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Debra DeBerry
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Rachel E. Conrad
Dorough & Dorough, LLC
Attorneys at Law
160 Clairemont Avenue, Suite 650
Decatur, Georgia 30030
(404) 687-9977

CROSS REFERENCE: Deed Book: 5384
Page: 655

**AMENDMENT TO THE DECLARATION OF
COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND EASEMENTS
OF CAMBRIDGE COMMON**

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND EASEMENTS OF CAMBRIDGE COMMON (hereinafter referred to as "Amendment") is made this 30th day of September, 2015 by **CAMBRIDGE COMMON HOMEOWNER'S ASSOCIATION, INC.**, a Georgia nonprofit corporation (hereinafter referred to as "Association").

WITNESSETH

WHEREAS, Morris Land Co., Inc., a Georgia Carolina corporation, as "Declarant," executed that certain Declaration of Covenants, Conditions, Restrictions, Reservations and Easements of Cambridge Common, which was recorded in Deed Book 5384, Page 655, *et seq.*, DeKalb County, Georgia records; as amended by that certain First Amendment to Declaration of Covenants, Conditions, Restrictions, Reservations and Easements of Cambridge Common, recorded at Deed Book 5384, page 693, *et seq.*, aforesaid records; as further amended by that certain Second Amendment to Declaration of Covenants, Conditions, Restrictions, Reservations and Easements of Cambridge Common, recorded at Deed Book 5124, Page 41, *et seq.*, aforesaid records; as amended by that certain Amendment to the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements of Cambridge Common, recorded May 27, 2011 in Deed Book 22485, Page 338, *et seq.*, aforesaid records, which amendment submitted the community to the provisions of the Georgia Property Owners' Association Act (O.C.G.A. Section 44-3-220, *et seq.*); and as further amended by that certain Amendment to the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements of Cambridge Common, recorded November 23, 2011 at Deed Book 22744, Page 5, *et seq.*, aforesaid records (hereinafter as supplemented and/or amended from time to time, collectively referred to as the "Declaration"); and

WHEREAS, the Association is a nonprofit corporation organized under the Georgia Nonprofit Corporation Code to be the Association named in the Declaration to have the power and authority set forth therein; and

WHEREAS, Article XII, Section 12.10 of the Declaration provides that the Declaration may be amended upon the affirmative vote or written consent, or any combination of affirmative vote or written consent, of Owners of Lots to which two-thirds (2/3) of the total eligible votes in the Association pertain; and

WHEREAS, Owners of Lots to which two-thirds (2/3) of the total eligible votes in the Association pertain agreed to amend the Declaration as provided herein; and

WHEREAS, attached hereto as Exhibit "A" and incorporated herein by reference is the sworn statement of the incumbent Secretary of the Association which sworn statement states unequivocally that: (a) Owners of Lots to which two-thirds (2/3) of the total eligible votes in the Association pertain agreed to the Amendment; (b) the approval of Owners of Lots to which two-thirds (2/3) of the total eligible votes in the Association pertain was lawfully obtained; and (c) any notices required by the Declaration, By-Laws and Georgia law were given; and

WHEREAS, the Association and the Lot Owners desire to amend the Declaration as set forth herein and intend for this Amendment to be prospective only;

NOW THEREFORE, the undersigned hereby adopt this Amendment to the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements of Cambridge Common, hereby declaring that all of the property now or hereafter subject to the Declaration shall be held, conveyed, encumbered, used, occupied and improved subject to the Declaration, amended as follows:

1.

The Declaration is hereby amended by deleting Article XIII, Section 13.02, entitled "Leasing Permits," in its entirety and replacing it with a new Section 13.02 to read as follows:

13.02 Leasing Permits. The Board of Directors shall approve an Owner's application for a leasing permit and shall issue the same if less than ten (10) Lots in the Development are leased.

If ten (10) or more of the Lots in the Development are leased, including Grandfathered Lots, no additional leasing permits shall be issued, except for hardship leasing permits as provided below, until that number falls below ten (10) Lots. Owners who have been denied a leasing permit shall be placed on a waiting list to be issued such a permit. When the number of leased Lots falls below ten (10), the Owner at the top of the waiting list shall be issued a leasing permit and shall have ninety (90) days to lease such Lot at which time if the Lot is not leased, the leasing permit shall be revoked and the Owner shall automatically be placed at the

bottom of the waiting list. Notwithstanding anything to the contrary herein, the issuance of a hardship leasing permit to an Owner shall not cause the Owner to be removed from the waiting list for a leasing permit.

Leasing permits are automatically revoked upon: (1) the sale or transfer of a Lot to a third party (excluding sales or transfers to an Owner's spouse); (2) the failure of an Owner to lease his or her Lot for ninety (90) consecutive days at any time after the issuance of such leasing permit; or (3) the occupancy of the Lot by the Owner.

2.

The Declaration is hereby amended by adding the following sentence to the end of Article XIII, Section 13.03, entitled "Hardship Leasing Permits," to read as follows:

Notwithstanding anything to the contrary in this Section 13.03, the Board shall only be permitted to issue two (2) hardship leasing permits at a time such that at any given time no more than a total of twelve (12) Lots within the Community shall be leased.

3.

Unless otherwise defined herein, the words used in this Amendment shall have the same meaning as set forth in the Declaration.

4.

This Amendment shall be effective only upon being recorded in the records of the Clerk of Superior Court of DeKalb County, Georgia and shall be enforceable against all Owners of Lots subject to the Declaration.

5.

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

[SIGNATURES BEGIN ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Association has caused this Amendment to be executed under seal the day and year first above written.

ASSOCIATION:

CAMBRIDGE COMMON HOMEOWNER'S ASSOCIATION, INC., a Georgia nonprofit corporation

By: Ruby M. Phelps
Printed Name: RUBY M. PHELPS
President

Attest: [Signature]
Printed Name: JOAN WILSON
Secretary

[CORPORATE SEAL]



Signed, sealed and delivered in the presence of

[Signature: Vanessa S Vance]
Witness

[Signature: Krystal McCoy]
Notary Public

[AFFIDAVIT SEAL]

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EXHIBIT "A"

Sworn Statement of Secretary of
Cambridge Common Homeowner's Association, Inc.

STATE OF GEORGIA

COUNTY OF DEKALB

Re: Cambridge Common Homeowner's 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 Cambridge Common Homeowner's 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 Declaration of Covenants, Conditions, Restrictions, Reservations and Easements of Cambridge Common was approved by Owners of Lots to which at least two-thirds (2/3) of the total votes in the Association pertain.
4. Any notices required by the Declaration, By-Laws and Georgia law were given.
5. Deponent makes this Affidavit pursuant to Official Code of Georgia Annotated Section 44-3-226 and Article XII, Section 12.10 of the Declaration.

This the 30th day of September, 2015.

By:
Printed Name:



JOAN WILSON

Sworn to and Subscribed
before me this 30th day of September, 2015.



Notary Public

