

**AMENDMENT TO THE AMENDED BY-LAWS OF
ROYAL LAKES PROPERTY OWNERS ASSOCIATION, INC.**

THIS AMENDMENT TO THE BY-LAWS OF ROYAL LAKES PROPERTY OWNERS ASSOCIATION, INC. (hereinafter referred to as "Amendment") is made this 13 day of September, 2019, ROYAL LAKES PROPERTY OWNERS ASSOCIATION, INC., a Georgia nonprofit corporation (hereinafter referred to as "Association").

WITNESSETH

WHEREAS, Royal Lakes Associates executed that certain Declaration of Covenants, Conditions, Restrictions and Easements for Royal Lakes Subdivision, which was recorded on August 4, 1989 in Deed Book 1373, Page 194, *et seq.*, Hall County, Georgia records (hereinafter as supplemented and/or amended from time to time collectively referred to as the "Declaration"); and

WHEREAS, the Association is a nonprofit corporation organized under the Georgia Nonprofit Corporation Code to be the Association named in the Declaration to have the power and authority set forth therein; and

WHEREAS, the initial Board of Directors of the Association duly adopted the By-Laws of Royal Lakes Property Owners Association, Inc. (as amended and/or supplemented from time to time referred to as the "By-Laws"); and

WHEREAS, pursuant to Article Six of the By-Laws, the By-Laws may be amended at any meeting of the directors by the affirmative vote of a majority of said directors; provided, however, that the proposed amendment must have been set forth in the notice of the meeting given to each director; and

WHEREAS, the directors desire to amend the By-Laws to clearly provide for electronic voting, clarify the quorum requirement, and to enhance the Association's ability to take actions outside of meetings;

WHEREAS, notice of a meeting to consider this Amendment has been given to the directors and at least a majority of the directors of the Association approve this Amendment amend the By-Laws as set forth herein; and

NOW THEREFORE, the Association hereby adopts this Amendment to the By-Laws of Royal Lakes Property Owners Association, Inc., as follows:

1.

Article Two, Section 2.9 is hereby amended by deleting Section 2.9 in its entirety, and substituting therefore a new Section 2.9 as follows:

2.9 The quorum for any meeting of the members shall be the presence, in person or by proxy, of twenty percent (20%) the members entitled to vote, in person or by proxy.

2.

Article Two, Section 2.12 is hereby amended by deleting Section 2.12 in its entirety, and substituting therefore a new Section 2.12 as follows:

2.12 Notwithstanding anything to the contrary herein, 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. 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 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 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.

Unless otherwise defined herein, the words used in this Amendment shall have the same meaning as set forth in the Declaration and By-Laws.

3.

This Amendment shall be effective only upon being recorded in the minutes of the Association and shall be enforceable against current owners of a Unit subject to the Declaration.

4.

Except as herein modified, the By-Laws shall remain in full force and effect.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed under seal the day and year first above written.

**ASSOCIATION: ROYAL LAKES PROPERTY OWNERS
ASSOCIATION, INC.,
A Georgia nonprofit corporation**

By: *Ben L. [Signature]* (Seal)
Title: *President, Board of Directors*

Attest: *Lisa Bullock* (Seal)
Title: *Secretary, Board of Dir.*

[AFFIX CORPORATE SEAL]

EXHIBIT "A"
Sworn Statement of the Secretary of
Royal Lakes Property Owners Association, Inc.

STATE OF GEORGIA
COUNTY OF HALL


Re: Royal Lakes Property Owners Association, Inc.

Personally appeared before me, the undersigned deponent who, being duly sworn, deposed and said on oath that:

1. Deponent is the Secretary of Royal Lakes Property Owners Association, Inc.
2. Deponent is duly qualified and authorized to make this Affidavit and knows the facts contained herein of his or her own personal knowledge.
3. The foregoing Amendment to the Amended By-Laws of Royal Lakes Property Owners Association, Inc. was approved by at least a majority of the Board of Directors of the Association at a duly called meeting thereof as required by Article Six of the By-Laws.
4. Deponent makes this Affidavit pursuant to Official Code of Georgia Annotated Section 44-2-20.

This the 16 day of September, 2019.

Sworn to and subscribed before me
this 16 day of September, 2019:


Notary Public
[AFFIX NOTARY SEAL]

Signed: 

Print Name: Lisa Bullock

