

WILDWOOD AT MEADOW GATE ASSOCIATION, INC.

Dear Owner:

The Board of Directors has approved an amendment to the Declaration of Protective Covenants for Wildwood at Meadow Gate ("Declaration") and the Bylaws of the Wildwood at Meadow Gate Homeowners Association, Inc. for the purposes of updating the governing documents of Wildwood at Meadow Gate to submit the Association to the provisions of the Georgia Property Owners Association Act. A copy of the adopted amendments is enclosed herein for your review.

Georgia Property Owners Association Act

The amendments to the Declaration and By-Laws contain a few new provisions that will submit the property in the subdivision to the provisions of the Georgia Property Owners' Association Act ("POA"). The POA is a Georgia law, adopted by the Georgia legislature in 1994 that provides many benefits and protections to homeowner's associations. The POA affords greater legal benefits to homeowner's associations, which, prior to the passage of the POA, were only available to condominium associations. In order to be subject to and to enjoy the benefits of the POA, reference to the Act must be specifically incorporated into the Declaration.

The benefits of the POA include, but are not limited to the following:

- The ability to collect delinquent assessments and other charges using a predetermined set of procedures and support the Association's ability to collect a late fee of the greater of \$10.00 or ten percent (10%) of the amount due, interest at a rate of 10% per annum on unpaid assessments and charges, and the Association's costs of collection of the delinquent assessments, including reasonable attorney's fees actually incurred.
- A statutory lien on the property if someone is past due with a payment. The Association will no longer have to file written liens against the homes of delinquent owners. At closings, the burden for determining if there is a delinquency now shifts to the closing attorney. This automatic lien provision essentially safeguards the Association from losing money from delinquent owners.
- By adopting the POA, the covenants and restrictions contained within the Declaration will run in perpetuity. In other words, the Association will not need to worry about the possibility of the covenants for the community expiring.
- Submission of the Association to the POA also clarifies that all owners and tenants must comply with all lawful provisions of the Declaration and the Association's rules and regulations. Moreover, the POA gives the Association a statutory power to assess fines against Owners/Occupants who are in violation of the governing documents of the subdivision and to suspend the common area use

rights of violators. Fines will also constitute a lien against the violator's Lot. I believe these provisions greatly strengthen the Association's powers to enforce the covenants and the rules and regulations.

Article XII, Section 4 of the Declaration provides that the Declaration may be amended by the Board of Directors without the consent of the members for the purpose of submitting the community to the provisions of the POA and conforming the Declaration to any mandatory provisions thereof. For the reasons listed above, the Board has determined it to be in the best interest of the community to amend the Declaration to submit to the POA. Enclosed herein, please find the executed Resolution of the Board of Directors agreeing to this amendment.

In addition, Article VI, Section 4 of the Bylaws provides that the Board may amend the Bylaws if such amendment is necessary to bring any provision of the Bylaws into compliance with any applicable statute. Once the Board resolved to amend the Declaration to submit to the POA, it also became necessary to change the meeting notice provisions of the Bylaws to comply with the POA. Accordingly, the enclosed resolution also reflects this decision by the Board. The Amendments are being sent to the County to be recorded. Once recorded, the Amendments will be effective and enforceable. You will be notified of the recording date and information.

Should you have any questions concerning these documents, please feel free to contact one of the Board members.

Sincerely,

Wildwood at Meadow Gate Homeowners Association, Inc.
Board of Directors

Enclosures

RESOLUTION

**BOARD OF DIRECTORS
WILDWOOD AT MEADOW GATE HOMEOWNERS ASSOCIATION, INC.**

WHEREAS, Article XII, Section 4 of the Declaration of Protective Covenants for Wildwood at Meadow Gate (“Declaration”) provides that the Declaration may be amended by the Board of Directors without the consent of the Members for the purpose of submitting the Community to the Georgia Property Owner’s Association Act, O.C.G.A. § 44-3-220 et. seq. (1994) and conforming the Declaration to any mandatory provisions thereof; and

WHEREAS, Article VI, Section 4 of the Bylaws of Wildwood at Meadow Gate Homeowners Association, Inc. (“Bylaws”) provides that the Board may amend the Bylaws if such amendment is necessary to bring any provision of the Bylaws into compliance with any applicable governmental statute; and

WHEREAS, the Board of Directors has determined it to be in the best interests of the Association to submit to the Georgia Property Owners’ Association Act (POA); and


WHEREAS, by submitting to the POA, it will also be necessary to amend the Bylaws to comply with the provision thereof.

NOW, THEREFORE the Board of Directors hereby agree to amend the Declaration and the By-Laws to conform with the provisions of the POA.

SO RESOLVED, this 12th day of March, 2007.



Director



Director



Director



Director



Director