

**FIRST AMENDMENT TO THE BYLAWS OF THE
FALLS OF CHEROKEE HOMEOWNERS' ASSOCIATION, INC.**

This First Amendment to the Bylaws of The Falls of Cherokee Homeowners' Association, Inc. is made on the 18 day of November, 2014 by the Board of Directors of The Falls of Cherokee Homeowners' Association, Inc. ("Association") in accordance with the terms of said Bylaws.

WITNESSETH:

WHEREAS, the Association is the nonprofit entity designated in the Declaration of Covenants, Conditions and Restrictions for The Falls of Cherokee Homeowners' Association, Inc. recorded in Deed Book 2255, Page 020, et. seq. of the Cherokee, Georgia records (hereinafter, together with all duly recorded amendments and supplements, the "Declaration"); and

WHEREAS, the Bylaws of The Falls of Cherokee Homeowners' Association, Inc. ("Bylaws") were previously adopted by the Association pursuant to authority granted to it in the Declaration and the Georgia Nonprofit Corporation Code; and

WHEREAS, pursuant to Section 10.2 of Article 10 of the Bylaws, the Bylaws may be amended by the unanimous approval of the members of the Board of Directors of the Association; and

WHEREAS, the following amendment has been approved by the unanimous vote of the members of the Board of Directors of the Association as evidenced by the Certification of Approval attached hereto as Exhibit "A" and made a part hereof by this reference;

NOW, THEREFORE, the Bylaws of the Association are amended as follows:

1. By adding an Article 13 at the end of the Bylaws, entitled "Fines and Fining Procedure" which shall read as follows:

Section 1. Fines. The Board of Directors shall have the power to impose reasonable fines for a violation by an Owner, or by such Owner's family member, guest, invitee or tenant, of any provision of the Declaration, the Bylaws or any rule and regulation duly adopted by the Board of Directors. In the event that an Owner, or such Owners family member, guests, invitee or tenant, violates the Declaration, the Bylaws or any rule and regulation of the Association, the Owner shall be notified in writing of the violation and the fine as set forth in Section 2 below. The failure of the Board of Directors to impose a fine for any violation of the Declaration, Bylaws or any rule and regulation of the Association shall not be deemed a waiver of the right of the Board to do so thereafter. Fines shall constitute a lien upon an Owner's Lot and which shall be collectible from the Owner as an assessment levied pursuant to the Declaration

Section 2. Fining Procedure. The Board of Directors shall not impose a fine against an Owner unless and until the Association has sent written notice of the violation to the Owner as hereinafter set forth. A fine may commence upon the sending of such notice or such later date as may be set forth in the notice notwithstanding the Owner's right to request a hearing before the Board to challenge the fine imposed. Upon a violation of the Declaration, Bylaws or any rule and

regulation of the Association by an Owner or such Owners, family members, guests, invitees or tenants, the Board of Directors shall send the Owner a written notice identifying the violation and the fine being imposed and advising the Owner of the right to request a hearing before the Board of Directors to contest the violation, the fine or both. In the event of a continuing violation, each day the violation continues or occurs against constitutes a separate offense, and fines may be imposed on a per diem basis without further notice to the Owner. If a written request for a hearing is received from the Owner within ten (10) days from the date of the violation notice, then the Board of Directors shall schedule and hold in executive session a hearing affording the Owner a reasonable opportunity to be heard. The Board of Directors may establish rules of conduct for the hearing which may include limits on the time and the number of participant who may be present. The minutes of the meeting shall contain a written statement of the results of the hearing.

2. Except as amended herein, the Bylaws of the Association shall remain in full force and effect.

IN WITNESS WHEREOF, the Association hereby executes this First Amendment to the Bylaws of the Association under seal as of the day first above written.

THE FALLS OF CHEROKEE HOMEOWNERS'
ASSOCIATION, INC.

By: Michael E. Howe
President

Attest: Olivia Kunderak
Secretary

Signed, sealed and delivered
in the presence of:

Donna D. Howe
Unofficial Witness

Barbara L. Kriner
Notary Public

My commission expires:
08-05-16
[Notary Seal]

Barbara L. Kriner
NOTARY PUBLIC
Cherokee County, GEORGIA
My Commission Expires
08/05/2016

EXHIBIT "A"
CERTIFICATION OF APPROVAL

The undersigned officers of The Falls of Cherokee Homeowners Association, Inc. hereby swear under oath that the above First Amendment to the Bylaws of the Association was approved by the unanimous consent of the members of the Board of Directors of the Association.

Sworn to and subscribed
before me this 18 day of Nov, 2014

Michael Howe

President

Barbara L. Kriner

Notary Public

Alicia Kennebell

Secretary

Barbara L Kriner
NOTARY PUBLIC
Cherokee County, GEORGIA
My Commission Expires 08.05.16
My Commission Expires 08.05.2016

[Notary Seal]