

**AMENDMENT TO THE BYLAWS  
OF  
VILLAGE GREEN CONDOMINIUM ASSOCIATION, INC.**

---

This Amendment is made this 3<sup>rd</sup> day of December, 2012, by the Village Green Condominium Association, Inc., a Georgia non-profit corporation (hereinafter the "Association").

WHEREAS, pursuant to the Article XI, Section 1 of the Association's Bylaws the Members of the Association have the authority to amend the Bylaws upon the affirmative vote of at least fifty-one percent (51%) of all Unit Owners, cast in person and proxy; and

WHEREAS, on July 28, 2012, the Association's Board of Directors, pursuant to Association Bylaw Article IV, Section 2, called and noticed a special meeting for, *inter alia*, the purposes of considering and voting upon certain specific amendments to the Bylaws; and

WHEREAS, due to defects and uncertainties in the voting process the proposed amendments were re-presented to the membership for a vote by written ballot proxy; and

WHEREAS, on October 10, 2012, pursuant to notice, the Association tallied the 71 ballot proxy votes submitted by members of the Association, such number constituting a quorum, wherein fifty-three percent (53%) of the members affirma-

tively approved the amendments to the Bylaws set forth herein.

NOW THEREFORE, pursuant to the provisions of Article XI, Section 1 of the Bylaws, the Association does hereby amend the following provision of the Bylaws, to wit:

1.

Bylaw Article II shall be amended by adding the following Section 2 thereto, reading as follows:

Section 2. Specific Definitions.

2.1. "Total Eligible Association Vote": The total number of votes available in the Association, less any and all votes that have been suspended pursuant to Declaration Article III, Section 3 or Bylaw Article III, Sections 2 and 3.

2.

Bylaw Article III, Section 3 shall be amended by adding the following thereto:

Section 3. Suspension of Voting Rights. ...The vote or votes pertaining to any Unit Owner or Unit Owners whose voting rights have been suspended by the Board of Directors pursuant hereto shall not be counted towards or be included in the total number of available votes for the Association for the purposes of determining quorum or

the total number of votes needed to pass any business before the membership or amendments to the condominium instruments, except for matters where the unanimous consent of all units is required by the condominium instruments or the Act.

3.

Bylaw Article IV, Section 4 shall be amended as follows by deleting the following stricken text and replacing with the following italicized text:

Section 4. Quorum. The presence at the meeting of the Unit Owners and/or proxies entitled to cast at least one-third (1/3) of the ~~Membership~~ *Total Eligible Association Vote* shall constitute a quorum for any action except as otherwise expressly provided herein or in the Declaration of Condominium for Village Green Condominium.

Except as amended hereby, all additional and remaining portions of Bylaw Article IV, Section 4 shall remain in full effect without amendment.

4.

Bylaw Article V, Section 2 shall be amended by deleting the following stricken text and adding the following italicized text:

Section 2. Election and Term of Office. Subject to the provisions of 44-3-101 O.C.G.A., and the Declaration, the Unit Owners shall elect the Directors at each annual meeting ~~for a term of one year or until~~

~~their successors shall have been duly elected and qualified.~~ Election to the Board of Directors shall be by secret ballot cast at the annual meeting. At such election, the Unit Owners or their proxies may cast, in respect to each directorship, one vote. The persons receiving the largest number of votes shall be elected. Cumulative voting shall not be permitted.

*Directors shall serve staggered terms of two (2) years each and no person shall serve in excess of two (2) consecutive terms. Staggered terms for Directors shall be implemented at the annual meeting following the adoption of the amendments to this section. The four (4) persons individually receiving the highest number of votes at the annual meeting of the members of the Association following this amendment shall each be elected to a term of two years. The three (3) persons individually receiving the next largest number of votes at such election shall be elected to a term of one year each. Thereafter, Directors shall be elected at subsequent annual meetings at the expiration of their respective terms, subject to the two (2) consecutive term limitation set forth above.*

5.

Bylaw Article XI, Section 1 shall be amended as follows by deleting the fol-

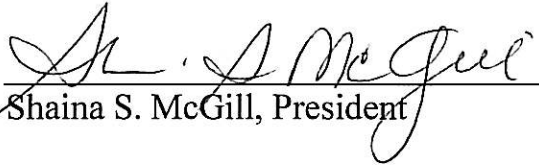
lowing stricken text and replacing with the following italicized text :

Section 1. Amendments. These Bylaws may be amended by the vote of at least fifty-one percent (51%) of all ~~Unit owners~~ *the Total Eligible Association Vote*, cast in person or by proxy at a meeting duly called for such purpose, written notice of which shall be delivered or sent to all Unit Owners not less than 21 days in advance of the meeting stating the time, place and purpose of such meeting and the subject matter of the proposed amendment or, in lieu of such vote, these Bylaws may be amended by an instrument duly executed by the Unit Owners having at least fifty-one percent (51%) of the ~~entire voting interest of all Unit Owners~~ *Total Eligible Association Vote*.

Except as amended hereby, all additional and remaining portions of Bylaw Article IV, Section 4 shall remain in full effect without amendment.

IN WITNESS WHEREOF, on the day and year first written above, the Association has caused this Amendment to be executed by and through its undersigned President and Secretary, who further certify under sworn oath that the required majority was lawfully obtained and that all notice required was properly given. The Secretary is directed to file and maintain this Amendment to the Bylaws in the Association's corporate records.

**VILLAGE GREEN CONDOMINIUM ASSOCIATION, INC.:**

By:   
Shaina S. McGill, President

By:   
Robert Spann, Secretary

When recorded return to:  
Fox & Smith, LLC  
P.O. Box 209  
Macon, GA 31202-0209

**AMENDMENT TO THE DECLARATION  
OF  
THE VILLAGE GREEN CONDOMINIUMS**

---

This Amendment is made this 3<sup>rd</sup> day of December, 2012, by the Village Green Condominium Association, Inc., a Georgia non-profit corporation (hereinafter the "Association").

WHEREAS, pursuant to the Article VIII, Section 1 of the Declaration the same may be amended pursuant to O.C.G.A. § 44-3-93; and

WHEREAS, pursuant to O.C.G.A. § 44-3-93(c) the Association has the power to amend the Declaration as may be required to conform to mandatory provisions of the Condominium Act, codified as O.C.G.A. § 44-3-90, et seq., or of any other applicable law without a vote of the unit owners, and pursuant to O.C.G.A. § 44-3-115 any defects in the condominium instruments may be amended by the Association; and

WHEREAS, Exhibit "C" to the Declaration, which sets forth the units' allo-

cated undivided interest in the common elements and corresponding liability for common expenses, contains a scrivener's error and defect that attributes to Unit Number 7 an interest of 1.8977 percent although this unit is a one bedroom unit, all other identical one bedroom units are allocated a percentage of .8977 and, if relied upon, the resulting undivided interest of the collective units exceeds one hundred (100%) percent; and

WHEREAS, in order to full comply with the provisions of the Georgia Condominium Act and other applicable Georgia law, it is necessary to correct the existing scrivener's error in Declaration Exhibit "C" as it relates to the undivided interest in the common elements and corresponding liability for common expenses of Unit Number 7;

NOW THEREFORE, pursuant to the provisions of the Declaration and the Georgia Condominium Act, the Association hereby amends Declaration Exhibit "C" to provide that the percentage allocated to Unit Number 7 is .8977.

IN WITNESS WHEREOF, on the day and year first written above, the Association has caused this Amendment to be executed by and through its undersigned President and Secretary.

[SIGNATURE ON FOLLOWING PAGE]



VILLAGE GREEN CONDOMINIUM  
ASSOCIATION, INC.:

By: *Shaina S. McGill*  
Shaina S. McGill, President

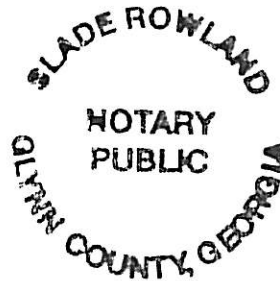
By: *Robert Spann*  
Robert Spann, Secretary

Sworn and subscribed this  
3<sup>rd</sup> day of December 2012,  
in the presence of:

Notary Public, Glynn County, Georgia  
My Commission Expires April 12, 2015

*Renaee Kirk*  
Unofficial Witness

*Slade Rowland*  
Notary Public



When recorded return to:  
Fox & Smith, LLC  
P.O. Box 209  
Macon, GA 31202-0209

Cross Reference:  
Deed Book 24-K, Page 867

Filed and Recorded 12/20/2012 at 11:23:48 AM  
CFN #632012013956 Transaction#90988  
Clerk of Superior Court Glynn County County, GA  
Deed BK 3090 PG 138 - 140, Lola Jamsky #1

**AMENDMENT TO THE DECLARATION  
OF  
THE VILLAGE GREEN CONDOMINIUMS**

---

This Amendment is made this 11<sup>th</sup> day of December, 2012, by the Village Green Condominium Association, Inc., a Georgia non-profit corporation (hereinafter the "Association").

WHEREAS, pursuant to Article VIII, Section 1 of the Declaration the same may be amended pursuant to O.C.G.A. § 44-3-93; and

WHEREAS, pursuant to O.C.G.A. § 44-3-93(a)(1) the Association may amend the Declaration upon the agreement of unit owners to which two-thirds (2/3) of the votes in the association pertain; and

WHEREAS, on December 7, 2012, pursuant to written notice to all unit owners, the Association tallied the 98 ballot votes returned to the Association by its members regarding a proposed amendment to the Declaration concerning the prohibition of pets; and

WHEREAS, the Total Eligible Association Vote was 99 units based on the suspension of three (3) units due to default in the payment of assessments; and

WHEREAS, the 98 units represented by their returned ballots established a quorum of the members of the Association as these voting units constitute more than one-third (1/3) of the total Eligible Association Vote; and

WHEREAS, the tally of the submitted ballot votes revealed that 67 units voted "Yes" to the proposed pet amendment, 31 units voted "No" to the proposed pet amendment and 1 unit abstained from voting; and

WHEREAS, more than two-thirds (2/3) of the unit owners affirmatively voted to amend the Declaration as set forth herein;

NOW THEREFORE, pursuant to the provisions of Article VIII, Section 1 of the Declaration, the Association does hereby amend Article II, Section 3 of the Declaration by striking the same in full and, from and after the recording of this Amendment, the same shall be replaced by and shall provide as follows:

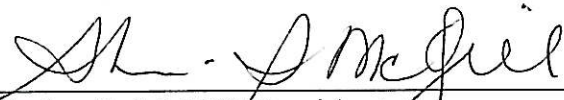
"Section 3. Animals and Pets.


A Condominium Owner may keep domestic cats or dogs as household pets provided that such owner complies with all the rules and regulations established by the Board of Directors relating to pets. No owner may keep, breed or maintain any pet for any commercial purpose. No livestock or poultry of any kind shall be raised, bred or kept on any

part of the Condominium property.”

IN WITNESS WHEREOF, on the day and year first written above, the Association has caused this Amendment to be executed by and through its undersigned President and Secretary, who further certify under sworn oath that the required majority was lawfully obtained and that all notice required was properly given.

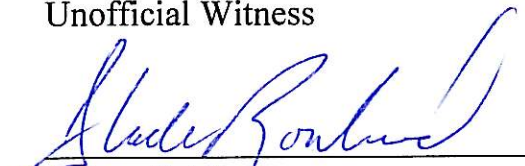
**VILLAGE GREEN CONDOMINIUM  
ASSOCIATION, INC.:**

By:   
Shaina S. McGill, President

By:   
Robert Spann, Secretary

Sworn and subscribed this  
12 day of December, 2012,  
in the presence of:

  
Unofficial Witness

  
Notary Public

