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Patty Baker, Clerk of Superior Court Cherokee Cty, GA

Record and Return to:
Constance Haywood, Esq.
DLA Piper LLP (US)
1201 West Peachtree Street
Suite 2800
Atlanta, Georgia 30309

Cross-Reference to:
Deed Book 3628, Page 165,
Deed Book 4012, Page 215,
Deed Book 4604, Page 167,
Deed Book 5121, Page 122,
Deed Book 5611, Page 230
Deed Book 12841, Page 181,
Deed Book 13372, Page 497
Cherokee County, Georgia records

STATE OF GEORGIA

COUNTY OF CHEROKEE

FIFTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR HAWKS RIDGE

This FIFTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR HAWKS RIDGE is made this 12 day of October, 2017, by GREY HAWK RIDGE DEVELOPMENT CO., LLC, a Delaware limited liability company, d/b/a HAWKS RIDGE DEVELOPMENT COMPANY (hereinafter referred to as "**Declarant**").

W I T N E S S E T H:

WHEREAS, Declarant prepared and filed of record that certain Declaration of Covenants, Conditions, and Restrictions for Hawks Ridge in Deed Book 3628, Page 165, as supplemented in Deed Book 4012, Page 215, and further supplemented in Deed Book 4604, Page 167, as amended in Deed Book 5121, Page 122, as further amended in Deed Book 5611, Page 230, as further amended in Deed Book 12841, Page 181, and as further amended in Deed Book 13372, Page 497 in the Office of the Clerk of Superior Court of Cherokee County, Georgia (as amended and supplemented, herein referred to as the "**Declaration**");

WHEREAS, pursuant to Article 15, Section 15.2(a) of the Declaration, the Declarant may unilaterally amend the Declaration, at any time and from time to time, for any purpose until the termination of the Class "B" membership;

WHEREAS, the Class "B" membership is still in existence as of the date of this Amendment; and

WHEREAS, Declarant deems it appropriate to amend the Declaration for the purposes set forth herein;

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby amends the Declaration as follows:

**ARTICLE I
DEFINITIONS**

The definitions set forth in Article 1 of the Declaration are incorporated herein by reference.

**ARTICLE II
INITIATION FEE**

Article 8, Section 8.12 of the Declaration is hereby deleted and replaced with the following section:

8.12 Initiation Fee. Upon the transfer of record title to a Unit to any Owner (other than Declarant), an initiation fee shall be paid by or on behalf of the purchaser or transferee to the Association in the amount of Four Hundred and NO/100 (\$400.00) Dollars (the "Initiation Fee"). The Board shall have the sole discretion to increase the amount of the Initiation Fee from time to time to any amount not to exceed one-half (1/2) of the annual General Assessment for such year. Initiation Fees shall be in addition to, not in lieu of, the annual General Assessment and shall not be considered an advance payment of such assessment. This amount shall be collected and disbursed to the Association at closing of the purchase and sale of the Unit to the Owner. The Initiation Fee shall be used by the Association in covering operating expenses and other expenses incurred by the Association pursuant to the Governing Documents.

**ARTICLE III
DECLARATION**

Except as specifically amended hereby, the Declaration and all terms thereof shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Declarant has caused this instrument to be executed on the day and year first written above.

Signed, sealed and delivered in the presence of:

Shawn Howard

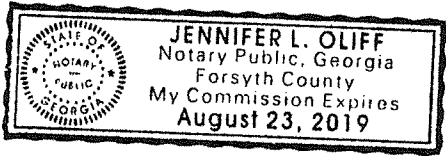
Witness

Jennifer L. Oliff
Notary Public

My Commission Expires:

8/23/2019

[Notary Stamp]



DECLARANT:

Grey Hawk Ridge Development Co., LLC, a Delaware limited liability company, d/b/a Hawks Ridge Development Company

By: [Signature] (SEAL)
Name: _____
Title: President