

STATE OF ALABAMA
COUNTY OF MADISON

AFFIDAVIT OF
AMENDMENT TO
BYLAWS
OF
SOMERSET LAKE OWNERS ASSOCIATION, INC.

BEFORE ME, the undersigned, a Notary Public, this day personally appeared Harry Garber, who being by me duly sworn, deposes and says as follows:

My name is Harry Garber and I am president of Garber & Steele, Inc., Declarant of Somerset Lake Subdivision. The Bylaws of Somerset Lake Owners Association, Inc., were recorded in Instrument Number 20040818000309930, and amended in Instrument Number 20040818000309950 and 20081230000787770, in the records of the Office of the Judge of Probate of Madison County, Alabama. This affidavit is given to reflect the unanimous written consent of the Declarant and the Board of Directors of the Association which amended the Bylaws to provide for annual rotation off of the Board of Directors of the Association. Specifically, the following was approved by the Declarant and the Board of Directors:

Refer to Article III. Section 5. Election and Term of Office. of the Bylaws. Delete in its entirety and insert therefore the following:

Not later than thirty (30) days after termination of the Declarant's right to appoint Directors and officers as described in Section 2 of this Article, the Association shall call a meeting to be held at which Members shall elect three (3) Directors. The term of the initial Board of Directors after the first annual meeting following termination of the Declarant's right to appoint Directors shall rotate as follows: the term of one (1) Director shall expire one (1) year after such annual meeting, the term of one (1) Director shall expire two (2) years after such annual meeting, and the term of one (1) Director shall expire three (3) years after such annual meeting; such rotation shall be set forth in the election of said Directors. At the expiration of the first term of office of each member of the initial Board of Directors (and upon the expiration of each term thereafter), a successor shall be elected to serve for a term of three (3) years. The members of the Board of Directors shall hold office until their respective successors shall have been elected by the Association.

All other provisions of the Bylaws, as previously amended, shall remain in full force and effect.

This affidavit is given to correct of record the above described error.

Done this the ___ day of _____, 2009.

GARBER & STEELE, INC.
Declarant

By: Harry Garber, President

STATE OF ALABAMA
COUNTY OF MADISON

The undersigned authority, a Notary Public in and for said County and State, hereby certify that Harry Garber, whose name as President of GARBER & STEELE, INC., an Alabama corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that being informed of the contents of said instrument, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, acting in his capacity as president as aforesaid.

Given under my hand and seal on this the _____ day of _____, 2008.

NOTARY PUBLIC

My Commission Expires: _____

This Instrument was prepared by:
Suzanne C. Dorsett, Esq.
Wilmer & Lee, P.A.
100 Washington Street, Suite 200
Huntsville, Alabama 35801