

Participant ID: 0283063948

BK 11132 PG 218 - 222

Upon recording return to:
Coulter & Sierra, LLC
1770 Indian Trail Road, Suite 440
Norcross, Georgia 30093
2158.04

Cross Reference: Deed Book: 10805
Page: 1

**SUPPLEMENTARY DECLARATION OF CONDOMINIUM
FOR HIGH POINTE VIEW, A CONDOMINIUM**

(Annexation of Units 18 through 21, inclusive; Units 22 through 26, inclusive; and Units 37 through 40, inclusive)

THIS SUPPLEMENTARY DECLARATION OF CONDOMINIUM FOR HIGH POINTE VIEW, A CONDOMINIUM (herein called the "Supplementary Declaration") is made this 31st day of October, 2023, by High Point View, LLC, a Georgia limited liability company (hereinafter called the "Declarant"), for the purposes of submitting additional property to the Declaration of Condominium for High Point View, a Condominium and the Georgia Condominium Act, O.C.G.A. § 44-3-70, *et seq.* (herein called the "Act");

WITNESSETH

WHEREAS, Declarant submitted certain real property to the Act and to that certain Declaration of Condominium for High Point View, a Condominium, recorded August 17, 2022 at Deed Book 10805, Page 1, *et seq.*, in the Forsyth County, Georgia land records (hereafter as such document may have been supplemented and/or amended from time to time referred to as the "Declaration"); and

WHEREAS, Article 25 of the Declaration provides, in pertinent part, that Declarant reserves the right and option to expand the Condominium by adding to the Condominium and submitting to the Declaration all or a portion of the Additional Property for a period of seven (7) years from the date of the recording of the Declaration; and

WHEREAS, Declarant is the owner in fee simple of the portion of the Additional Property described on Exhibit "A", attached hereto and by this reference incorporated herein and such property is a portion of the Additional Property that may be subjected to the Declaration and the Act by the Declarant; and

WHEREAS, the Declarant desires to submit the Additional Property described on Exhibit "A" hereof to the Act and to the Declaration; and

WHEREAS, pursuant to O.C.G.A. §44-3-83 of the Act, plat for Units 18 through 21, inclusive; Units 22 through 26, inclusive; and Units 37 through 40, inclusive located on the Additional Property for High Point View, a Condominium, described herein were previously filed in Condominium Book CO8, Page 68 through 70, Forsyth County, Georgia land records; and

WHEREAS, pursuant to O.C.G.A. §44-3-83 of the Act, floor plans for Units 18, 19, 20, 21, 22, 23, 24, 25, and 26 located on the Additional Property for High Point View, a Condominium, described herein were previously filed in Condominium Plan Book CO8, Pages 192 through 200, aforesaid records,

and the Unit is certified by a registered Architect or Engineer as evidenced by the Certification of a Registered Architect or Engineer attached hereto as Exhibit "B" and by this reference incorporated herein;

WHEREAS, pursuant to O.C.G.A. §44-3-83 of the Act, floor plans for Units 37 and 40 (being the same as Unit 4) located on the Additional Property for High Pointe View, a Condominium, described herein were previously filed in Condominium Plan Book FP 5 Pages 554 through 579, aforesaid records, and the Units are certified by a registered Architect or Engineer as evidenced by the Certification of a Registered Architect or Engineer attached hereto as Exhibit "B" and by this reference incorporated herein;

WHEREAS, pursuant to O.C.G.A. §44-3-83 of the Act, floor plans for Unit 38 located on the Additional Property for High Pointe View, a Condominium, described herein were previously filed in Condominium Plan Book FP 5, Pages 508, aforesaid records, and the Units are certified by a registered Architect or Engineer as evidenced by the Certification of a Registered Architect or Engineer attached hereto as Exhibit "B" and by this reference incorporated herein;

WHEREAS, pursuant to O.C.G.A. §44-3-83 of the Act, floor plans for Unit 39 (which is the same floor plan as Unit 3) located on the Additional Property for High Pointe View, a Condominium, described herein were previously filed in Condominium Plan Book FP 5, Pages 554 through 579, aforesaid records, and the Units are certified by a registered Architect or Engineer as evidenced by the Certification of a Registered Architect or Engineer attached hereto as Exhibit "B" and by this reference incorporated herein;

NOW THEREFORE, High Point View, LLC, as Declarant, pursuant to the Declaration and to the Act, hereby submits the property described on Exhibit "A" attached hereto and by this reference incorporated herein, together with all of the improvements located thereon, to the provisions of the Act and to the provisions of the Declaration. From and after the date on which this Supplementary Declaration is recorded with the Clerk of the Superior Court of Forsyth County, Georgia, the property described on Exhibit "A" hereof, and all of the improvements located thereon, shall be owned, held, transferred, sold, conveyed, used, occupied, mortgaged or otherwise encumbered, subject to all of the terms, provisions and restrictions of the Declaration, as amended hereby, and of the Act.

1.

In connection with the expansion of the Condominium and as provided in the Declaration: (a) the undivided interest in the Common Elements allocated to each Unit shall be reallocated so that each Unit in the Condominium, including the Units submitted hereby, shall have an equal undivided interest in the Common Elements; (b) the vote allocated to each Unit shall be reallocated so that the Owner of each Unit in the Condominium, including the Units submitted hereby, shall, except as otherwise provided in the Declaration or the Act or any other recorded documents governing the Condominium, be entitled to cast one (1) vote on matters coming before the membership; and (c) the liability for Common Expenses allocated to each Unit shall be reallocated so that each Unit in the Condominium, including the Units submitted hereby, shall, except as otherwise provided in the Declaration, Bylaws, the Act be equally liable for the Common Expenses.

2.

In connection with the expansion of the Condominium, each Unit submitted to the Condominium hereby shall be assigned the Limited Common Elements appurtenant to a Unit as described in Article 6 of the Declaration.

3.

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

4.

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

IN WITNESS WHEREOF, Declarant has caused this Supplementary Declaration to be executed under seal the day and year first above written.

DECLARANT:

HIGH POINT VIEW, LLC. a Georgia
limited liability Company

By
Its

Manager

Signed, sealed, and delivered
In the presence of:

Vicki Holman
WITNESS

Cory Jean
NOTARY PUBLIC
My Commission Expires:

[NOTARY SEAL]

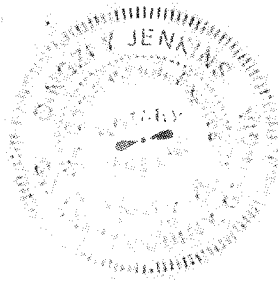


Exhibit "A"
Legal Description

All that tract or parcel of land lying and being in Land Lots 146, 147, 214 and 215, 2nd District, 1st Section, Forsyth County, Georgia and being more particularly described as follows: those parcels identified as Units 18 through 21, inclusive; Units 22 through 26, inclusive; and Units 37 through 40, inclusive, as more particularly described on that certain Condominium Plat, prepared by Robbie Henderson Surveying and Planning, containing the seal of Jessie E. Henderson, GRLS # 2985, as recorded on February 10, 2023, in Condominium Plat Book CO8, Page 190 of the real property records of the Clerk of the Superior Court of Forsyth County, Georgia, the specific metes and bounds being contained therein, expressly by this reference.

EXHIBIT "B"
Certification by Registered Architect or Engineer

The registered architect or engineer whose signature and seal appears below does hereby certify that he has visited the site known as High Pointe View, a Condominium and viewed the property and to the best of his knowledge, information, and belief: (i) the exterior walls and roof of each structure are in place as shown on the Plans; and (ii) such walls, partitions, floors and ceilings, to the extent shown on said Plans, as constitute the horizontal boundaries, if any, and the vertical boundaries of each unit, including convertible space, have been sufficiently constructed so as to establish clearly the physical boundaries of such unit. For purposes hereof, the term "Plans" shall mean those certain Condominium Floor Plans for High Pointe View -Units 18, 19, 20, 21, 22, 23, 24, 25, and 26 located on the Additional Property for High Pointe View, a Condominium, described herein were previously filed in Condominium Plan Book CO8, Pages 192 through 200, aforesaid records; Units 37 and 40 (being the same as Unit 4) located on the Additional Property for High Pointe View, a Condominium, described herein were previously filed in Condominium Plan Book FP 5 Pages 554 through 579, aforesaid records; Units 38 located on the Additional Property for High Pointe View, a Condominium, described herein were previously filed in Condominium Plan Book FP 5, Pages 508, aforesaid records; and Unit 39 (which is the same floor plan as Unit 3) located on the Additional Property for High Pointe View, a Condominium, described herein were previously filed in Condominium Plan Book FP 5, Pages 554 through 579, aforesaid records.

By: 
Hadi Mansouri

[AFFIX SEAL]

