

Participant ID: 0898700085

**BK 11287 PG 86 - 88**

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After Recording Return To:  
Lueder, Larkin & Hunter, LLC  
5900 Windward Parkway, Suite 390  
Alpharetta, Georgia 30005  
Attn: DCB

Cross Reference:  
Deed Book 2937, Page 328

**STATE OF GEORGIA**

**COUNTY OF FORSYTH**

**AMENDMENT TO THE DECLARATION OF COVENANTS,  
RESTRICTIONS AND EASEMENTS FOR STONEBROOKE COMMONS**

(Submission to the Georgia Property Owners' Association Act)

This Amendment to the Declaration of Covenants, Conditions, and Restrictions for Stonebrooke Commons (hereafter referred to as "Amendment") is made on the date set below.

**WITNESSETH:**

WHEREAS, Forsyth Land Venture, a Georgia General Partnership (hereafter referred to as the "Declarant"), recorded that certain Declaration of Covenants, Restrictions and Easements for Stonebrooke Commons on August 5, 2003, in Deed Book 2937, Page 328 of the Forsyth County, Georgia deed records (hereafter referred to as the "Declaration");

WHEREAS, Stonebrooke Commons Homeowners Association, Inc. (hereafter referred to as the "Association") is the homeowners association referred to and identified in the Declaration;

WHEREAS, pursuant to Article X of the Declaration, the Board of Directors, with the consent of the Declarant, and without a vote of the members, may amend the Declaration for the sole purpose of electing to be governed by the provisions of the Georgia Property Owners' Association Act, O.C.G.A. § 44-3-220, *et seq.*;

WHEREAS, the Declarant no longer owns any property for development and/or sale in the community, and thus Declarant's consent is not required;

WHEREAS, the Board of Directors of the Association desires to amend the Declaration for the sole purpose of electing to be governed by the provisions of the Georgia Property Owners' Association Act, O.C.G.A. § 44-3-220, *et seq.*; and

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

1.

**The Preamble of the Declaration is amended by striking the following therefrom:**

This document establishes a mandatory membership homeowners association, but does not and is not intended to submit the Property to the provisions of the Georgia Property Owners' Association Act, O.C.G.A. § 44-3-220, *et seq.*

**And substituting the following therefore:**

This document establishes a mandatory membership homeowners association, and submits the Property to the provisions of the Georgia Property Owners' Association Act, O.C.G.A. § 44-3-220, *et seq.*

2.

**Article I of the Declaration is amended by adding thereto the following:**

“Georgia Property Owners’ Association Act” or “Act” shall mean the Georgia Property Owners’ Association Act, O.C.G.A. § 44-3-220, *et seq.*, as the same may be supplemented, amended or modified. The Property is a residential property owners development which is hereby submitted to the Act. The Declaration and all property subject to the Declaration are accordingly submitted to the Act.

3.

Any action to challenge the validity of any provision of this Amendment, including the passage of this Amendment, must be brought within one (1) year of the recording of this Amendment in the Forsyth County, Georgia land records. No action to challenge any provision of this Amendment or the passage thereof may be brought after such time.

*[SIGNATURES ON FOLLOWING PAGE]*

IN WITNESS WHEREOF, the undersigned hereby certify that this Amendment was properly approved by resolution of the Board of Directors of the Association, which resolution is incorporated herein by reference.

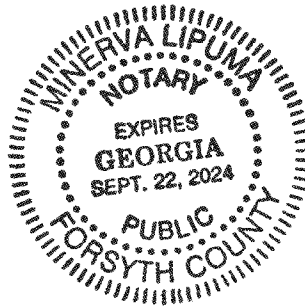
This 24<sup>th</sup> day of June, 2024.

STONEBROOKE COMMONS  
HOMEOWNERS ASSOCIATION, INC.

Carol Ulmer  
Signature of President  
Print Name: CAROL ULMER

Sworn to and subscribed before me  
this 24<sup>th</sup> day of June, 2024.

Witness: Jammy Galvez  
Minerva Lipuma  
Notary Public



Judith A. Peters  
Signature of Secretary  
Print Name: Judith A. Peters

Sworn to and subscribed before me  
this 24<sup>th</sup> day of JUNE, 2024.

Witness: Letha R.  
Minerva Lipuma  
Notary Public

