

## Summary of Amended and Restated Declaration for West Point SSI<sup>1</sup>

Article / Section	Description of Topic	Change from Original West Point Declaration <i>(If blank, no change)</i>	Notes for reader
<b>Recitals</b>	<p>The Recitals explain that:</p> <ul style="list-style-type: none"> <li>- The Amended and Restated Declaration supersedes and replaces the Original Declaration<sup>2</sup> and all amendments</li> <li>- The Georgia Property Owners Act applies to West Point SSI</li> <li>- 2/3 of the Owners have approved the Amended and Restated Declaration</li> </ul>	<p>If adopted, there will be one document to consult instead of the Original Declaration and its six amendments.</p> <p>The Developer is providing Owners the opportunity to vote to amend even though Developer believes it has the authority to amend without submitting to an Owner vote.</p>	
<b>Article I. Definitions</b>	<p>Definitions have been revised and additional definitions provided. When a word is capitalized, look to the Definitions for its meaning unless defined in another place.</p>		
<b>Article II. The Georgia POA Act</b>	<p>Article II has provisions of the Act typed out in full and almost verbatim so there is no need to look up the Act when reviewing the Amended and Restated Declaration in your review now and when and if the Amended Restated Declaration is approved.</p>	<p>This will be helpful in governing West Point SSI by not requiring the consult of an attorney about the Act.</p>	
2.5	<p>As to the right to amend the Amended and Restated Declaration, this provision clearly gives the owners a right to vote on</p>	<p>Currently, the Developer is arguably allowed to amend without Owner vote. This will change if the Amended and</p>	

<sup>1</sup> This Summary is only intended to highlight some of the important changes and is not meant to grasp all changes to the original West Point SSI Declaration. The draft Amended and Restated Declaration and redline provided together represent all changes from the original West Point Declaration

<sup>2</sup> Any capitalized terms are from the draft Amended and Restated Declaration.

	future amendments to the Declaration.	Restated Declaration is adopted, and all future amendments will require a vote of 2/3 of the Owners.	
<b>Article III Amended and Restated Parts of Original Declaration</b>	Note that all amendments #1-6 have been included in this Amended and Restated Declaration, sometimes with improved language.  PLEASE SEE REDLINE TO COMPARE WHAT HAS CHANGED.	For example, in the 2 <sup>nd</sup> Amendment to the Original Declaration, Paragraph 22 as to Satellite Dishes was revised. The revised language is the language used in Section 3.5.R. of the Amended and Restated Declaration but with additional detail about what must be submitted to the Architectural Control Committee for approval.	
3.8	Developer shall continue to pay the same assessments as other Owners for the Lots it owns.		
3.10	Developer shall continue to have special voting rights but when it sells all of its Lots, it will relinquish control of the Association to the Owners. This is typical in developments that the Developer turns over control at the completion of the development.		
<b>Article IV Additional and Newly Adopted Provisions</b>	These are provisions that have not been seen before in West Point SSI covenants but have been suggested by the Developer's attorney.		
<b>Exhibit C Design Guidelines</b>	The Design Guidelines have now been incorporated in as Exhibit C. They cannot be changed in the future without a vote of the Owners, as stated in Section 4.1.	Exhibit C – This is the document that most owners care about as it governs the look of the neighborhood and what might be approved when it comes to new and	

		<p>additional construction and landscaping.</p> <p>Homes must be at least 2,500 heated square feet.</p> <p>For the most part – the same guidelines are in place with clean-ups to language and references to defined terms. SEE the REDLINE if you are interested in what changed from the original guidelines.</p>	
<b>Exhibit D Rules</b>	The Rules may be incorporated into the Declaration as Exhibit D.	The Board still has the authority to adopt and amend Rules in the best interest of the Association so we are determining whether to include the Rules so that they can be amended as necessary without amendment to the Declaration.	