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September 18, 2010  
RE: Amendment Four

Dear Westbury Homeowners,

In these tough economic times, we have received a number of questions from Westbury homeowners about Amendment Four which restricts rentals in Westbury, and the procedures that govern Amendment Four. Therefore, we wanted to take a moment and remind you in writing some important details regarding Westbury's rental restrictions:

- Westbury Community Association Inc. (CAI) is a Planned Unit Development (PUD) where homeowners share common amenities and common property, and is governed by protective covenants, conditions, restrictions and easements in order to maintain high property values.
- Amendment Four was passed by a majority of Westbury homeowners in April 2008. Amendment Four was certified and logged in the Fulton County deed book according to state law governing PUDs.
- Amendment Four prohibits rentals within Westbury without written approval from the Board of Directors.
- Homeowners who lease their home without approval from the Association are in violation of Amendment Four. Homeowners who allow their home to be utilized other than the primary owner/occupant without a signed rental contract are also in violation of Amendment Four.
- In accordance with section 7.5 c, Westbury Homeowners have the right to request Emergency Leasing Approval (also called a variance). Requests for a variance must be in writing and emailed to [board@westburyhoa.org](mailto:board@westburyhoa.org) or postal mailed to 505 Sheringham Lane, Johns Creek, GA 30005. Westbury's bylaws provide the Board up to 30 days to respond to a request during which fines can accrue.
- Violators of Amendment Four are subject to a fine of \$25.00 a day (customary in the state of Georgia).
- Westbury CAI reserves the right to require any homeowner in violation of Amendment Four to cause a tenant to vacate the premises with 30 days written notice with the violating homeowner liable for all expenses that the tenant may ensue.
- Westbury CAI also reserves the right to obtain a court order to enforce compliance with the Covenants, and recover all legal fees, through a lien if necessary.

The purpose of this document is to help you understand Amendment Four procedures, but also remind homeowners that Westbury is enforcing our restrictions on rentals, with our highest priority being to preserve home values. We have updated the master covenants which now include all of the amendments. A copy of Westbury's newly revised Covenants and all of the Amendments are on the website at <http://westburyhoa.org>. Email [board@westburyhoa.org](mailto:board@westburyhoa.org) if you have any other questions or concerns about Amendment Four.

678-901-WCAI (9224)  
505 Sheringham Lane  
Johns Creek, GA 30005-2518