

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

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Attention: Jay S. Lazega

STATE OF GEORGIA
COUNTY OF COBB

14.

Reference: Deed Book: 12472
Page: 141

**AMENDMENT TO THE BY-LAWS
OF
EAST PARK COMMUNITY ASSOCIATION, INC.**

PREPARED BY:

**WEISSMAN, NOWACK,
CURRY & WILCO, P.C.**
ATTORNEYS AT LAW

JAY S. LAZEGA, ESQUIRE

AMENDMENT TO THE BY-LAWS
OF
EAST PARK COMMUNITY ASSOCIATION, INC.

WHEREAS, Article VI, Section 6.6 of the By-Laws of East Park Community Association, Inc. ("By-Laws"), provides for amendment of the By-Laws by the affirmative vote, written consent, or combination thereof, of members representing at least fifty-one (51%) percent of the votes in the East Park Community Association, Inc. ("Association"); and

WHEREAS, members representing at least fifty-one (51%) percent of the votes in the Association desire to amend the By-Laws and have approved this Amendment; and

NOW, THEREFORE, the By-Laws of East Park Community Association, Inc., are hereby amended as follows:

1.

Article II, Section 2.5 of the By-Laws is hereby amended by deleting that Section in its entirety and substituting the following therefor:

2.5. Notice of Meetings. The Secretary shall mail or deliver to each Owner of a Unit of record or to the Units a notice of each annual or special meeting of the Association at least twenty-one (21) days prior to each annual meeting and at least seven (7) days prior to each special meeting. The notice shall state the purpose of any special meeting, as well as the time and place where it is to be held. The notice of an annual meeting shall state the time and place of the meeting. If any Owner wishes notice to be given at an address other than his or her Unit, the Owner shall designate such other address by written notice to the Secretary. The mailing or delivering of a meeting notice as provided herein or in Article VI, Section 6.5 hereof shall constitute proper service of notice.

2.

Article II, Section 2.13 of the By-Laws is hereby amended by deleting that Section in its entirety and substituting the following therefor:

2.13. Action Taken Without a Meeting. In the Board's discretion, any action that may be taken by the Association Members at any annual, regular, or special meeting may be taken without a meeting by written consent, written ballot, or electronic vote, as provided below.

(a) **Ballot.** If the Board elects to propose a membership action by ballot in lieu of a meeting, then the Board must submit or deliver a written ballot to every Member entitled to vote on the matter, and the ballot shall set forth each proposed action and provide an opportunity to vote for or against each proposed action. However, such requirements shall not apply to action by written consent in accordance with subsection (b) below, and only the Board may authorize action by ballot hereunder. When the Board authorizes ballot voting under this subsection (a), ballots may be delivered to the members and/or returned by members by electronic mail, in accordance with Article VI, Section 6.5 hereof. Approval by written ballot shall be valid only when the number of votes cast by ballot equals or exceeds the quorum required to be present at a meeting authorizing the action, and the number of approvals equals or exceeds the number of votes that would be required to approve the matter at a meeting at which the total number of votes cast was the same as the number of votes cast by ballot.

All solicitations for votes by written ballot shall: (1) indicate the number of responses needed to meet the quorum requirements; (2) state the percentage of approvals necessary to approve each matter other than election of directors; and (3) specify the time by which a ballot must be received by the Board in order to be counted. A written ballot may not be revoked. The Association shall maintain such ballots in its file for at least three (3) years.

(b) **Written Consent.** Approval by written consent in lieu of a meeting shall be valid only when the number of written consents received equals or exceeds the requisite majority of the voting power for such action. Executed written consents shall be included in the minutes or filed with the Association's records, and the Board may accept properly authenticated documents sent by electronic mail as written consents hereunder. If an action of the Members is approved by written consent hereunder, the Board shall issue written notice of such approval to all Members who did not sign written consents. Membership approval shall be effective ten (10) days after written notice is issued; provided, however, if the consent is to an amendment to the Declaration or By-Laws which must be recorded, the effective date shall be no earlier

than the date of recording of such amendment. It shall not be necessary to follow the procedural requirements of subsection (a) above to take action by written consent under this subsection (b).

3.

Article III, Section 3.16 of the By-Laws is hereby amended by deleting the phrase "all the directors" therefrom and substituting "a majority of the directors" therefor.

4.

Article III, Section 3.21 of the By-Laws is hereby amended by deleting the word "accrual" therefrom.

5.

Article VI, Section 6.5 of the By-Laws is hereby amended by deleting that Section in its entirety and substituting the following therefor:

6.5. **Notices.** All notices, demands, bills, statements or other communications given under these By-Laws or the Declaration shall be in writing and, unless prohibited under these By-Laws or the Declaration, shall be given: (1) by personal delivery to the addressee; (2) by United States mail, first class, postage prepaid; (3) by electronic mail or other electronic document; or (4) via facsimile. Notice sent by one of the methods described above shall be deemed to have been duly given:

(a) If to a Unit Owner, at the mailing address, electronic mail address or facsimile number which the Owner has designated in writing and filed with the Secretary, or if no such address has been designated, at the address of the Unit of such Owner;

(b) If to an occupant, to the address of the Unit occupied and/or the electronic mail address or facsimile number which the occupant has designated in writing and filed with the Secretary; or


(c) If to the Association, the Board, or the managing agent, at the principal office of the Association or the managing agent, if any, or at such other mailing address, electronic mail address or facsimile number as shall be designated in writing and approved for use by the Association's Board of Directors.


IN WITNESS WHEREOF, the undersigned officers of East Park Community Association, Inc., hereby certify that the above Amendment to the By-Laws was duly adopted by the required majority of the Association and its membership, with proper notices given.

This 13th day of Dec., 2005.

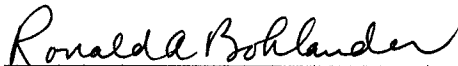
EAST PARK COMMUNITY ASSOCIATION, INC.

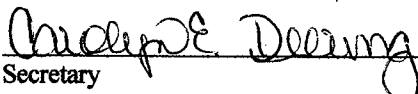
Sworn to and subscribed to before me this 13th day of Dec, 2005.


Witness

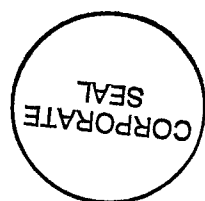
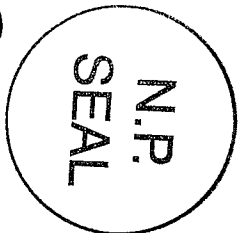

Notary Public

IRMA I FOY
Notary Public
Cobb County, Georgia
My Commission Expires January 10, 2006

By:  (Seal)
President

Attest:  (Seal)
Secretary

[Corporate Seal]



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