

BERINGER POINT HOME OWNERS ASSOCIATION

AMENDMENT TO BY-LAWS

This amendment to the By-Laws of Beringer Pointe Home Owners Association is made this day 1 of January, 2009 By Beringer Pointe Home Owners Association with the consent of the required number of Members of the Association pursuant to the requirements of the By-Laws.

WITNESSETH:

WHEREAS, Beringer Pointe Home Owners Association is a Georgia nonprofit corporation established to manage the subdivision located in Barrow County, Georgia legally described as "Beringer Pointe as per plat prepared by W.T. Dunahoo & Associates dated 9-10-98" in accordance with the Declaration of Covenants, Conditions and Restrictions of Beringer Pointe Home Owners Association recorded in Plat Book 46 Page 279 of the Barrow County records; and

WHEREAS, in addition to the Declaration, the Association is governed by a set of By-Laws created in accordance with the Federal Tax Code and Georgia Statutes regulating nonprofit organizations; and

WHEREAS, Article III Section 3.6 of the By-Laws provides that it may be amended at a general or special meeting of the Members of the Association by a vote of a majority of a quorum present in person or by proxy; and

WHEREAS, a majority of a quorum of the Members have voted to adopt this Amendment;

NOW THEREFORE, the Members make this Amendment declaring that the original By-Laws shall be amended as set forth herein.

ARTICLE II SECTION 2.1 OF THE BY-LAWS SHALL BE SUPERCEDED AND RESTATED AS FOLLOWS;

Section 2.1. Members. Membership will be limited to the homeowner(s) of Beringer Pointe Subdivision. All homeowners residing within the subdivision identified as Beringer Pointe, Barrow County, State of Georgia are eligible to become members of the Association without regards to race, sex, creed, color, religion, national origin, age, marital status or sexual orientation. If a Homeowner goes one (1) consecutive year without paying their maintenance fee (dues) then their name goes on an inactive status. In this status the delinquent homeowner cannot vote, attend Beringer Pointe Home Owners Association (HOA) annual meeting or Board meetings, run for, be nominated to or hold office in the HOA. At the time they make their maintenance fees (dues) current they are restored to full rights.

Except as modified by this Amendment, all provisions of the original By-Laws shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, as President of Beringer Pointe Home Owners Association, has executed this instrument the day and year first set forth, on behalf of the Association.

Beringer Pointe Home Owners Association
By: Mike Armstrong
Its President

STATE OF GEORGIA)
) ss
COUNTY OF BARROW)

The foregoing instrument was acknowledged before me this _____ Day of _____, 20____ by _____, the President of Beringer Pointe Home Owners Association, a Georgia nonprofit corporation, on behalf of said corporation.

Notary Public

AFFIDAVIT OF SECRETARY

STATE OF GEORGIA)
) ss
COUNTY OF BARROW)

The undersigned, Secretary of Beringer Pointe Home Owners Association, being first duly sworn on oath, hereby swears and certifies, pursuant to the applicable provisions of the original By-Laws, that this Amendment was adopted at a meeting of Members by a vote of a majority of a quorum, in satisfaction of the requirements of the By-Laws.

Stanley Stewart
Secretary

STATE OF GEORGIA)
) ss
COUNTY OF BARROW)

Subscribed and sworn to before me this day of _____, 20____ by _____, the Secretary of Beringer Pointe Homeowners Association, a Georgia nonprofit corporation.

Notary Public

This document is a reproduction of the original, which is on file at the Office of the Clerk of Superior Court, Barrow County, Georgia.

A copy of the signed original is available from the Beringer Pointe Homeowners Association.