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[SPACE ABOVE RESERVED FOR RECORDING DATA]

After Recording, Please Return To:  
NowackHoward, LLC.  
One Alliance Center, Suite 1650  
3500 Lenox Road  
Atlanta, Georgia 30326  
Attn: Rebecca F. Drube

STATE OF GEORGIA

CROSS REFERENCE: Deed Book 31494  
Page 480

COUNTY OF FULTON

**AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR  
THE MANOR HOUSE AT 50 BISCAYNE, A CONDOMINIUM**

**WHEREAS**, the Declaration of Condominium for The Manor House at 50 Biscayne, a Condominium was recorded on December 18, 2001, in Deed Book 31494, Page 480, et seq., Fulton County, Georgia Records and has been amended ("Declaration"); and

**WHEREAS**, pursuant to Section 22 of the Declaration, 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 Association holding two-thirds (2/3) of the total Association vote; and

**WHEREAS**, pursuant to Section 22 of the Declaration, "material amendments" must be approved by Eligible Mortgage Holders who represent at least fifty-one percent (51%) of the votes of Units that are subject to Mortgages held by Eligible Mortgage Holders; and

**WHEREAS**, there are no Eligible Mortgage Holders whose approval of this Amendment is required;  
and

**WHEREAS**, the following Amendment has been approved by the required majority of the Members of the Association as evidenced by the Certification of Approval attached hereto as Exhibit "A";

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

1.

Paragraph 10, sub-Paragraph (e) of the Declaration "**Special Assessments**" is hereby amended by deleting that sub-Paragraph in its entirety and replacing it with the following new sub-Paragraph (e), also entitled "**Special Assessments**":

(e) Special Assessments. In addition to the annual assessment provided for in subparagraph

(b) above, the Board may, at any time, and in addition to any other rights it may have, levy a special assessment against all Owners, notice of which shall be sent to all Owners. Any special assessment (except as provided in Paragraph 8(b) regarding the power to assess specially pursuant to Section 44-3-80(b) of the Act and Paragraph 12(b) herein, regarding repair or reconstruction of casualty damage to or destruction of all or part of the Condominium) which would cause the average total of special assessments levied in one fiscal year to exceed two hundred dollars (\$200.00) per Unit, shall be approved by a majority of the total Association vote prior to becoming effective.

The Board of Directors shall establish the date(s) payment of any Special Assessment is due. In the Board's discretion, Special Assessments may be paid in installments due and payable over multiple years.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Association hereby executes this Amendment under seal on the date and year above first written.

This 11<sup>th</sup> day of May, 2022

**THE MANOR HOUSE AT 50 BISCAYNE CONDOMINIUM ASSOCIATION, INC.**

By: \_\_\_\_\_  
President - John DiGiovanni

Attest: Martyn Selles  
Secretary - Martyn Selles

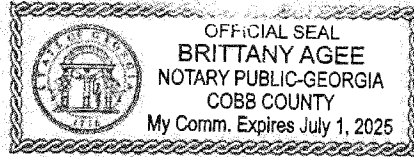
[CORPORATE SEAL]

Signed, sealed, and delivered this  
11 day of May, 2022  
in the presence of :

[Signature]  
WITNESS

[Signature]  
NOTARY PUBLIC

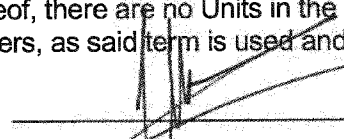
[NOTARY SEAL]

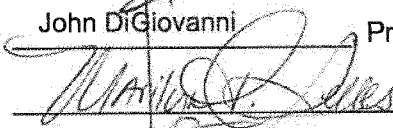


**EXHIBIT "A"**

**CERTIFICATION OF APPROVAL**

The undersigned officers of The Manor House at 50 Biscayne Condominium Association, Inc. hereby swear under oath that the above Amendment to the Declaration was approved by at least two-thirds (2/3) of the total Association vote and that any notices required under the Georgia Condominium Act were properly given. As of the date hereof, there are no Units in the Condominium that are subject to Mortgages held by Eligible Mortgage Holders, as said term is used and defined in the Declaration.

  
\_\_\_\_\_  
John DiGiovanni, President

  
\_\_\_\_\_  
Marilyn Selles, Secretary

Sworn to and subscribed before me this  
11 day of May, 2022

  
\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

[NOTARY SEAL]

