

# Covenants and Bylaw Updates Review

12/17/25

# Agenda

Talahi Lake  
Property Owners  
Association

- Talahi Lake legal history review
- Legal challenges background
- Actions by the Board
- Overview – Updated Covenants
- Overview – Updated Bylaws

Note: existing Talahi Lake Estates Covenants and Talahi Lake Management Corporation Bylaws are available on the Talahi Lake website (for members only).

# Talahi Lake Legal History

Talahi Lake  
Property Owners  
Association

- Claude Falligant was the original developer for Talahi Lake Estates and Scarborough Cove
  - Talahi Lake Estates are properties on Suncrest Blvd
  - Scarborough Cove are properties on Twelve Oaks Drive and Lane
- August 18<sup>th</sup>, 1971 Claude Falligant gives land owners adjacent to Talahi Lake legal rights to fish, swim, build docks
- August 18<sup>th</sup>, 1971 Claude Falligant establishes additional property related covenants for Talahi Lake Estates. No HOA formed for Talahi Lake Estates.
- Sept 16<sup>th</sup>, 1980 Claude Falligant deeds lake to Eddie Johnson (now deceased) and all present/future land owners. **All property owners around lake share ownership to this day.**

# Talahi Lake Legal History - Continued

Talahi Lake  
Property Owners  
Association

- August 13<sup>th</sup>, 1981 Talahi Lake Management Corporation legally granted permission to collect dues to manage lake
- June 8th, 1983 Scarborough Cove covenants established
- Oct 31st, 1983 Scarborough Cove HOA established
- Circa 1986 (possibly earlier) Talahi Lake Management Corporation Bylaws established
- June 2, 2023 Scarborough Cove HOA covenants updated amended (addressing short term rentals)

# Legal Challenges Background

Talahi Lake  
Property Owners  
Association

- 2023 – Short Term Rental property owner was delinquent in paying lake management annual dues
  - It was the only lake property owner that did not pay dues but its clients were using the lake!
  - Same property was not paying Scarborough Cove HOA annual dues
  - Scarborough Cove updated covenants to address short term rental properties
- 2023 Talahi Lake Management Corporation Annual Meeting
  - Board notified membership regarding potential issues with covenants and short term rental properties. Needed legal advice.
- 2024 – Talahi Lake Management Corporation requested legal assistance to place lien on delinquent property
  - Advised that existing covenants and bylaws must be updated to current Georgia law. **This started all the following actions!**

# Actions by Board

Talahi Lake  
Property Owners  
Association

- Hired legal representative, Lueder, Larkin & Hunter, LLC that specializes in community association law (lakes).
- June 24, 2025 - per legal advice, changed name from Talahi Lake Management Corporation to Talahi Lake Property Owners Association
  - All lake properties are partial owners of the lake. New name clarifies the organizational purpose.
- 2025 – legal representation fought and gained consent from short term property owner that clients will not use lake.
- Sept 24<sup>th</sup>, 2025
  - Eddie Johnson's wife deeded lake property to the Talahi Lake Property Owners Association. Thanks Toni Johnson and Renee Christensen!
  - Avoids probate issues down the road. We are all the lake property owners!
- Now – working on updated covenants and bylaws for your approval

# Overview – Updated Covenants Documents

Talahi Lake  
Property Owners  
Association

- Talahi Lake Estates Amended and Restated Declaration - v3 - 12.4.25
  - Pertains to Talahi Lake Estates properties only (Not Scarborough)
  - Updates covenants to current Georgia law
  - Maintains the current building type covenants as the original Claude Falligant covenants
  - Allows Owners to protect their property values and views if other Owners violate covenants
  - Adds restrictions to leases or rentals less than 6 months long
  - Establishes rights and restrictions in accordance with the Bylaws (separate document)

# Overview Updated Covenants Documents – Cont'd

Talahi Lake  
Property Owners  
Association

- Amendment to the Scarborough Cove Declaration
  - Pertains to Scarborough Cove properties only. Not Talahi Lake Estates properties.
  - Does not change current Scarborough Cove HOA restrictive covenants
  - Joins Scarborough Cove properties into the Talahi Lake Property Owner Association and its Bylaws. Thereby, all lake property owners will use the same Bylaws to manage and maintain the lake.

# Overview – Updated Bylaws

Talahi Lake  
Property Owners  
Association

- Amended and Restated Bylaws - v2 - 12.8.25
  - Updates existing Bylaws to current Georgia law
  - Clarifies all rights and duties of the property owners and Board of Trustees
  - MUCH more clarifying than current Bylaws