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Jay C. Stephenson
Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

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RETURN TO:
Moore Ingram Johnson & Steele, LLP/SSS
192 Anderson Street
Marietta, GA 30060
(770) 429-1499

CROSS REFERENCE: Deed Book 5523, Page 407

**AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR MARIETTA COUNTRY CLUB ESTATES**

STATE OF GEORGIA
COUNTY OF COBB

This **AMENDMENT** made on the 23rd day of January, 2008, by OWNERS OF LOTS IN MARIETTA COUNTRY CLUB ESTATES (hereinafter referred to as "Owners") and MARIETTA COUNTRY CLUB ESTATES HOMEOWNERS ASSOCIATION, INC. (hereinafter referred to as "Association").

WITNESSETH

WHEREAS, 1286 Stilesboro, L.P. (hereinafter referred to as "Declarant") recorded that certain Declaration of Covenants, Conditions and Restrictions for Marietta Country Club Estates in Deed Book 5523, Page 407, Superior Court Records, Cobb County, Georgia (said Declaration as amended being hereinafter referred to as the "Declaration"); and

WHEREAS, Declarant surrendered its rights pursuant to that certain Amendment to Declaration of Covenants, Conditions and Restrictions for Marietta County Club Estates recorded in Deed Book 6315, Page 0323, Records of Cobb County, Georgia; and

WHEREAS, pursuant to the authority granted in Article XII, Section 12.03 of the

Declaration, Owners desire to amend the Declaration as set forth herein and said amendment, pursuant to Article XII Section 12.03, has been approved by Owners holding at least two-thirds (2/3) of the total votes of the Association; and

WHEREAS, pursuant to the authority granted in Article XII, Section 12.03 of the Declaration, the sworn statement of the President of the Association is attached hereto stating unequivocally that the agreement of the required parties was lawfully obtained.

NOW, THEREFORE, for and in consideration of the premises, said Declaration is hereby amended as follows:

1.

Article XII, Section 12.13 shall be deleted in its entirety and replaced with the following:

12.13. Notices. Notices required hereunder shall be in writing and shall be delivered by hand, or sent by United States mail, first class postage prepaid, (or by electronic mail or facsimile transmission, provided that members so notified have given prior consent to receive such notices by electronic mail or facsimile transmission). All notices to Owners shall be delivered or sent to such addresses as have been designated in writing to the Association, or if no address has been do designated, at the addresses of such Owners' respective Lots or Dwellings. All notices to the Association shall be delivered or sent in care of the Association at such address as the Association may from time to time notify the Owners. All notices to Club Owner shall be delivered or sent to Club Owner at the following address:

Marietta Country Club, Inc.
510 Powder Springs Road, S.W.
Marietta, GA 30060

or to such other address as Club Owner may from time to time notify the Association. Notices to Mortgagees shall be delivered or sent to such addresses as such Mortgagees specify in writing to the Association.

2.

Except as otherwise specifically amended herein, said Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, as outlined below, the President of the Association has caused this amendment to be executed on the 23rd day of January 2008.

By execution below on behalf of the Association, I, President of Marietta Country Club Estates Homeowners Association, Inc., do solemnly and unequivocally give this sworn statement stating that the agreement of the required parties to the changes set forth in this amendment was lawfully obtained.

ASSOCIATION:

MARIETTA COUNTRY CLUB ESTATES
HOMEOWNERS ASSOCIATION, INC.

Hamilton Reuel E. Hamilton Jr.
BY: Reuel E. Hamilton Jr.
TITLE: PRESIDENT

Signed, sealed and delivered
in the presence of:

[CORPORATE SEAL]

Shawn S. Stuart
WITNESS

Deborah A. Baker
NOTARY PUBLIC

