

ACTION BY UNANIMOUS CONSENT OF THE
MEMBERS OF THE BOARD OF DIRECTORS
OF THE ESTATES AT HAMILTON TOWNSHIP HOA, INC.,
APPROVING CERTAIN ACTIONS AND RESOLUTIONS IN LIEU OF MEETINGS

THE UNDERSIGNED, being all the Members of the Board of Directors of THE ESTATES AT HAMILTON TOWNSHIP HOA, INC., a Georgia non-profit corporation (hereinafter referred to as the "Corporation"), by written consent, do hereby waive notice and adopt the following actions and resolutions as of the 11th day of August, 2008.

RESOLVED, that the Recreation Use and Maintenance Agreement Between The Estates of Hamilton Township HOA, Inc. and Hamilton Township Homeowners Association, Inc., a copy of which is attached hereto and incorporated herein by this reference, is hereby approved.

IN WITNESS WHEREOF, the undersigned Members of the Board of Directors have hereunto set their hands and seals as of the day and year first above written.

BOARD OF DIRECTORS

THE ESTATES AT HAMILTON
TOWNSHIP HOA, INC.


WILLIAM B. DAVID, JR.


WILLIAM BRIAN BLACK

RECREATION USE AND MAINTENANCE AGREEMENT

THIS AGREEMENT is made and entered into this ___ day of _____, 2008, by and between HAMILTON TOWNSHIP HOMEOWNERS ASSOCIATION, INC., a Georgia Non-Profit Corporation, and THE ESTATES AT HAMILTON TOWNSHIP HOA, INC., a Georgia Non-Profit Corporation.

WITNESSETH:

WHEREAS, that certain Declaration of Covenants, Conditions and Restrictions for The Estates at Hamilton Township was recorded in Deed Book 14374, Page 2588, Records of Cobb County, Georgia (said Declaration as it may be amended being hereinafter referred to as the "Declaration");

WHEREAS, Article XII, Section 10 of the Declaration specifically gives The Estates at Hamilton Township HOA, Inc. the right to negotiate and enter into an Agreement with an adjacent subdivision, including but not limited to Hamilton Township, for the use of said subdivision's amenities package/recreation area;

WHEREAS, The Estates at Hamilton Township Subdivision (Cobb County) is located adjacent to Hamilton Township Subdivision (Cobb County), said subdivision property being more particularly described on Exhibit "A" attached hereto and made a part hereof by reference (hereinafter "Hamilton Township Subdivision"); and

WHEREAS, Hamilton Township Homeowners Association, Inc. and The Estates at Hamilton Township HOA, Inc. deem it in the best interests of all owners of Lots in both subdivisions to enter into this Recreation Use and Maintenance Agreement for the use of the amenities package and the recreation area in Hamilton Township Subdivision by the owners of lots in The Estates at Hamilton Township ("Owners") and the maintenance of all common areas located outside of the Lots in The Estates of Hamilton Township (the "Common Areas").

FOR AND IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00), the mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, agree as follows:

1.

The Board of Directors of Hamilton Township Homeowners Association, Inc. have resolved and agreed that it is in the best interest of Hamilton Township Homeowners Association, Inc. and the owners of lots in Hamilton Township Subdivision to grant Owners the right to use any and all amenity areas and recreational facilities located in Hamilton Township Subdivision (the "Facilities") and do hereby grant such rights to The Estates at Hamilton Township HOA, Inc. and Owners. The Board of Directors of Hamilton Township Homeowners Association, Inc. and the Board of Directors of the Estates at Hamilton Township HOA, Inc. have agreed that it is in the best interests of both Associations and the owners of lots in both subdivisions for Hamilton Township Homeowners Association, Inc. to take any and all steps necessary to maintain the Common Areas as defined above, including but not limited to providing landscape maintenance and insurance for said areas, and hereby grant such authority to Hamilton Township Homeowners Association, Inc.

2.

In consideration of Hamilton Township Homeowners Association, Inc. granting use of the Facilities to Owners and conducting the maintenance of the Common Areas, The Estates at Hamilton Township HOA, Inc. hereby agrees to pay a per Lot amount equal to the then current per Lot annual assessment for a Lot charged by Hamilton Township Homeowners Association, Inc. on or before January 15th of each year (the "Use Fee"). The Use Fee shall be charged with respect to Lots that have been sold to permanent residents and shall not be charged for Lots that are owned by the developer of the Estates at Hamilton Township or any builder in the Estates at Hamilton Township. All payments should be sent to the address of Hamilton Township Homeowners Association, Inc. as same is shown on the Secretary of State.

3.

By execution of this Recreation Use and Maintenance Agreement and pursuant to Article XII, Section 10 of the Declaration, Owners understand that they are subject to and bound by all rules and regulations formulated for the Facilities and failure to comply with same could result in Hamilton Township Homeowners Association, Inc. suspending the use of the Facilities of the offending Owner for a time not to exceed sixty (60) days for each violation by said offending Owner.

4.

In the event that the payments referenced in Paragraph 2 are not made in a timely manner, Hamilton Township Homeowners Association, Inc. shall have the right to suspend the use of the Facilities by all Owners until such time as all sums owed are received by the Hamilton Township Homeowners Association, Inc.

5.

By execution of this Agreement, The Estates at Hamilton Township HOA, Inc. and Hamilton Township Homeowners Association, Inc. hereby assert that each Association has the authority to execute this Recreation Use and Maintenance Agreement and abide by the terms and conditions contained herein.

IN WITNESS WHEREOF, the undersigned have executed this instrument under seal the day and year first above written.

THE ESTATES AT HAMILTON TOWNSHIP HOA, INC.

By: William B. David, Jr.
Name: William B. David, Jr.
Title: MANAGER
Date: 8-11-08

(Corporate Seal)

HAMILTON TOWNSHIP HOMEOWNERS ASSOCIATION, INC.

By: Eugene C. Kelly
Name: EUGENE C. KELLY
Title: pres
Date: 8-11-08

(Corporate Seal)