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CLERK SUPERIOR COURT  
GWINNETT COUNTY, GA.

2008 APR 16 AM 8:00

TOM LAWLER, CLERK

After Recording Return To:  
The Lueder Law Firm, LLC  
2050 Marconi Drive, Suite 300  
Alpharetta, Georgia 30005  
Attn: BRH

Cross Reference:  
Deed Book 12627, Page 132

STATE OF GEORGIA

COUNTY OF GWINNETT

AMENDMENT TO BYLAWS OF MAGNOLIA PLACE  
HOMEOWNERS ASSOCIATION, INC.

This Amendment to the Bylaws of Magnolia Place Homeowners Association, Inc. (hereafter referred to as "Amendment") is made on the date set below.

WITNESSETH:

WHEREAS, Jack Brunson (hereafter referred to as "Declarant"), recorded that certain Declaration of Declaration of Covenants, Restrictions, and Easements for Magnolia Place on April 30, 1996, in Deed Book 12627, Page 132 of the Gwinnett County, Georgia land records (hereafter referred to as "Declaration");

WHEREAS, Magnolia Place Homeowners Association, Inc. (hereafter referred to as "Association") is the homeowners association referred to and identified in the Declaration;

WHEREAS, the Bylaws of Magnolia Place Homeowners Association, Inc. (hereafter referred to as "Bylaws") are the bylaws of the Association and are attached to the Declaration as Exhibit "A;"

WHEREAS, pursuant to Article VII, Section 5 of the Bylaws, the Bylaws may be altered, amended, or repealed by the Board of Directors;

WHEREAS, at least a majority of the members of the Board of Directors have approved this Amendment at a duly called meeting of the Board of Directors; and

NOW, THEREFORE, the Bylaws are hereby amended as follows:

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1.

**Article II, Section 6 of the Bylaws is amended by striking the first sentence thereof in its entirety and substituting the following therefor:**

Section 6. Quorum. The holders of more than ten percent (10%) of the interests entitled to vote, present in person or by proxy, shall constitute a quorum at all meetings of members for the transaction of business except as otherwise provided by law.

2.

**Article III, Section 1 of the Bylaws is amended by striking the same in its entirety and substituting the following therefor:**

Section 1. Number; Election: The affairs of the Association shall be governed by a Board of Directors. The Board shall be composed of five (5) persons. The directors shall be Owners of Lots or spouses of such Owners; provided, however, no Owner and his or her spouse may serve on the Board at the same time, and no co-owners may serve on the Board at the same time.

Those directors serving on the date these Bylaws are recorded in the Gwinnett County, Georgia land records shall remain in office until the terms for which they were elected expire. Successor directors shall be elected by the vote of those members present in person or proxy at the annual meeting of the membership of the Association, a quorum being present. At the first election of directors of the Association at the annual meeting following the date these Bylaws are recorded in the Gwinnett County, Georgia land records, two (2) directors shall be elected for one (1) year, and three (3) directors shall be elected for two (2) years. At the expiration of the term of each such director, and at each annual meeting thereafter, a successor shall be elected to serve for a term of two (2) years. The expressed purpose of this Section is to provide for staggered terms of directors. Directors shall remain on the Board until their respective successors are elected.

[SIGNATURES BEGIN ON FOLLOWING PAGE]



IN WITNESS WHEREOF, the undersigned hereby certify that this Amendment was properly approved.

Dated this 2<sup>nd</sup> day of April, 2008.

MAGNOLIA PLACE HOMEOWNERS ASSOCIATION, INC.

Jorge W. Martinez  
Signature of President  
Print Name: Jorge W. Martinez

Sworn to and subscribed before me this 2<sup>nd</sup> day of April, 2008.

Witness: John E. Amis  
Glenda S. Vannerson  
Notary Public

Glenda S. Vannerson  
Notary Public, Gwinnett County, Georgia  
My Commission Expires February 7, 2011

Jan H. Hargrove  
Signature of Secretary  
Print Name: Jan H. Hargrove

Sworn to and subscribed before me this 2<sup>nd</sup> day of April, 2008.

Witness: John E. Amis  
Glenda S. Vannerson  
Notary Public

