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3500 Lenox Road, 4th Floor
Atlanta, Georgia 30326
Attn: Jay Lazega

GEORGIA/GWINNETT

Cross Reference: Deed Book 15582
Page 146

**AMENDMENT TO THE AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR WELLINGTON LAKE**

WHEREAS, the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Wellington Lake ("Declaration") was recorded on March 6, 1998, in Deed Book 15582, Page 146, *et seq.*, Gwinnett County, Georgia records, as amended; and

WHEREAS, Paragraph 19 of the Declaration provides that the Declaration may be amended by the affirmative vote, written consent, or any combination of affirmative vote and written consent of the members of the Wellington Lake Homeowners Association, Inc. ("Association") holding sixty-six and two-thirds percent (66 2/3%) of the total eligible vote thereof; and

WHEREAS, members of the Association holding at least sixty-six and two-thirds percent (66 2/3%) of the total eligible vote of the Association desire to amend the Declaration and have approved this Amendment; and

WHEREAS, this Amendment is not made without the required approval of any Eligible Mortgage Holder, as defined in the Declaration; provided, however, if a court of competent jurisdiction determines that this Amendment is made without any required approval of an Eligible Mortgage Holder, then this Amendment shall not be binding on the Eligible Mortgage Holder so involved, unless it consents hereto; and if such consent is not forthcoming, then the provisions of the Declaration in effect prior to this shall control with respect to the affected Eligible Mortgage Holder;

NOW, THEREFORE, the Declaration is hereby amended as follows:

1.

Paragraph 7(f) of the Declaration is hereby by deleting "\$1,500.00" therefrom and substituting "\$2,000.00" therefor.

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IN WITNESS WHEREOF, the undersigned officers of the Wellington Lake Homeowners Association, Inc., hereby certify that the above amendment to the Declaration was duly adopted by the required majority of the Association membership, with any required notices properly given.

This 16 day of November, 2006.

Sworn to and subscribed to before me this 16 day of November, 2006.

WELLINGTON LAKE HOMEOWNERS ASSOCIATION, INC.

By: S. Berny White (Seal)
President

Attest: [Signature] (Seal)
Secretary

[Corporate Seal]

[Signature]
Witness
[Signature]
Notary Public
[Notary Seal]
ANTHONY TODD WARD
Notary Public, Fulton County, Georgia
My Commission Expires February 8, 2010