

After recording, please return to:  
Benjamin Ost  
Dorough & Dorough, LLC  
Attorneys at Law  
160 Clairemont Avenue  
Suite 650  
Decatur, Georgia 30030  
(404) 687-9977

Cross Reference: Deed Book: 14807  
Page: 3129

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**AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS  
AND EASEMENTS FOR BAYSWATER (UNIT 1 AND UNIT II)**

**THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR BAYSWATER (UNIT 1 AND UNIT II)** (hereinafter referred to as "Amendment") is made this 5 day of November 2021 by **BAYSWATER HOMEOWNERS ASSOCIATION, INC.**, a Georgia nonprofit corporation (hereinafter referred to as the "Association").

**WITNESSETH:**

**WHEREAS**, Bayswater Homeowners Association, Inc., a Georgia nonprofit corporation, executed that certain Declaration of Covenants, Conditions, Restrictions and Easements for Bayswater (Unit I and Unit II), which was recorded on October 25, 2010 in Deed Book 14807, Page 3129, *et seq.* in the Cobb County, Georgia records (as amended and/or supplemented from time to time, hereinafter collectively referred to as the "Declaration"); and

**WHEREAS**, the Association is a nonprofit corporation organized under the Georgia Nonprofit Corporation Code to be the Association named in the Declaration to have the power and authority set forth therein; and

**WHEREAS**, pursuant to Article X, Section 7 of the Declaration, the Declaration may be amended by an agreement signed by at least 75% of the Owners of Lots; and

**WHEREAS**, Owners of at least 75% of the Lots have agreed to amend the Declaration as provided herein; and

**WHEREAS**, attached as Exhibit "A" hereto and by this reference incorporated herein is the sworn statement of the Secretary of the Association which sworn statement states unequivocally that: (a) Owners of at 75% of the Lots agreed to amend the Declaration as provided herein; (b) the agreement of Owners of at 75% of the Lots was lawfully obtained; and (c) that any notices required under the Declaration, Bylaws and the Act were given;

**NOW THEREFORE**, the Association hereby adopts this Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for Bayswater (Unit I and Unit II), hereby declaring that all of the property now or hereafter subject to the Declaration shall be held, conveyed, encumbered, used, occupied and improved subject to the Declaration, amended as follows:

1.

The Declaration is hereby amended by adding a new Section 21 to the end of Article VIII to read as follows:

Section 21. Transient Rentals. Notwithstanding anything herein to the contrary, under no circumstances shall a Lot be leased, rented or used for short-term transient or hotel purposes or rented through short-term internet rental services, including, without limitation, VRBO, Airbnb, HomeAway, or such other similar rental services.

2.

Unless otherwise defined herein, the capitalized words used in this Amendment shall have the same meaning as set forth in the Declaration.

3.

This Amendment shall be effective only upon being recorded in the records of the Clerk of Superior Court of Cobb County, Georgia and shall be enforceable against the current Owner of any Lot subject to the Declaration.

4.

Except as herein modified, the Declaration shall remain in full force and effect.

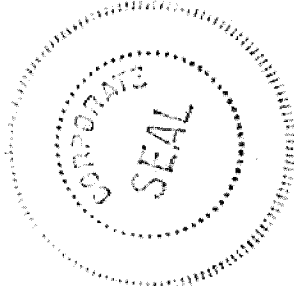
**IN WITNESS WHEREOF**, the Association has caused this Amendment to be executed under seal the day and year first above written.

**ASSOCIATION:** **BAYSWATER HOMEOWNERS ASSOCIATION, INC.**, a Georgia nonprofit corporation

By: *Janet McCurrie*  
Print Name: Janet McCurrie  
President

By: *Emily P. Jordan*  
Print Name: Emily P. Jordan  
Secretary

[CORPORATE SEAL]



Signed, sealed and delivered in the presence of:

*Deal Hill*  
Witness

*Jennifer Rowland*  
Notary Public

My Commission Expires: June 24, 2023

[AFFIDAVITARY SEAL]



EXHIBIT "A"

Sworn Statement of Secretary of  
Bayswater Homeowners Association, Inc.

STATE OF GEORGIA

COUNTY OF COBB

Re: Bayswater Homeowners Association, Inc.

Personally appeared before me, the undersigned deponent who, being duly sworn, deposed and said on oath that:

- 1. Deponent is the Secretary of Bayswater Homeowners Association, Inc.
- 2. Deponent is duly qualified and authorized to make this Affidavit and knows the facts contained herein are of his/her own personal knowledge.
- 3. The foregoing Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for Bayswater (Unit I and Unit II) was approved by Owners of at 75% of the Lots.
- 4. The consent of Owners of at least 75% of the Lots was lawfully obtained.
- 5. Any notices required by the Declaration, Bylaws, Articles of Incorporation and Georgia law were properly given.
- 6. Deponent makes this Affidavit pursuant to Official Code of Georgia Annotated Section 44-3-226.

This the 5 day of November, 2021.

By: Emily P. Jordan  
Print Name: Emily P. Jordan

Sworn to and subscribed before me  
this 5 day of NOV, 2021.

Jennifer Rowland  
Notary Public  
My Commission Expires: June 24, 2023

