

**FIRST AMENDMENT TO THE BYLAWS OF
WESTWOOD TERRACE TOWNHOME ASSOCIATION, INC.**

THIS FIRST AMENDMENT TO THE BYLAWS OF WESTWOOD TERRACE TOWNHOME ASSOCIATION, INC. (hereinafter referred to as "First Amendment") is made this 4th day of September, 2009 by **WESTWOOD TERRACE TOWNHOME ASSOCIATION, INC.**, a Georgia nonprofit corporation (hereinafter referred to as "Association").

WITNESSETH

WHEREAS, Pulte Home Corporation, a Michigan corporation, as "Declarant", executed that certain Declaration of Covenants and Restrictions for Westwood Terrace, which was recorded August 24, 2004 at Deed Book 14031, Page 3148, *et seq.*, Cobb County, Georgia records; as re-recorded January 18, 2005 at Deed Book 14100, Page 588, *et seq.*, aforesaid records (hereinafter as supplemented and/or amended from time to time 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, the initial Board of Directors of the Association adopted the Bylaws of Westwood Terrace Townhome Association, Inc. ("Bylaws"); and

WHEREAS, pursuant to Article VII of the Bylaws, the Bylaws may be amended only in accordance with the following procedure: (i) the Board of Directors shall first adopt a resolution proposing the amendment and recommending its adoption by the members; (ii) the proposed amendment shall be presented to the members at the meeting thereof duly called and held for the purpose of considering such proposed amendment; and (iii) the proposed amendment is approved by at least two-thirds (2/3) of the votes cast at such meeting; and

WHEREAS, the Board of Directors adopted a resolution proposing the First Amendment and presented said First Amendment to the members at a meeting duly called for such purpose; and

WHEREAS, this First Amendment was approved by at least two-thirds (2/3) of the votes cast at such meeting; and

WHEREAS, attached hereto as Exhibit "A" and incorporated herein by reference is the sworn statement of the Secretary of the Association, which sworn statement states that the consent of the required number of members was lawfully obtained; and

WHEREAS, the Association and the members thereof desire to amend the Bylaws as set forth herein and intend for this First Amendment to be prospective only;

NOW THEREFORE, the Association and the members thereof hereby adopt this First Amendment to the Bylaws of Westwood Terrace Townhome Association, Inc., hereby declaring that all the property now or hereafter subject to the Bylaws shall be held, conveyed, encumbered, used, occupied and improved subject of the Bylaws, amended as follows:

1.

The Bylaws are hereby amended by adding to the end of Article VI a new Section 6.3, entitled "Electronic Records, Signatures and Documents", to read as follows:

Section 6.3. Electronic Records, Signatures and Documents. To the extent permitted by Georgia law, the Declaration and these Bylaws, the Association and its officers, directors and members, owners and occupants may perform any obligation or exercise any right by use of any technological means providing sufficient security, reliability, identification and verifiability, which technological means have been approved by the Board in its sole discretion. Acceptable technological means of creating an electronic transmission may include, without limitation, electronic communication over the internet, the community or other network, whether by direct connection, internet, telecopier or e-mail. An electronic transmission which is transmitted by a member that evidences a member's consent or approval on a ballot, requests or demands an action to be taken by the Association, or provides notice to the Association under these Bylaws or the Declaration shall be deemed to be written, signed, and dated for the purposes of these Bylaws and the Declaration, provided that any such electronic transmission sets forth or is delivered with information from which the Association can determine: (1) that the electronic transmission was transmitted by the member and (2) the date on which such member transmitted such electronic transmission. The date on which such electronic transmission is transmitted shall be deemed to be the date on which such consent, request, demand, or notice was signed. Except as may be otherwise provided in the Declaration or these Bylaws, records, signatures and notices which are accepted, created or given by the Board shall not be denied validity or effectiveness hereunder solely on the grounds that they are transmitted, stored, made or presented electronically.

(a) Use of Electronic Signatures. Whenever the Declaration or these Bylaws permit an action to be taken by electronic communication, the Board may accept an electronic signature as valid if:

(1) the signature is easily capable of verification, under the sole control of the signatory, and attached to the electronic document in such a way that the document cannot be modified without invalidating the signature; or

(2) the Board reasonably believes that the signatory affixed the signature with the intent to sign the electronic document, and that the electronic document has not been modified since the signature was affixed.

(b) Verification and Liability for Falsification. The Board may require reasonable verification of any electronic signature, document, record or instrument. Pending verification, the Board may refuse to accept any electronic signature, document, record or instrument which, in the sole discretion of the Board, is not clearly authentic. Neither the Board nor the Association shall be liable to any member or any other person for accepting or acting in reliance upon an electronic signature or electronic document which the Board reasonably believes to be authentic. Any member or person who negligently, recklessly or intentionally submits any falsified electronic document or unauthorized electronic signature shall fully indemnify the Association for actual damages and reasonable attorneys' fees and other expenses incurred as a result of such act(s).

(c) Non-technology Alternatives. If any owner, occupant or third party does not have the capability or desire to conduct business using electronic or other technological means, the Association shall make reasonable accommodation, at its expense, for such person to conduct business with the Association without use of such electronic or other means until such means has become generally (if not universally) accepted in similar projects in the area.

2.

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

3.

This First Amendment shall be effective only upon being recorded in the minutes of the Association and shall be enforceable against current owners of a Townhome subject to the Declaration.

4.

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

[SIGNATURES ON FOLLOWING PAGE]

EXHIBIT "A"

Sworn Statement of Secretary of
Westwood Terrace Townhome Association, Inc.

STATE OF GEORGIA

COUNTY OF COBB

Re: Westwood Terrace Townhome 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 Westwood Terrace Townhome Association, Inc.
2. Deponent is duly qualified and authorized to make this Affidavit and knows the facts contained herein are of his or her own personal knowledge.
3. The foregoing First Amendment to Bylaws of Westwood Terrace Townhome Association, Inc. was approved by two-thirds of the votes cast at a meeting duly called for the purpose of amending the Bylaws of Westwood Terrace Townhome Association, Inc.
4. Deponent makes this Affidavit pursuant to Official Code of Georgia Annotated Section 44-2-20.

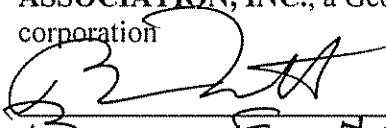
This the 4th day of September, 2009.

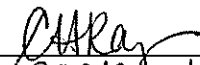
By:
Name:

CH Ray
Candace H. Ray

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

ASSOCIATION: **WESTWOOD TERRACE TOWNHOME
ASSOCIATION, INC.**, a Georgia nonprofit
corporation

By: 
Name: Bruce Fratto
President

Attest: 
Name: Candace H. Ray, Secretary
Secretary

[AFFIX CORPORATE SEAL]

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