
[SPACE ABOVE RESERVED FOR RECORDING DATA]

Return to: Weissman, Nowack, Curry & Wilco, P.C.
4500 Lenox Road, 4th Floor
Atlanta, Georgia 30326
Attention: Julie Howard

STATE OF GEORGIA
COUNTY OF FORSYTH

Cross Reference: Deed Book 516
Page 651

**AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR CANTERBURY FARMS**

WHEREAS, a Declaration of Covenants, Conditions and Restrictions for Canterbury Farms was recorded on November 21, 1990, in Deed Book 516, Page 651, *et seq.*, Forsyth County, Georgia Records ("Declaration"), as amended; and

WHEREAS, Article VII, Section 3 of the Declaration provides for amendment of the Declaration during the first 20 year period by an instrument signed by not less than 90% of the Lot Owners in Canterbury Farms; and

WHEREAS, at least 90% of the Lot Owners of Canterbury Farms have signed an instrument approving this Amendment, which instrument is attached hereto and incorporated herein as Exhibit "A";

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

1.

Article VII, Section 3 of the Declaration is hereby amended by deleting that Section in its entirety and substituting therefor the following:

Section 3. Amendment and Duration.

(a) Amendment. This Declaration may be amended by the affirmative vote, written consent, or any combination of affirmative vote and written consent, of Lot Owners holding two-thirds (2/3) of the total Association vote. Notice of a meeting, if any, at which a proposed amendment will be considered, shall state the fact of consideration and the subject matter of the proposed amendment. No amendment shall be effective until certified by the President and Secretary of the Association and recorded in the Forsyth County, Georgia land records. No Person shall be permitted to bring any legal action to challenge the validity of an amendment to this Declaration more than one year after the recording thereof in the Forsyth County, Georgia land records.

(b) Duration. The covenants and restrictions of this Declaration shall run with and bind the Properties, and shall inure to the benefit of and shall be enforceable by the Association or any Owner, their respective legal representatives, heirs, successors, and assigns, perpetually to the extent permitted by law. However, so long as Georgia law limits the period during which covenants restricting lands to certain uses may run, any provision of this Declaration affected by the law shall run with and bind the land so long as permitted by the law, after which time the provisions shall be automatically extended for successive periods of twenty (20) years. Lot Owners may only terminate these covenants and restrictions pursuant to and in strict compliance with the provisions of O.C.G.A. § 44-5-60 and this paragraph and only if at least fifty-one percent (51%) of the Lot Owners execute a document containing a legal description of the Properties, a list of the names of all record Lot Owners, and a description of the covenant to be terminated. By signing such document, each such person shall verify that he or she is a record Lot Owner. Such document shall be recorded in the office of the clerk of the Forsyth County Superior Court no sooner than but within two (2) years prior to the expiration of the initial twenty (20) year period or any subsequent twenty (20) year period. The clerk of the Forsyth County Superior Court shall index the document under the name of each record owner appearing in the document. Every purchaser or grantee of any interest (including, without limitation, a security interest) in any real property subject to this Declaration, by acceptance of a deed or other conveyance, agrees that provisions of this Declaration may be extended and renewed as provided in this Section.

IN WITNESS WHEREOF, the undersigned officers of Canterbury Farms Homeowners Assoc., Inc., hereby certify that this amendment to the Declaration was duly adopted by the required majority of the Association membership.

This _____ day of _____, 200____.

ASSOCIATION:

**CANTERBURY FARMS HOMEOWNERS
ASSOCIATION, INC.**

**SWORN TO AND SUBSCRIBED
BEFORE ME** this _____ day of
_____, 200____.

By: _____ (Seal)
President

Witness

Attest: _____ (Seal)
Secretary

[CORPORATE SEAL]

Notary Public

[NOTARY SEAL]