

Recorded 1/28/05
Lola B. Jamosky
Clerk Superior Court

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GLYNN CO. CLERK'S OFFICE
2005 JAN 27 A 9:56

Lola B. Jamosky
CLERK SUPERIOR COURT

Return Recorded Document to:
Law Offices of Douglas J. Mathis
1510 Newcastle Street, Suite 204
Brunswick, Georgia 31520

Re: Declaration of Condominium for
KingsMarsh Villas Condominium
recorded in Deed Book 592, Page 50
in the Office of the Clerk of the
Superior Court for Glynn County, Georgia.

**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR KINGSMARSH VILLAS CONDOMINIUM**

STATE OF GEORGIA,
COUNTY OF GLYNN.

KNOW ALL MEN BY THESE PRESENTS, that this Amendment to Declaration of Condominium for KingsMarsh Villas Condominium is made as of the 6th day of November 2004.

WITNESSETH:

WHEREAS, the original Declaration of Condominium for KingsMarsh Villas Condominium (hereinafter the "Declaration") dated June 23, 1999 is recorded in the Office of the Clerk of the Superior Court for Glynn County, Georgia in Deed Book 592, Page 50 of said deed records; and

WHEREAS, attached to said Declaration as Exhibit "G" are the By-Laws of KingsMarsh Villas Condominium Association, Inc. (hereinafter the "By-Laws"); and

WHEREAS, at a duly called meeting of the homeowners of KingsMarsh Villas Condominium Association, Inc. on November 6, 2004, at least two-thirds (2/3's) of those entitled to cast votes approved certain amendments to the Declaration and By-Laws, which are hereinafter set forth;

NOW THEREFORE, KingsMarsh Villas Condominium Association, Inc. hereby amends the original Declaration and By-Laws as follows:

1. Section 13.01 of Article 13 of the Declaration is hereby deleted in its entirety and the following is substituted in lieu thereof:

Amended
1/06

"13.01 *Leasing Provision.* Units may be rented only in their entirety; no fraction or portion may be rented. There shall be no subleasing of units or assignment of leases. All leases and lessees are subject to the provisions of the Act, this Declaration, the By-Laws of the Association and rules and regulations adopted pursuant thereto. Any lease agreement shall be required to provide that the terms of a lease shall be subject in all respects to the provisions of the Declaration and By-Laws and that any failure by the lessee to comply with the terms of such documents shall be a default under the lease. All leases shall be in writing. Other than units owned by the Declarant and with the exception of a lender in possession of a condominium unit following a default in a first mortgage, a foreclosure proceeding, or any deed or other arrangement in lieu of foreclosure, all rentals must be **for a term of no less than six (6) months**. The unit owner must make available to the tenant copies of the Declaration, By-Laws and Rules and Regulations."

2. Section 2 of Article 5 of the By-Laws is hereby deleted in its entirety and the following is substituted in lieu thereof:

"*Section 2. Election and Term of Office.* Upon the termination of the Declarant's right to control the Association pursuant to the provisions of Official Code of Georgia Annotated Section 44-3-101, the Declarant shall give at least seven days' written notice to each member of a special meeting of the members, to be held not more than 30 days after the date of such termination, to elect a new board of directors. At such meeting, and at each annual meeting thereafter the unit owners shall elect five (5) directors **for terms of two (2) years. A person serving as director and completing his or her term shall be eligible to serve again after one (1) year of absence.**"

Except as modified by this Amendment, the Declaration and By-Laws shall remain unchanged and shall continue in full force and effect.

This Amendment to Declaration of Condominium for KingsMarsh Villas Condominium shall be construed and interpreted under the laws of the State of Georgia and shall inure to the benefit of and be binding upon all owners of units comprising KingsMarsh Villas, and their respective heirs, executors, administrators, personal representatives, successors and assigns.

IN WITNESS WHEREOF, KingsMarsh Villas Condominium Association, Inc. has adopted this Amendment and has caused this instrument to be executed by its duly authorized corporate officers. as of the day and year first above written.

KINGSMARSH VILLAS CONDOMINIUM ASSOCIATION, INC.

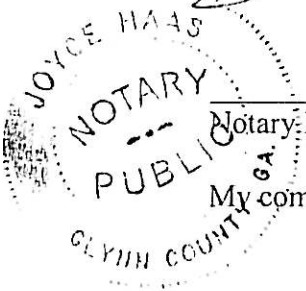
BY: William D. Faulkner
President

BY: Susan L. Garrett
Secretary

Signed, sealed and delivered in the presence of:

Made Roumey
Unofficial Witness

Joyce Haas
Notary Public, State of Georgia



My commission expires:

Notary Public, Glynn County, Georgia
My Commission Expires Sept. 23, 2007.

FILED

2006 JAN 27 P 12:30

Recorded 1/30/06
Lola B. Jamstey
Clerk Superior Court

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in the Office of the Clerk of the
Superior Court for Glynn County, Georgia.

**AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR KINGSMARSH VILLAS CONDOMINIUM**

STATE OF GEORGIA,
COUNTY OF GLYNN.

KNOW ALL MEN BY THESE PRESENTS, that this Amendment to Declaration
of Condominium for KingsMarsh Villas Condominium is made as of the 5th day of
November 2005.

W I T N E S S E T H :

WHEREAS, the original Declaration of Condominium for KingsMarsh Villas
Condominium (hereinafter the "Declaration") dated June 23, 1999 is recorded in the
Office of the Clerk of the Superior Court for Glynn County, Georgia in Deed Book 592,
Page 50 of said deed records; and

WHEREAS, at a duly called meeting of the homeowners of KingsMarsh Villas
Condominium Association, Inc. on November 5, 2005, at least two-thirds (2/3's) of those
entitled to cast votes approved certain amendments to the Declaration which are
hereinafter set forth;

NOW THEREFORE, KingsMarsh Villas Condominium Association, Inc. hereby amends the original Declaration as follows:

1. Section 13.01 of Article 13 of the Declaration (as subsequently amended by instrument recorded in Deed Book 1593, Page 244) is hereby deleted in its entirety and the following is substituted in lieu thereof:

“13.01 Leasing Provision. Units may be rented only in their entirety; no fraction or portion may be rented. There shall be no subleasing of units or assignment of leases. All leases and lessees are subject to the provisions of the Act, this Declaration, the By-Laws of the Association and rules and regulations adopted pursuant thereto. Any lease agreement shall be required to provide that the terms of a lease shall be subject in all respects to the provisions of the Declaration and By-Laws and that any failure by the lessee to comply with the terms of such documents shall be a default under the lease. All leases shall be in writing. Other than units owned by the Declarant and with the exception of a lender in possession of a condominium unit following a default in a first mortgage, a foreclosure proceeding, or any deed or other arrangement in lieu of foreclosure, all rentals must be **for a term of no less than twelve (12) months**. The unit owner must make available to the tenant copies of the Declaration, By-Laws and Rules and Regulations.”

2. Section 9.05 of Article 9 of the Declaration is hereby deleted in its entirety and the following is substituted in lieu thereof:

“9.05 Lien Rights of Association. Pursuant to the provisions of Official Code of Georgia Annotated Section 44-3-109(b), the Board of Directors shall have the authority to establish general rules applicable to all units establishing lien rights for the enforcement and collection of assessments, which rights shall insure in and benefit the Association, and providing that the lien for assessments shall include any one or more of the following: (i) a late or delinquency charge (not in excess of \$50.00 or ten percent (10%) of the amount of each assessment or installment thereof not paid when due, whichever is greater; (ii) interest on each assessment or installment thereof, and any delinquency or late charge appertaining thereto, from the date the same was first due and payable, at a rate not in excess of ten percent (10%) per annum; (iii) the costs of collection, including court costs, the expenses of sale, any expense required for the protection and preservation of the unit, and reasonable attorney's fees actually incurred. **Any assessment, including the regular monthly assessment and all special assessments, shall be due and payable on the first day of the month for which the assessment is applicable. Any assessment payment not received by the fifteenth day of the month for which the assessment is applicable (or the first regular workday following the fifteenth day of that month if the fifteenth day falls on a Saturday, Sunday, or legal holiday) shall be deemed late and delinquent.**”

3. A new Section 14.11 to Article 14 is hereby added as follows:

“14.11 Prohibition of Sexual Offenders as Residents and Guests.

(a) Any person who is adjudicated to be a sexual predator or a habitual sexual offender and/or is required to register with the Georgia Violent Sexual Offender Registry pursuant to Official Code of Georgia Annotated Section 42-1-12 (as currently written or subsequently amended), or who is required to register with any other sexual offender registry in any jurisdiction under current or subsequent statutes, shall be absolutely prohibited from residing in or occupying any unit in the complex for any period of time whatsoever, no matter how brief. Any violation of this restriction shall subject the owner of the unit and any occupant of the unit to any and all remedies for which the laws of the State of Georgia now or in the future shall provide, as well as any and all remedies provided now or in the future by the Declaration of Condominium. Such remedies shall include, but shall not be limited to, the undertaking of eviction proceedings against the registered sexual offender. The Board of Directors of the Association is empowered under this Section of the Declaration of Condominium to initiate any appropriate legal proceedings and to seek any appropriate legal remedies. Any conflict between this Section and other Sections of the Declaration of Condominium, the Articles of Incorporation of the Association, or the By-Laws of the Association shall be resolved in favor of the restriction on residency and occupancy set forth in this Section.

(b) Notwithstanding the restriction on residency and occupancy in this Section, the Association shall not be liable to any unit owner, any unit occupant, any visitor to a unit, or any visitor to or user of the facilities of the complex and the Association, for any injury (whether physical or emotional) arising out of the alleged failure of the Association to enforce the substance of the restriction, whether such alleged failure shall be attributable to negligent conduct of the Association or to the intentional conduct of the Association.

(c) Only owners of record of units at the time of the recording of this Section will have standing to contest its validity on any grounds. Any legal challenge must be brought within one year of the date of such recording. Any such challenge shall be brought in the Superior Court of Glynn County, Georgia.”

This Amendment to Declaration of Condominium for KingsMarsh Villas Condominium shall be construed and interpreted under the laws of the State of Georgia and shall inure to the benefit of and be binding upon all owners of units comprising KingsMarsh Villas Condominium, and their respective heirs, executors, administrators, personal representatives, successors and assigns.

IN WITNESS WHEREOF, KingsMarsh Villas Condominium Association, Inc. has adopted this Amendment and has caused this instrument to be executed by its duly authorized corporate officers, as of the day and year first above written.

KINGSMARSH VILLAS CONDOMINIUM
ASSOCIATION, INC.

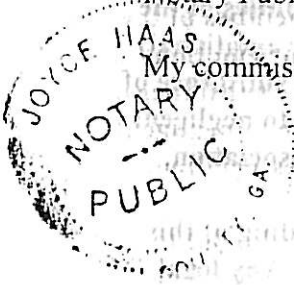
BY: John B. Knight
President

BY: Judy R. Johnson
Secretary

Signed, sealed and delivered
in the presence of:

Renee Kute
Unofficial Witness

Joyce Haas
Notary Public, State of Georgia



My commission expires:
Notary Public, Glynn County, Georgia
My Commission Expires Sept. 23, 2007.

FIRST AMENDMENT
TO THE
DECLARATION OF CONDOMINIUM
FOR KINGSMARSH VILLAS CONDOMINIUM

RECORDED

MAR 28 2001

Clerk of Superior Court
Lola B. Jamsky

WHEREAS, ST. SIMONS INVESTMENT COMPANY, (the "Declarant"), executed and filed for record a Declaration of Condominium For KingsMarsh Villas Condominium, dated June 23, 1999, and recorded in the office of the Clerk of the Superior Court of Glynn County, Georgia, at Deed Book 592, Page 050 (hereinafter "Declaration"); and

WHEREAS, Paragraph 5.01 of said Declaration contained a scrivener's error in that the recording reference for the Plat and Plans were left blank; and

WHEREAS, the original Plat contained several errors, including inaccurate Unit Numbers; and

WHEREAS, the original Plat was revised on August 10, 1999 and November 3, 1999, to correct these errors; and

WHEREAS, Exhibit "I" to said Declaration contained a scrivener's error in that the Unit Numbers identified for the twenty-four condominium units did not correspond with the twenty-four Unit Numbers identified on the original or revised Plats; and

WHEREAS, the original Plans were not properly recorded in that they did not address all of the condominium units and did not contain an Architect's Certificate; and

WHEREAS, Declarant desires to amend said Declaration to reference the recording information for the original Plat (and revisions thereto) and the Plans (including the Architect's Certification) and to correct the reference to the Unit Numbers in Exhibit "I", in accordance with the provisions for amendment under Articles 16 of said Declaration and under the Georgia Condominium Act;

NOW THEREFORE, said Declaration is amended pursuant to and in compliance with the provisions of said Declaration and of the Georgia Condominium Act as follows:

1.

Paragraph 5.01 of the Declaration is hereby amended by inserting Plat Drawer 25, Plat 137, as the location of the original Plat and by referencing Plat Drawer 25, Plat 188, and Plat Drawer 26, Plat 74, as locations of revisions to the original Plat. Paragraph 5.01 of the Declaration is further amended by inserting Condominium Book V, Page 1468 as the location of the Plans, including the Architect's Certification.

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GLYNN COUNTY, GA

2.

Exhibit "E" of said Declaration is hereby amended by adding thereto, and incorporating therein for all purposes, the Plans and Architect's Certificate attached hereto as Exhibit "A".

3.

Exhibit "I" of the Declaration is hereby amended by striking the reference to the Unit Number in the left column, below, and replacing therefore the Unit Number in the right column.

Incorrect Unit Number	Correct Unit Number
401	302
403	304
405	306
407	308
501	401
503	403
505	405
507	407
601	501
603	503
605	505
607	507

IN WITNESS WHEREOF, the Declarant has executed this Amendment on this the 27 day of March, 2001.

ST. SIMONS INVESTMENT COMPANY, INC.

By: [Signature]
DENNIS A. WATERS, JR., PRESIDENT

Attest: [Signature]
JOHN A. JONES, SECRETARY

Signed, sealed, and delivered
in the presence of:

Witness [Signature]
Notary Public, County of Glynn
State of Georgia
(SEAL)

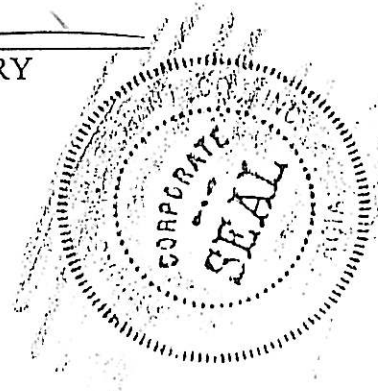
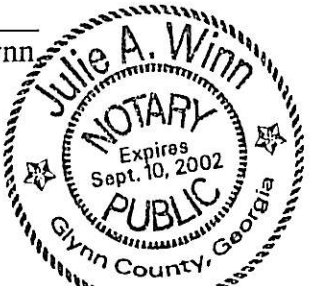


EXHIBIT "A"
TO THE FIRST AMENDMENT

1804-A Frederica Rd.
St. Simons Island, GA 31522

Phone: (912) 638-
Fax: (912) 638-

OK 0765 PG 184

COUNTY OF GLYNN

STATE OF GEORGIA

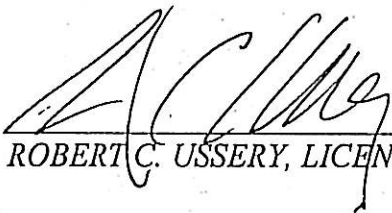
KING'S MARSH VILLAS, A CONDOMINIUM

ARCHITECT'S CERTIFICATION
PURSUANT TO O.C.G.A. § 44-3-83 (b)

I, ROBERT C. USSERY, Registered Architect, have visited and viewed Units 101, 103, 105, 107, 201, 203, 205, 207, 301, 302, 303, 304, 305, 306, 307, 308, 401, 403, 405, 407, 501, 503, 505, 507, 601, 603, 605, and 607 of KING'S MARSH VILLAS, A CONDOMINIUM, located in Glynn County, Georgia, and to the best of my knowledge, information, and belief, do hereby certify, for the purpose of satisfying the requirements of O.C.G.A. §44-3-83(b), the following:

- I. The exterior walls and roof of Units 101, 103, 105, 107, 201, 203, 205, 207, 301, 302, 303, 304, 305, 306, 307, 308, 401, 403, 405, 407, 501, 503, 505, 507, 601, 603, 605, and 607 located on the property known as KING'S MARSH VILLAS, A CONDOMINIUM, are in place as shown on the plans,; and
- II. Such walls, partitions, floors, and ceiling, to the extent shown on said plans, as constitute the horizontal boundaries, and the vertical boundaries of each unit, including convertible space, have been sufficiently constructed so as to establish clearly the physical boundaries of such unit.

ARCHITECT:


ROBERT C. USSERY, LICENSE NO. 3277



3-26-2001
DATE

USSERY-RULE ARCHITECTS, P.C.
1804-A FREDERICA RD.
ST. SIMONS ISLAND, GA 31522

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MAR 28 2001

Clerk of Superior Court

Lola B. Jamsky

**SECOND AMENDMENT
TO THE
DECLARATION OF CONDOMINIUM
FOR KINGSMARSH VILLAS CONDOMINIUM**

WHEREAS, ST. SIMONS INVESTMENT COMPANY, (the "Declarant"), executed and filed for record a Declaration of Condominium For KingsMarsh Villas Condominium, dated June 23, 1999, and recorded in the office of the Clerk of the Superior Court of Glynn County, Georgia, at Deed Book 592, Page 050, (hereinafter "Declaration"), as amended by the First Amendment thereto, dated March 27, 2001, now or shortly to be recorded in said Clerk's office; and

WHEREAS, Article 17 of the Declaration authorizes the Declarant to expand the KingsMarsh Villas Condominium under the terms provided therein; and

WHEREAS, improvements and additional condominium units have been constructed and are ready for submission to the Declaration and to the Condominium form of ownership; and

WHEREAS, Declarant desires to identify the improvements and additional condominium units on a revised plat, and to expand the condominium to include these additional condominium units, in accordance with the provisions for amendment under Articles 16 and 17 of said Declaration and under the Georgia Condominium Act;

NOW THEREFORE, said Declaration is amended pursuant to and in compliance with the provisions of said Declaration and of the Georgia Condominium Act as follows:

1.

The Property described in Exhibit "A" attached hereto and by this reference made a part hereof is hereby submitted to the form of ownership provided for in the Georgia Condominium Act and shall be held, sold, and conveyed subject to the covenants, conditions, and restrictions contained in said Declaration.

2.

The Plat showing the additional condominium units is that certain plat of survey entitled "Final Plat, KingsMarsh Villas for John Jones," prepared by Joe P. Davis, Registered Land Surveyor, No. 1436, dated June 14, 1999, and revised August 10, 1999, November 3, 1999, January 25, 2001, February 9, 2001, February 19, 2001, and March 14, 2001, which plat is attached hereto as Exhibit "B", and which is now or shortly to be recorded in the office of the Clerk of the Superior Court of Glynn County, Georgia.

3.

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CLERK OF SUPERIOR COURT
GLYNN COUNTY, GEORGIA

The Plans for the additional condominium units are those plans entitled "King's Marsh Villas, a Condominium," prepared by Robert C. Ussery, License Number 3277, Ussery/Rule Architects, P.C., pages 1-3, which plans were or are now shortly to be recorded as an Exhibit to the First Amendment to the Declaration of KingsMarsh Villas Condominiums, a copy of which is attached hereto as Exhibit "C".

4.

Exhibit "I" of the Declaration, as amended by the First Amendment, is hereby amended by deleting Exhibit "I", as amended, and by substituting in its place therefor following table:

**SCHEDULE OF UNITS AND THE VOTING RIGHTS AND ASSESSMENTS
ALLOCATED TO EACH UNIT**

<u>Unit Number</u>	<u>Area (Sq. Feet)</u>	<u>Percentage of Ownership In Common Areas and Percentage of Responsibility For Common Area Expenses</u>	<u>Number of Votes To Which Each Unit is Entitled</u>
101	1,892.62	3.571%	1
103	1,892.62	3.571%	1
105	1,892.62	3.571%	1
107	1,892.62	3.571%	1
201	1,892.62	3.571%	1
203	1,892.62	3.571%	1
205	1,892.62	3.571%	1
207	1,892.62	3.571%	1
301	1,892.62	3.571%	1
303	1,892.62	3.571%	1
305	1,892.62	3.571%	1
307	1,892.62	3.571%	1
302	1,892.62	3.571%	1
304	1,892.62	3.571%	1
306	1,892.62	3.571%	1
308	1,892.62	3.571%	1
401	1,892.62	3.571%	1
403	1,892.62	3.571%	1
405	1,892.62	3.571%	1
407	1,892.62	3.571%	1
501	1,892.62	3.571%	1
503	1,892.62	3.571%	1

505	1,892.62	3.571%	1
507	1,892.62	3.571%	1
601	1,892.62	3.571%	1
603	1,892.62	3.571%	1
605	1,892.62	3.571%	1
607	1,892.62	3.571%	1
TOTAL:	52,993.36	100%	28 Total Votes

IN WITNESS WHEREOF, the Declarant has executed this Amendment on this the 27 day of March, 2001:

ST. SIMONS INVESTMENT COMPANY, INC.

By: [Signature]
DENNIS A. WATERS, JR., PRESIDENT

Attest: [Signature]
JOHN A. JONES, SECRETARY

Signed, sealed and delivered
in the presence of:

[Signature]
Witness

[Signature]
Notary Public, County of Glynn,
State of Georgia

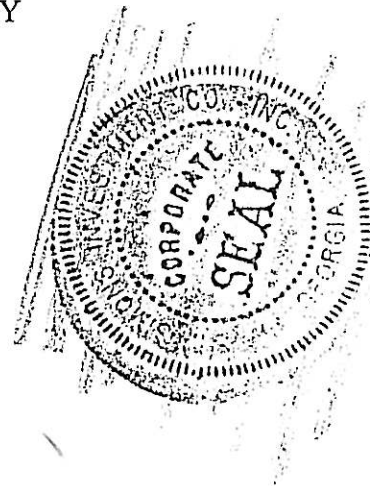


EXHIBIT "A"
TO THE SECOND AMENDMENT

ALL THAT TRACT, LOT OR PARCEL OF LAND, situate, lying and being in the 25th Georgia Military District, in Glynn County, Georgia, on the Island of St. Simons therein, as shown and depicted on that certain plat of survey entitled "Final Plat, KingsMarsh Villas for John Jones," prepared by Joe P. Davis, Registered Land Surveyor, No. 1436, dated June 14, 1999, and revised August 10, 1999, November 3, 1999, January 25, 2001, February 9, 2001, February 19, 2001, and March 14, 2001, AS ALL OF UNIT NUMBERS 601, 603, 605, and 607, which plat is now or shortly to be recorded in the office of the Clerk of the Superior Court of Glynn County, Georgia.

EXHIBIT "B"
TO THE SECOND AMENDMENT

EXHIBIT "C"
TO THE SECOND AMENDMENT