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SUPERIOR-JUVENILE COURTS
AMANDA A. DOSS, CLERK

GEORGIA, LINCOLN COUNTY
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AMANDA A. DOSS, CLERK
BY: [Signature] [Signature]
[] CLERK [] DEPUTY CLERK

RETURN RECORDED DOCUMENT TO:
Longleaf Pointe Homeowner's Association, Inc.
3744 Walton Way Ext
Augusta, Georgia 30907-0916

STATE OF GEORGIA
COUNTY OF LINCOLN

**FIRST AMENDMENT TO THE DECLARATION OF
PROTECTIVE COVENANTS FOR LONGLEAF POINTE SUBDIVISION**

WHEREAS, the Declaration of Protective Covenants referred to above dated May 16, 2006, and recorded in the Office of the Clerk of Superior Court of Lincoln County, Georgia in Deed Book 161, Pages 768-779, as amended from time to time (the "Declaration"), contained under Article II, 15, and other portions of the Declaration, a provision allowing for the alteration to the Declaration;

WHEREAS, the Longleaf Pointe Homeowner's Association, Inc., (the "Association") pursuant to the Declaration, reserved the right to alter the Declaration and the Association desiring to do so, this Amendment is made and recorded pursuant to the Association's reservation of right.

NOW, THEREFORE, the Declaration is amended as follows:

- I. Article II, Section 1, subparagraph E is amended to reduce the requirement of one-thousand eight hundred (1,800) square feet of living (heated) area, exclusive of porches, garages, and basements to one-thousand five hundred (1,500) square feet of living (heated) area.

Pursuant to the aforesaid alteration, Article II, Section 1, subparagraph E shall now read as follows:

No dwellings shall be erected containing less than one-thousand five hundred (1,500) square feet of living (heated) area, exclusive of porches, garages, and basements.

- II. Article II, Section 1, subparagraph F.2, Driveways is amended so that driveway culvert pipes must comply with Lincoln County and Georgia Department of Transportation requirements of a minimum of 15-inch diameter, 20-feet in length, and a top fill of a minimum of twelve-inches or one-half the diameter of the culvert, whichever is greater.

Pursuant to the aforesaid alteration, Article II, Section 1, subparagraph F.2 shall now read as follows:

All entrances to driveways must comply with Lincoln County and Georgia Department of Transportation requirements of a minimum of 15-inch diameter, 20-feet in length, and a top fill of a minimum of twelve-inches or one-half the diameter of the culvert, whichever is greater.

- III. Article II, Section 1, subparagraph F.5, is amended to remove the reference to traditional southern styling, Georgian type architecture, and the clause “not unusual or unique”, and allow for more flexibility in style of home allowed to be approved by the Architectural Review Committee.

Pursuant to the aforesaid alteration, Article II, Paragraph 1, subpart F.5 shall now read as follows:

All styles of homes within Longleaf Pointe shall be subject to “Design Guidelines”. The Design Guidelines may contain general provisions applicable to all of the Community, as well as specific provisions which vary from one portion of the Community to another depending upon the location, unique characteristics, and intended use.

- IV. Article II, Section 7 is amended to allow Board of Directors to issue a variance, upon request of a lot owner, which would allow for the temporary placement of security fencing and/or RV/Motorhomes or travel trailer on an individual lot for the purposes of providing security during construction, for a period of 12-months and only until homes are built on 25-percent of the lots.

Pursuant to the aforesaid alteration, Article II, Section 7, shall now read as follows:

Temporary Structures. Except as otherwise allowed, no structure of a temporary character, trailer, basement, tent, or shack may be used at any time as a residence, either temporarily or permanently. There may be no occupancy of any dwelling until the interior and exterior of the dwelling is completed and a certificate of occupancy issued by the director of Lincoln County planning and zoning.

Upon a request by a Lot owner, the Board of Directors may issue a variance allowing the installation of metal security fencing and/or the temporary placement of an RV/Motorhome or travel trailer upon an individual lot for the purpose of security. The period of the variance shall extend from the commencement of construction of a permanent dwelling to the issuance of a certificate of occupancy of that permanent dwelling by Lincoln County, but not longer than 12-months and such variance shall be available to be issued only until homes are built on 25-percent of the lots in Longleaf Pointe. Placement of any above-mentioned temporary structure must also comply with the Code of Ordinances of Lincoln County, Georgia.

- V. Article II, Section 8 and 8.I inaccurately references “Tuscan Landing” and should be revised to reference “Longleaf Pointe”. Paragraphs A through H remain unchanged.

Pursuant to the aforesaid alteration, Article II, Section 8, and Paragraph I. shall now read as follows:

- 8. Signs. The Association reserves the right to erect any signs in Longleaf Pointe on common areas. Signs may be erected by individual Lot owners upon their own individually owned property. but must meet the following criteria: [Paragraphs A through H remain unchanged.]
 - I. The Association is not required to follow the above criteria when placing signage on common areas within Longleaf Pointe.

Signs can be placed only on individual Lots. Directional signs or any signs for advertisement at the entrance and road intersections are prohibited. Any exceptions to this covenant must be approved by a majority of the Board of Directors of the Longleaf Pointe Homeowner’s Association.

- VI. Article II, Section 13, is amended to add a new Section 13, to address recreational use of firearms within the Longleaf Pointe subdivision, and renumber Article II, Sections 13 through 21, as Article II, Sections 14 through 22.

Pursuant to the aforesaid addition, Article II, Section 13, subparagraph F shall read as follows:

Firearms

- A. The discharge of firearms for purely recreational use or target practice is prohibited on any portion of the Community; however, NOTHING herein shall prohibit any of the following:
 - 1. Law enforcement officers from discharging their official duties within the community;
 - 2. An owner or occupant from displaying firearms or protecting persons or property from domestic or natural threats; or
 - 3. An owner or occupant from carrying or transporting firearms on or across common property

FIRST AMENDMENT TO THE BYLAWS
OF LONGLEAF POINTE HOMEOWNER'S ASSOCIATION, INC.

WHEREAS, the Bylaws referred to above are annexed to and made a part of the Declaration dated May 16, 2006, having been recorded in the Office of the Clerk of Superior Court of Lincoln County, Georgia in Deed Book 288, Pages 791-797, as amended from time to time (the "Bylaws"), contained under Section 10, and other portions of the Declaration, a provision allowing for the alteration to the Declaration;

WHEREAS, the Longleaf Pointe Homeowner's Association, Inc., (the "Association") pursuant to the Bylaws, reserved the right to alter the Bylaws and the Association desiring to do so, this Amendment is made and recorded pursuant to the Association's reservation of right.

NOW, THEREFORE, the Bylaws are amended as follows:

- I. Section 1, subparagraph A is amended to allow the Board of Directors to designate an office location, within the State of Georgia as allowed by the statute governing nonprofit corporations.

Pursuant to the aforesaid alternation, Section 1, subparagraph A shall now read as follows:

The office of the Association shall be at such place in the State of Georgia as allowed by the statute governing nonprofit corporations, and as designated by the Board of Directors.

- II. Section 2, subparagraph D is revised to allow for flexibility for an Annual Members' Meeting place, time, and date as determined and fixed by the Board of Directors.

Pursuant to the aforesaid alteration, Section 2, subparagraph D shall now read as follows:

Annual Members' Meetings, except as otherwise provided for in a Notice of Meeting, shall be conducted annually through the use of internet meeting services or in person, at a time and date as fixed by the Board of Directors for the purpose of electing directors and transacting any other business authorized to be transacted by the members.

- III. Sections 1.A., 2.D., 5.A., 5.B., 5.G., 5.H., 6.A., 6.E., 6.G., 8.B.(1), and 8.C. reference a "Manager" and are amended to delete or replace the term "Manager" with the term "Board", to allow for either self-management of the Association or employment of a manager, where appropriate.

Pursuant to the aforesaid alterations, the sections referenced above shall now read as follows:

- 1.A The office of the Association shall be at such place in the State of Georgia as allowed by the statute governing nonprofit corporations, and as designated by the Board of Directors.
- 2.D Annual Members' Meetings, except as otherwise provided for in a notice of meeting, meetings shall be conducted annually through the use of internet meeting services or in person, at a time and date as fixed by the Board of Directors for the purpose of electing directors and transacting any other business authorized to be transacted by the members.
- 5.A Employment of a manager, as necessary and/or appropriate
- 5.B Discharge of a manager, as necessary and/or appropriate
- 5.G Reception and consideration of monthly reports on the state of the common areas.
- 5.H Approval of the budget prepared by the Treasurer, or Manager as applicable.
- 6.A Manager. The Board of Directors may employ a person or professional corporation professionally competent in property management to serve as Manager of the Association, such employment to be authorized by vote of a majority of the whole Board. The Manager may be paid such compensation as determined by vote of a majority of the whole Board, and may hold tenure until discharged by a vote of a majority of the whole Board. The Manager shall not hold any other office in the Association.
- 6.E The Secretary shall keep the minutes of all proceedings of the directors and members, attend to or oversee the giving and serving of notices to members and directors, and other notices required by law. The Secretary shall keep the records of the Association, except those of the Manager (if applicable), and shall perform such other duties incident to the office of the Secretary as may be required by the Directors or the President.
- 6.G The Treasurer shall be appointed by the Board of Directors.
- 8.B.1 The Treasurer or Manager as applicable, shall prepare a budget for each calendar year which shall contain estimates of the cost of performing the functions of the Association, including, but not limited to the following items:

- 8.C The depository of the Association may be such bank or banks, doing business in the State of Georgia, as shall be designated from time to time by the Directors and in which the monies of the Association shall be deposited. Withdrawals of monies from such accounts shall be approved by a majority of the Directors.
- IV. Section 8, subparagraph D is revised to allow for flexibility on the requirement for an annual audit and instead requires an annual Limited Compilation Report to be prepared by an independent CPA, with the provision for a forensic style audit to be completed when approved by a majority of members of the Association entitled to vote.

Pursuant to the aforesaid alteration, Section 8, subparagraph D shall now read as follows:

A Limited Compilation Report of the accounts of the Association shall be made annually by an independent Certified Public Accountant (CPA), and a copy of the report shall be furnished to each member not later than April 1 of the year following the year for which the report is made. An audit of the accounts of the Association may be performed when deemed warranted by the Members at a Regular or Special Meeting where such "audit" will be approved or disapproved and the funding for such "audit" will be approved or disapproved accordingly. The term "audit" refers to a forensic style audit performed by an independent CPA.

- V. Section 9, is revised to "allow" rather than "require" the use of parliamentary rules, such as Roberts Rules of Order (latest edition) to govern the conduct of Association proceeding when the majority of the Board of Directors determine the cost and/or use of a Parliamentarian is justified for a given meeting.

Pursuant to the aforesaid alteration, Section 9, shall now read as follows:

Parliamentary rules. Roberts Rules of Order (latest edition) may govern the conduct of Association proceedings, when a majority of the Board of Directors determine such cost and/or use of a Parliamentarian is warranted.

Other than the herein stated amendments, the Declaration and Bylaws remain unchanged and all terms of the original Declaration and Bylaws are restated.

IN WITNESS WHEREOF, the undersigned has hereunto set its name, affixed its seal and delivered these presents, acting by and through its duly authorized officers on this the 20th day of December, 2021.

Longleaf Pointe Homeowner's Association, Inc.

By: Christian W. Solum
Christian W. Solum
Director / Vice-president / Secretary

Signed in the presence of:



Witness

Jessica Ferguson

Notary Public

Christina M. Proctor
December 20, 2021

