

After Recording Return To:
Lueder, Larkin & Hunter, LLC
12600 Deerfield Parkway, Suite 300
Alpharetta, Georgia 30004

Cross Reference:
Deed Book 2190, Page 445

STATE OF GEORGIA

COUNTY OF FORSYTH

**AMENDMENT TO THE DECLARATION OF RESTRICTIVE COVENANTS
FOR SCARBOROUGH COVE**

This Amendment to the Declaration of Restrictive Covenants for Scarborough Cove (hereafter referred to as “Amendment”) is made this ___ day of _____, 20__.

W I T N E S S E T H:

WHEREAS, that certain Declaration of Restrictive Covenants Scarborough Cove, Section 1 (“Section 1 Declaration”) was recorded in Deed Book 120-X, Page 639, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, and amended by instruments recorded in Deed Book 121-Z, Page 639 and Deed Book 122-I, Page 133, aforesaid records, and that certain Declaration of Restrictive Covenants Scarborough Cove, Section 2 (“Section 2 Declaration”) was recorded in Deed Book 134-R, Page 735, aforesaid records, with both the Section 1 Declaration and the Section 2 Declaration having been amended by that certain Amendment to Declarations of Restrictive Covenants for Scarborough Cove, dated June 2, 2023, and recorded in Book 3106, Pages 555, aforesaid records and that certain Amendment to Declarations of Restrictive Covenants for Scarborough Cove, dated August 28, 2023, and recorded in Book 3200, Pages 319, aforesaid records, and that certain Amendment to Declarations of Restrictive Covenants for Scarborough Cove, dated February 29, 2024, and recorded in Book 3316, Pages 695 and re-recorded in Book 3354, Page 174, aforesaid records, and that certain Amendment to Declarations of Restrictive Covenants for Scarborough Cove, dated April 30, 204, and recorded in Book 3364, Pages 35, aforesaid records (the foregoing Section 1 Declaration, as amended, and the Section 2 Declaration, as amended, being collectively hereinafter referred to herein as the “Declaration”);

WHEREAS, Scarborough Cove Homeowners’ Association, Inc. (hereafter referred to as “Association”) is the homeowners association identified in the Declaration and operating within the Scarborough Cove community;

WHEREAS, the Association and the Declaration are governed by the Georgia Property Owners’ Association Act, O.C.G.A. § 44-3-220, *et seq.*;

WHEREAS, Claude Q. Falligant recorded that certain lake usage agreement on August 18, 1971, in Deed Book 99-M, Page 603 of the Chatham County, Georgia land records (hereafter referred to as "Talahi Lake Use Agreement"), which granted owners of land adjacent to the lake known as Talahi Lake Estates, including the owners within Scarborough Cove, certain use rights to Talahi Lake Estates;

WHEREAS, Talahi Lake Property Owners Association, Inc. (f/k/a Talahi Lake Management Corp.) (hereafter referred to as the "Talahi Lake Property Owners Association") owns, manages, controls, maintains, and operates the Talahi Lake Estates and was formed pursuant to that certain Agreement recorded on August 24, 1981, in Deed Book 117-E, Folio 522 of the Chatham County, Georgia land records creating membership in Talahi Lake Property Owners Association;

WHEREAS, this Amended has been agreed to by the Association, the Talahi Lake Property Owners Association, and by lot owners of lots in Scarborough Cove to which at least two-thirds of the votes in the Association pertain, as evidenced by consent forms attached hereto;

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

1. The Declaration is hereby amended to provide that the owners of lots subject to the Declaration shall be members of Talahi Lake Property Owners Association, Inc. (f/k/a Talahi Lake Management Corp.) (hereafter referred to as the "Talahi Lake Property Owners Association"). Membership rights and the obligation to pay assessments to Talahi Lake Property Owners Association are set forth in the Amended and Restated Bylaws of Talahi Lake Property Owners Association, Inc., which are attached hereto as Exhibit "B." Membership shall be appurtenant to and may not be separated from ownership of any lot.

IN WITNESS WHEREOF, the undersigned officers of Scarborough Cove Homeowners' Association, Inc. hereby unequivocally state that the agreement of the required majority was lawfully obtained and that all notices required by the Original Declarations and the Georgia Property Owners Association Act, O.C.G.A. § 44-3-220, *et. seq.*, were properly given.

SCARBOROUGH COVE HOMEOWNERS'
ASSOCIATION, INC.

Signature of President
Print Name: _____

Sworn to and subscribed before me
this ____ day of _____, 20__.

Witness: _____

Notary Public

Signature of Secretary
Print Name: _____

Sworn to and subscribed before me
this ____ day of _____, 20__.

Witness: _____

Notary Public