recorded that certain Declarations of Covenants, Restrictions and Easements for Wellington Walk Subdivision in Book 13879, Page 0076 et seq., with the Clerk of Superior Court, Gwinnett County, Georgia, on March 6, 1997 ("Declaration"); and

WHEREAS, pursuant to the terms of Section 9.03 of the Declaration, the WWHOA may amend the Declaration by an instrument in writing and filed and recorded in the Land Records of the Superior court of Gwinnett County, Georgia provided, however, that in the event that such amendment materially alters or changes any Owner's right to the use or enjoyment of such Owner's Lot or of the Common Property as set forth in the Declaration such amendment shall be valid only upon the written consent thereto by a majority in number of the then existing Members affected thereby; and

WHEREAS, such amendment does not materially alter or change any Owner's right to the use and enjoyment of such Owner's Lot or of the Common Property;

NOW, THEREFORE, pursuant to the powers retained by **WWHOA** under the Declaration, **WWHOA** HEREBY AMENDS THE declaration as provided herein.

**Article VI – Section 6.08 Signs**

The Declaration is amended to add the following to Section 6.08:

Security Company signs, less than 1 foot square, are permitted without ACC approval.

Temporary signs such as graduation, birth of baby (ies), or garage sale, are permitted without ACC approval, provided such signs are displayed and removed within a timely manner that does not exceed two weeks. No such sign shall be placed over the subdivision entrance name.

**Article V – Section 5.01 – Architectural Control Committee – Creation and Composition**

The Declaration is amended to strike “not less than one (1) or more than five (5) individuals” and replace with “not less than five (5) or more than nine (9) individuals.”

**Article V – Section 5.02 – Purpose, Powers and Duties of the ACC**

The Declaration is amended to add the following to Section 5.02:

Despite the provisions of this and all other sections contained in **Article V – Architectural Control**, the Board of Directors shall have the authority to review, alter, approve and receive member appeals on all actions and decisions of the ACC.

**Article V – Section 5.04(b) (ii)** – presently states:

Except where the ACC has only one (1) Member, any two (2) or more Members of the ACC may be authorized by the ACC to exercise the full authority of the ACC with respect to all matters over which the ACC has authority as may be specified by resolution of the ACC, except with respect to the adoption or promulgation of the Design Standards. The unanimous action of the two (2) or more Members with respect to the matters specified shall be final and binding upon the ACC and upon any applicant for an approval, permit or authorization, subject, however, to review and modification by the ACC on its own motion or appeal by the applicant to the ACC as provided in this paragraph (ii). Written notice of the decision of such two (2) or more Members shall, within five(5) working days thereof, be given to any applicant for an approval, permit or authorization. The applicant may, within ten (10) days after receipt of notice of any decision, which he deems to be unsatisfactory, file a written request to have the matter in question reviewed by the ACC. Upon filing of any such request, the matter with respect to which such request was filed shall be submitted to, and reviewed promptly by, the ACC; but in no event later than thirty (30) days after the filing of such request. The decision of a majority of the Members of the ACC with respect to such matters shall be final and binding.

The Declaration is amended to strike “Two (2) or more members” and replace with “majority of members” at three locations within this sub-subsection.

The Declaration is amended to strike “Except where the ACC has only one (1) Member,”

**Article V – Section 5.13 – Fees**

The Declaration is amended to strike Section 5.13 and replace with “The ACC shall not charge a fee, but shall be reimbursed for documented, out-of-pocket costs incurred during the review, approval and inspection processes. The ACC shall notify applicant prior to incurring such costs, and applicant shall approve and be responsible to reimburse the ACC of said costs.”

IN WITNESS WHEREOF, WWHOA herein, hereby executes this instrument under seal this the 7<sup>th</sup> day of November, 2007.

WELLINGTON WALK HOMEOWNERS ASSOCIATION  
A Georgia Corporation

By: Thomas D. Rutledge

Its: President

Attest: Angela R. Elliott

Its: Secretary  
Corporate Seal (affix)

Signed, sealed and delivered  
This 7<sup>th</sup> day of November  
2007 in the presence of:

Michael Bah  
WITNESS

Emma S. L. Larou  
NOTARY PUBLIC

