

STATE OF GEORGIA)
)
COUNTY OF FORSYTH)

AFFIDAVIT

PERSONALLY APPEARED before the undersigned officer, authorized by law to administer oaths, the individual residents identified below who, after first being duly sworn, state the following:

1.

Name(s): _____ ("Occupants")

Address: _____ (the "Residence")

Tax Parcel ID: _____; Deed Book _____/Page No. _____ (the "Property")

2.

Each of the Occupants identified herein is over 21 years of age and suffers from no legal disabilities. Each Occupant signing below gives this Affidavit of his or her own personal knowledge.

3.

Each of the Occupants lives in the Residence, which is located in the Chattahoochee River Club neighborhood in Forsyth County, Georgia (the "Neighborhood").

4.

Occupants understand that the Chattahoochee River Club Homeowner's Association, Inc. (the "CRC HOA") and a Neighborhood resident are defendants in a certain civil action styled Vinay Bose, Mommies Properties, LLC and FH Partners, LLC v. John Richards, Chattahoochee River Club Homeowners' Association, Inc. and John and Jane Doe, Civil Action File No. 18-CV-1877-1, Superior Court of Forsyth County, Georgia (the "CRC HOA Lawsuit") that pertains to certain improved real property located at 3450 Bentwood Drive, Cumming, Forsyth County, Georgia 30041 which is more particularly described in Exhibit A attached hereto and incorporated herein by this reference (the "Equestrian Center Property").

5.

Occupants understand that the owners of the Equestrian Center Property, Vinay Bose and Mommies Properties, LLC, as well as their lender, FH Partners, LLC (collectively, "Plaintiffs"), all of whom are the plaintiffs in the CRC HOA Lawsuit, offered residents of the Neighborhood the opportunity to avoid being added individually as defendants in the Lawsuit and required anyone interested to sign-up by 11:59:59 p.m. on November 10, 2019 (the "Deadline").

6.

Occupants missed the Deadline because Occupants were not aware that there was one until the afternoon of Friday, November 8, 2019, when Occupants received from the CRC HOA the email communication attached hereto as Exhibit B and incorporated herein by this reference (the "Deadline Notification").

7.

For purposes of this Affidavit, "Pending Lawsuits" means any of the following: (i) the CRC HOA Lawsuit; (ii) that certain civil action styled Vinay Bose, Mommies Properties, LLC and FH Partners, LLC v. Jeb Sundgren, Civil Action File No. 19-CV-0623-1, Superior Court of Forsyth County, Georgia; and (iii) that certain civil action styled Vinay Bose and Mommies Properties, LLC v. Laura Semanson and Christopher Shane Pruitt, Civil Action File No. 19-CV-1397-1, Superior Court of Forsyth County, Georgia.

8.

While Plaintiffs are willing to consider accepting a settlement offer from Occupants and to resolve this matter at no cost to Occupants, truthful responses are required to the following questions and depending on each Occupant's response, Plaintiffs may require more information from such Occupants before accepting their settlement offer, such as copies of identified writings, or may refuse altogether to accept Occupants' offer. Occupants swear and affirm that the following responses to the statements set forth hereinbelow are true, correct and complete as to each Occupant as evidenced by our initials placed next to the appropriate response, with any differences in the responses of Occupants

being noted (affirmative responses are required to each question, and the term "no one" as used hereinbelow means both representatives of the CRC HOA and persons living in the Neighborhood):

Name(s) of Occupant(s):

Yes No

___ ___ I was not aware of any of the Pending Lawsuits prior to receiving the Deadline Notification. If you answered "No", please identify which of the Pending Lawsuits you had knowledge of as of November 8, 2019:

___ ___ I have received no written communications from the CRC HOA about the CRC HOA Lawsuit since January 1, 2019.

___ ___ Since March of 2018, I have not attended any meeting of the CRC HOA or any Neighborhood resident forum where issues pertaining to the Equestrian Center Property were discussed.

___ ___ Since March of 2018, I have not received any newsletters from the CRC HOA discussing issues pertaining to the Equestrian Center Property.

___ ___ I have not attended any meeting of the CRC HOA or any Neighborhood resident forum since January 1, 2019 where any of the Pending Lawsuits was discussed.

___ ___ I am not signed-up on Chattahoochee River Club Next Door social media website.

___ ___ I am not signed-up on Chattahoochee River Club (unofficial) Face Book social media website.

___ ___ Since January 1, 2019, no one has talked to me about the CRC HOA Lawsuit.

___ ___ Other than a letter from Vinay Bose or a letter from Larry Oldham described below, since January 1, 2019, no one has communicated with me by postal letter or facsimile transmission about the CRC HOA Lawsuit.

____ Since January 1, 2019, no one has communicated with me by email about the
 ____ CRC HOA Lawsuit.
 ____ Since January 1, 2019, no one has communicated with me by text about the
 ____ CRC HOA Lawsuit.
 ____ I received a one page letter from Vinay Bose in March of 2018.
 ____ I received a four page letter from Larry Oldham in August of 2019.
 ____ Prior to November 8, 2019, I was not aware of the informational website
 ____ which may be accessed at <http://lcopc.com/sites/crc/index.html>
 ____ Since November 8, 2019, I have visited, the informational website which may
 ____ be accessed at <http://lcopc.com/sites/crc/index.html>
 ____ Until receiving the Deadline Notice from the CRC HOA, I was not aware that
 ____ the Deadline existed.
 ____ Had I been aware of the Dealine and the existence of the informational
 ____ website, I would have taken this matter seriously and would at least to have
 ____ informed myself of the issues in the CRC HOA Lawsuit.
 ____ I purchased my home in the Neighborhood after March 1, 2018.
 ____ I purchased my home in the Neighborhood after October 24, 2018.
 ____ I have no current plans to move from the Neighborhood.
 ____ I plan to place my home on the market in the Spring of 2020.

9.

I have had the opportunity to review the following documents posted on November 10, 2019
 on the aforementioned informational website under <Updates><Resident Settlement Documents>
 with legal counsel of my choice, or have elected not to seek legal counsel: (i) Quitclaim Deed; (ii)
 Affidavit Confirming Certain Information Pertaining to the Quiet Title Action; (iii) Affidavit Confirming
 Certain Information Pertaining to Equestrian Center Property; and (iv) Release and Covenant Not to
 Sue, which, along with this Affidavit, are referred to hereinafter as the "Settlement Documents".

10.

Each Occupant is offering to execute and deliver the Settlement Documents to Plaintiffs in consideration of not being added as parties in the CRC HOA Lawsuit.

11.

Occupants understand and agree that Plaintiffs are relying on the contents of this Affidavit in determining whether to accept the foregoing offer, which shall not be deemed accepted by Plaintiffs until such time as they have affirmatively agreed to do so.

SO SWORN as of _____, 20__.

Signed, sealed and delivered
in the presence of:

Unofficial Witness

Notary Public

[Notary Seal]

OCCUPANTS:

_____(SEAL)
Name: _____

_____(SEAL)
Name: _____

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 55, 56, 63 and 64 of the 14th District and Land Lot 649 of the 2nd District, 1st Section, Forsyth County, Georgia and being more particularly described as follows:

To find the true point of beginning, begin at the intersection of the Land Lot line common to Land Lots 54, 55, 64 and 65 thence run South 89 degrees 01 minutes 00 seconds East a distance of 313.65 feet to an iron pin found and the TRUE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING THUS ESTABLISHED run thence South 60 degrees 41 minutes 38 seconds East a distance of 40.00 feet to an iron pin found (1" c/t); running thence South 80 degrees 49 minutes 02 seconds West a distance of 100.04 feet to an iron pin found; running thence South 60 degrees 41 minutes 38 seconds East a distance of 519.74 feet to an iron pin found (1/2" rebar); running thence South 26 degrees 32 minutes 59 seconds West a distance of 1362.12 feet to an iron pin found (1" c/t); running thence North 37 degrees 27 minutes 09 seconds West a distance of 85.38 feet to a steel rail found; running thence North 63 degrees 00 minutes 44 seconds West a distance of 116.88 feet to an iron pin found (1" c/t); running thence North 69 degrees 50 minutes 26 seconds West a distance of 100.05 feet; running thence North 66 degrees 12 minutes 30 seconds West a distance of 100.69 feet to an iron pin found; running thence North 18 degrees 27 minutes 18 seconds East a distance of 85.54 feet to an iron pin found (1/2" iron bar); running thence South 78 degrees 04 minutes 11 seconds West a distance of 41.81 feet to an iron pin found; running thence North 10 degrees 05 minutes 28 seconds West a distance of 169.81 feet to a 18" CMP; running thence along the Southeasterly right of way of Bentwood Drive (50' right of way) the arc of a curve having a radius of 50.00 feet, said arc being subtended by a chord having a bearing of North 10 degrees 37 minutes 56 seconds East, having a chord length of 89.90 feet and an arc distance of 111.76 feet to an iron pin found; running thence North 32 degrees 21 minutes 55 seconds East a distance of 203.79 feet to an iron pin found; running thence North 81 degrees 10 minutes 25 seconds East a distance of 249.66 feet to an iron pin found; running thence North 17 degrees 43 minutes 38 seconds West a distance of 393.25 feet to an iron pin found; running thence North 48 degrees 13 minutes 39 seconds East a distance of 72.87 feet to an iron pin found; running thence North 16 degrees 52 minutes 44 seconds East a distance of 34.14 feet to an iron pin found; running thence North 74 degrees 36 minutes 45 seconds East a distance of 141.59 feet to an iron pin found; running thence North 37 degrees 08 minutes 50 seconds East a distance of 114.04 feet to an iron pin found; running thence North 29 degrees 45 minutes 10 seconds East a distance of 140.53 feet to an iron pin found and the TRUE POINT OF BEGINNING; being 18.409 acres, zoned A-1, ZA#1968, all as shown on that certain compiled map dated November 30, 2000, prepared for Silver Creek Development, LLC Equestrian Tract, by Rochester & Associates, Inc.