

**COMMUNITY-WIDE STANDARDS  
EXPANDED USE RESTRICTIONS & RULES  
AUTUMN LAKE HOMEOWNERS ASSOCIATION — ALHOA, Inc.**

**Date Adopted: September 18, 2017**

The following are Community-Wide Standards that are intended to expand and further define the covenants and restrictions as set forth in Article VI: Covenants and Restrictions of the Declaration of Covenants, Conditions and Restrictions for Autumn Lake Subdivision ("Declaration), as recorded on August 12, 1993, and Paragraphs 6-10 of the Amendment to Declaration of Covenants Conditions and Restrictions for Autumn Lake Subdivision, ("Amendment) as recorded on April 24, 2005.

**Table of Contents:**

**I. Application Information**

**II. Review Procedure and Standards**

**III. Appeal Procedure**

**IV. Enforcement Procedure**

**V. Violation and Fine Schedule**

**VI. Community Wide Standards**

Guideline No. 1 Exterior Building Alterations

Guideline No. 2 Exterior Landscaping and Maintenance

Guideline No. 3 Vehicles and Parking

Guideline No. 4 Decks, Patios and Walkways

Guideline No. 5 Fences

Guideline No. 6 Basketball Goals

Guideline No. 7 Exterior Decorative Objects

Guideline No. 8 Garbage, Etc.

Guideline No. 9 Play Equipment

Guideline No. 10 Private Pools

Guideline No. 11 Signs

Guideline No. 12 Lake Lots

Guideline No. 13 Mailboxes

Guideline No. 14 Community Pool

Guideline No. 15 Tennis Courts

**VII. Request for Improvement Form and Instructions**

## **I. Application Information**

Applications for approval of any architectural modification shall be contained in a Request for Proposed Improvement Form ("Form") and shall provide such information as the ALHOA Board of Directors ("Board") or the Architectural Control Committee ("ACC") requires in the guidelines included below. A copy of the Form is attached. Additional Forms are available from a member of the Board, the ACC, Heritage Property Management Services, Inc., or on the Autumn Lake Homeowners Association's ("Association") website, [autumnlakehoa.com](http://autumnlakehoa.com)

Completed Forms shall be submitted to Heritage Property Management Services, Inc. ("The Management Company"). The Management Company can be contacted via mail at 500 Sugar Mill Rd., Atlanta, GA 30350; via telephone at 770.451.8171; via fax at 770.451.3919; via website: [heritageproperty.com](http://heritageproperty.com) or by email at [sjohansen@heritageproperty.com](mailto:sjohansen@heritageproperty.com).

Any Declaration, Amendment, or Community-Wide Standards violation may be submitted by any Owner and shall be submitted in writing to the Management Company.

## **II. Review Procedure and Standards**

The ACC shall receive and review applications for proposed improvements and covenant violations. The ACC shall be the sole arbiter of applications for architectural modification and may withhold approval for any reason, including purely aesthetic consideration, and the Association, acting through the Board, shall be entitled to stop any construction which is not in conformance with approved plans. In addition, the ACC shall have the power to assist the Board with determining the existence of violations of the use restriction in Article VI, but that the ultimate decision as to the existence of a violation and the enforcement therefor lies with the Board.

The ACC shall have the authority to select and employ professional consultants to assist it. The cost of such consultants to be paid by the Owner of any lot for which plans and specifications have been submitted for approval. The ACC also may charge reasonable fees to cover the cost of review or inspections performed hereunder, and any such fees shall be published in the design standards.

**Limitation of Liability.** Review and approval of any Form may be made on any basis, including solely the basis of aesthetic considerations, and neither the Board nor the ACC shall bear any responsibility for ensuring the design, quality, structural integrity or soundness of approved modification, nor for ensuring compliance with building codes, zoning regulations and other governmental requirements. Neither the Association, the Board, the ACC, or members of any of these shall be held liable for any injury, damages or loss arising out of the manner, design or quality of approved modifications, nor may any action be brought against the Association, the Board, the ACC, or any member thereof, for any such injury, damage, or loss. Each Owner acknowledges that the members of the Board and the ACC will change from time to time and that interpretation, application, and enforcement of the architectural standards may vary accordingly.

## **III. Appeal Procedure**

The ACC will notify the Owner of a response to their written request, Form, within 45 days after the request is received by the Management Company.

In the event the ACC disapproves any Form or determines a covenant violation, an Owner shall have the right to appeal the ACC's decision to the Board within 14 days of the ACC's notice to Owner of its decision. The Board shall rule on the appeal within 45 days of receiving written notice requesting an appeal from the Owner. In ruling on an appeal, the Board shall consider all relevant materials presented to it by either the Owner or the ACC, the decision of the ACC, and the Form or covenant violation. The Board shall have the final authority to approve, disapprove, or conditionally approve or disapprove the Form or covenant violation. If the Board does not receive written notice from the Owner by certified mail requesting an appeal within 14 days from the date of the ACC's notice to the Owner of its decision, the decision of the ACC shall become final and all rights of appeal shall terminate and thereafter be void.

#### **IV. Enforcement Procedure**

Any construction, alteration or other work done in violation of this document, the Declaration, the Amendment, the Bylaws, the design standards or any applicable zoning regulations shall be deemed nonconforming. Upon written request from the Board, a violating Owner shall, at his or her own cost and expense, remove such nonconforming work and restore the property to substantially the same condition as existed prior to such work. Should the Owner fail to do so, the Board shall have the right to enter the property remove the violation and restore the property, or obtain a court order compelling the violating Owner to do so. All costs thereof, including reasonable attorney's fees, may be assessed against such Lot.

In addition, the Board shall have the authority to impose reasonable fines and to pursue all legal and equitable remedies available to enforce the provisions of this document, and its decisions and those of the ACC. All costs of any such action, including reasonable attorney's fees, may be assessed against such Lot. Furthermore, the Board shall have the authority to record in the Cobb County land records notices of violation of the provisions of this document.

#### **V. Violation and Fine Schedule**

##### **1. Friendly Violation Letter**

- Notification letter sent to Owner provides a courteous way to inform the Owner of their violation;
- Owner is given 14 calendar days after this letter is sent to cure the violation. It is the Owner's responsibility to notify the Management Company and the ACC when the violation is cured.

##### **2. First Notice of Violation Letter and Warning of Fines**

- This letter provides the Owner information regarding potential sanctions for the violation;
- Owner is given 14 calendar days after this letter is sent to cure the violation. It is the Owner's responsibility to notify the Management Company and the ACC when the violation is cured.

##### **3. Second Notice of Violation Letter and First Fine**

- Warning of fine to be imposed at the rate of \$25.00 per day;
- Warning of further sanctions;

- Owner is given 14 calendar days after this letter is sent to cure the violation. It is the Owner's responsibility to notify the Management Company and the ACC when the violation is cured.

#### **4. Third Notice of Violation Letter and Second Fine**

- Statement for current balance due of fines, payment is due within 5 calendar days;
- Notice of fine of \$25.00 per day to begin imposition;
- Fines will continue until the violation is cured;
- Owner is given 14 calendar days after this letter is sent to cure the violation. It is the Owner's responsibility to notify the Management Company and the ACC when the violation is cured.

#### **5. Final Notice of Violation letter**

- Statement for current balance of fines due;
- Fines will continue until the violation is cured;
- Homeowner is advised that if the violation has not been cured within 14 days after this letter is sent out, a notice of lien will be filed against the home.

#### **6. Notification of Lien Filing**

- Statement for current balance of fines due;
- Fines will continue until the violation is cured;
- At this time, the homeowner has been given a minimum of 70 days to cure the violations after being initially notified. Homeowner has received 5 letters regarding their violation.
- The homeowner is notified (via certified mail) from the Association Attorney that Notice of Lien has been filed against the home.

**Failure to comply with the ALHOA Covenants and/or Community-Wide Standards with regard to Requests for Improvement will result in a fine of \$100. The fine will increase by \$50 for each additional improvement that does not follow the Covenants and/or Community-Wide Standards.**

## **VI. COMMUNITY-WIDE STANDARDS**

### **Guideline No. 1 - Exterior Building Alterations.**

#### **A. Painting**

Any change to the exterior color of the home from the last approved color, including but not limited to doors, shutters, trim, brick and siding must be approved by the ACC. When changing the exterior house color or any portion of the exterior, the portion to be painted must be identified and the paint color specifically described as to manufacturer, color name and color number (e.g., Benjamin Moore – Toasted Almond HA 1018).

The exterior colors must conform to and be compatible with the colors of nearby homes. Highly reflective and bright colors are unacceptable.

All predominant colors that are the large areas of the painted sides of the home shall be subdued colors. Secondary colors shall be compatible with the predominant colors and be limited to architectural details, such as fascia, frames, shutters, front door, etc.

## **B. Building Alterations**

ACC approval is required for any change to the exterior of the home/garage. Alterations include, but are not limited to, storm doors, windows, driveways, garages, porches and room additions to the home. The original character or theme of any home must be consistent for all components of the home. Once the character is established no change may be made to that character.

A Request for Improvement for replacement of a garage door is not required if the new garage door has no windows and is the same color as the old door. A form is required for garage door modifications or replacements that do not meet these criteria.

No detached buildings will be considered. This includes sheds, tool storage areas, workshops and outbuildings.

If County authorities make any changes to the plans as approved by the ACC, the owner must submit such changes to the ACC prior to commencing construction.

## **C. Screened Porches, Sunrooms & Room Additions**

Detailed plans including, but not limited to, elevations, a list of all materials, windows, roofing, siding (if any), decking, color selections, must be submitted when applying for new sunrooms, screened or unscreened porches and other room additions to the home. Materials must be consistent with materials on the existing home and painted or stained to match.

## **D. Roofs**

New roofs shall be limited to asphalt shingles in some shade of gray, brown or black. A sample of the roofing material must be submitted to the ACC along with the Request for Improvement.

## **E. Doors, Windows and Shutters**

Any changes to the exterior of the home including, but not limited to doors, shutters, trim, and exterior siding must be approved by the ACC. A picture of all windows/doors on which storm doors will be installed must be included in the Request for Improvement, along with a picture of the new storm windows/doors, and the color and materials to be used. All window treatments facing the street must be

lined in white, off-white or ivory to give the community a common look from the outside. The type of window treatments must be white sheers, white blinds, white plantation shutters, or white lined curtains.

## **F. Air-Conditioning Units**

No window air-conditioning units may be located in any part of any structure that is visible from any street. All exterior compressor units must be ground-mounted and screened by fencing or planting of a density and height sufficient to screen the unit effectively. A Form must be submitted for such fencing or planting.

## **G. Satellite Dishes, Antennae**

A form must be submitted for any dish, antenna, satellite service or receiver that is 1 meter (39.37 inches) or greater in diameter. Any dish, antenna, satellite service or receiver that is less than 1 meter in diameter should be located to provide minimal visual impact on adjacent properties.

## **Guideline No. 2 – Exterior Landscaping and Maintenance**

### **H. Lawns and Flower Beds**

A form is required for all types of landscaping, including but not limited to sod, shrubbery, raised beds, trees, row or cluster plantings and screen plantings. Forms must include a description of the landscaping and a site plan indicating relationship of planting/beds to the house and adjacent structures. Landscaping should relate to the existing terrain and natural features of the lot, utilizing plant material native to the Southeast. The amount and character of the landscaping must conform to the precedent set in the surrounding community.

The elevation of the lot shall not be changed so as to materially affect the surface elevation or grade or drainage of the surrounding lots.

All mulch landscape beds must be covered with natural pine straw, chopped pine bark mulch, rock or wood shavings. Bare earth areas shall be covered.

A form is not required for over seeding of fescue lawns or for ornamental plants (annual or perennial flowers) in the front and side yards, with the exception of screen planting and property line planting.

A form must be submitted before the removal of any tree or shrub measuring 12 inches or more in diameter at a point 2' (two feet) above the ground.

## **I. Lawn/Bed Maintenance**

Each owner is responsible for removing debris, clippings, etc. from their property line to the center of the street. All planting areas shall be properly maintained at all times. Owners must keep their lots and all improvements thereon in good order and repair including, but not limited to, seeding, watering, mowing, pruning, cutting of all trees and shrubbery.

**Do not blow or rake lawn clippings into the street or down the street drains. Dumping yard waste into the storm drains, lake or the detention pond is prohibited by Cobb County.**

Yards and tree/flower planting areas must be kept free of weeds and tree saplings.

Shrubbery must be maintained so as not to encroach onto adjacent property. This must be done in a manner and with such frequency as is consistent with good property management and the precedent set in the surrounding community.

Yards must be edged no more than one inch from the edge of sidewalks, driveways, and roads.

All trees and shrubs that border community sidewalks should be pruned so as to not encroach within the sidewalks. No overhang of trees will be allowed over said sidewalk unless there is a minimum of 8' (eight feet) clearance between the surface of the sidewalk and the lowest overhanging limb.

Outdoor storage of garden tools and hoses must be screened from view and kept behind shrubs. Any tools or items stored under a back deck or porch must be screened from view.

All garden plots must be located behind the rear line of the house and have minimal visual impact on adjacent properties.

## **Guideline No. 3 – Vehicles and Parking**

### **J. Vehicles and Parking**

All cars must be parked in the garage or driveway. No vehicle may be left upon any portion of the property for a period longer than 5 days, except in a garage or other pre-approved area. Vehicles may not be parked on grass or any landscaped area.

Disabled vehicles, boats, recreational vehicles, motor homes, trailers, motorcycles, mini bikes, scooters, go-carts, golf carts, campers or mobile homes must be parked in the garage with the door closed; however, such vehicles may be parked in the Community on a temporary basis, not to exceed 24 consecutive hours. For the purpose of this provision, "temporary" shall mean no more than twice a year for a period not exceeding 24 consecutive hours.

For the purpose of Article VI, subsection (m) (q) of the Covenants and for these Community Wide Standards, “commercial truck” shall be defined as follows:

- Any panel truck,
- Trucks with a cargo-load capacity of one ton or more,
- Vehicles typically used “for hire,” including, but not limited to limousines and taxis (regardless of whether such vehicles are used “for hire” or for personal use), full-size vans (excluding vans specifically used by handicapped persons, mini-vans or sport utility vehicles used as passenger vehicles and receiving “car” or “passenger vehicle” classification by the GA Department of Motor Vehicles),
- Vehicles containing visible evidence of commercial use (such as tool racks, ladders, ladder racks or tow winches); provided, however, that vehicles with empty ladder or tool racks or standard tool boxes shall not be considered a commercial truck; and
- Vehicles with commercial writings on their exteriors, including, but not limited to vehicles with vinyl wrap advertising businesses, service or products. Marked law enforcement vehicles used for such purpose are specifically excluded from the definition of commercial truck.

Commercial trucks are prohibited from being parked in the Community except: (1) in garages with the garage doors closed; or (2) in the case of service vehicles, on a temporary basis during daytime business hours or during emergencies for the purpose of serving a particular home.

#### **Guideline No. 4**

##### **K. Decks, Patios, Walkways**

All plans to build new or modify existing decks, patios and/or walkways must be submitted to the ACC. This includes, but is not limited to patio covers, trellises, permanent seating, railings, fire pits, fireplaces, speakers, and outdoor TVs. In most cases, the deck/patio may not extend beyond the sides of the home and must comply with the building set-back lines on the recorded plat of the property.

Plans must include a site plan denoting location and dimensions and a description of the color of materials to be used. Vertical supports for wood decks must comply with local and state building codes.

#### **Guideline No. 5**

##### **L. Fences**

All fencing must be approved by the ACC prior to installation. Plans submitted must include a picture or drawing of the fence type, which generally should be privacy, split rail or picket designs. Plans also must include dimensions, color, and a site plan denoting the location of the fence.



Common fences are permissible with written permission of the neighbor and shall be installed on the property line.

Maximum fence height may not exceed 6 (six) feet. Maximum span between posts shall be 10 (ten) feet. Minimum post size shall be 4 (four) feet by 4 (four) feet. Fence must be a natural color. Fences shall not be located closer to any street than halfway up the side of the home. However, on corner lots, the fence shall not be closer to any side street than the building line of the lot.

### **Guideline No. 6**

#### **M. Basketball Goals**

Only portable basketball goals are permitted. Goal must be properly maintained and cannot be set up for more than 7 (seven) consecutive days. Must be stored out of sight when not in use.

### **Guideline No. 7**

#### **N. Exterior Decorative Objects and Lights**

All exterior decorative objects, both natural and manmade, must be approved by the ACC. These include sculptures, fountains, ponds, freestanding poles of all types, including stand-alone flag poles, and all items attached to approved structures. ACC permission is not required for a single flag pole staff attached to the front or side portion of the house or for door wreaths.

Reasonable seasonal decorations may be displayed between Thanksgiving and January 15<sup>th</sup>. Holiday décor displayed outside this timeframe will be considered as an exterior change for which a Request for Improvement was not submitted.

All exterior lighting must be limited to the minimum necessary for safety, identification and decoration, and must be approved by the ACC prior to installation. No high-wattage commercial grade exterior lighting is allowed, including, but not limited to halogen or sodium vapor.

ACC permission is not required if the lighting does not exceed 12" (twelve inches) in height, the number of lights does not exceed 10, each light is white or clear non-glare and does not exceed 100 watts, and is located to cause minimal visual impact on adjacent properties and streets.

## **Guideline No. 8**

### **O. Garbage, Trash, Debris**

Unightly garbage, trash, debris, dirt, wood, construction materials and household waste are not allowed on any lot. All such items must be bagged, sacked, boxed or otherwise disposed of in a safe and sanitary manner. Trash cans must be stored out of view of the street and neighboring properties.

## **Guideline No. 9**

### **P. Play Equipment**

ACC approval is not required for play equipment and play houses if they are located in the rear yard, not visible from the street, and have a minimum visual impact on adjacent properties.

ACC approval is required for all other types of play equipment. Metal play equipment, exclusive of wearing surfaces (slide poles, swing sets, etc.) will generally be required to be painted to blend in with the surrounding environment.

Extreme sports apparatus, such as skateboard or inline skate ramps and bike ramps are not permitted.

## **Guideline No. 10**

### **Q. Private Pools**

ACC permission is not required for children's portable wading pools (those that can be emptied at night) that do not exceed 18" (eighteen inches) in depth and whose surface area does not exceed 36' (thirty-six square feet). Above-ground pools and in-ground pools are prohibited.

## **Guideline No. 11**

### **R. Signs**

The only signs allowed on a lot are a "For Sale" sign, temporary signs relating to construction/work on the property, signs attributed to a security company or a fencing installer, and (two) campaign signs during an election. Fencing installation signs must not exceed 5" by 7". Election signs must be removed within 14 (fourteen) days after the election.

"For Sale" signs are allowed at the front entrance and directional signs within Autumn Lake are permitted from Friday at 4 p.m. through Sunday at 6 p.m. "For Rent" and "For Lease" signs are prohibited.

## **Guideline No. 12**

### **S. Lake Lots**

Owners of homes adjacent to the Autumn Lake retention pond (lake) shall maintain such grass, planting or other lateral support to prevent erosion of the embankment adjacent to the lake, including without limitation, mowing and watering of sodded areas and pruning and cutting of all shrubbery and trees. The height and contour of such embankment shall not be changed without prior written permission.

The Board shall have the right to enter upon the lot of any owner who fails to maintain said embankment in accordance with the foregoing and to perform such maintenance work as may be reasonably required. Expenses associated with such maintenance work will be billed to the owner of the lot.

No dock, pier, or other similar facility shall be constructed. No structure, fence, storage facility, wood pile, garbage can, or any other objects that would affect the aesthetics of the lake shall be built. No boats of any kind are permitted on the lake.

Owners of lake lots shall not have the right to pump or otherwise remove water from the lake for the purpose of irrigation or other use, to place rocks, stones, trash, garbage, sewage, waste water, rubbish, debris, ashes or other refuse in the lake.

## **Guideline No. 13**

### **T. Mailboxes**

Mailbox posts shall be simple and unobtrusive wooden posts, either natural wood or painted white or cream to match the house trim. Mailboxes shall be number one and one-half black aluminum boxes approved by the U.S. Postal Service. ACC permission is not required to replace a mailbox or post matching this description.

No haphazard or unprofessional fences or other stonework or wooden appurtenances shall be built around the mailbox or post without written permission from the ACC.

## **Guideline No. 14**

### **U. Community Pool**

- The pool is for homeowners in good standing and their guests.
- Guests must be accompanied by a homeowner.
- The pool is open daily from 9 a.m. to 9 p.m. during the late spring and summer.
- The number of guests is limited to 2 (two) per household.
- Children under the age of 14 must be accompanied by an adult.

- No running, boisterous or rough play is allowed in or around the pool area.
- Everyone is required to shower before entering the pool.
- Swim diapers or rubber diaper swim cover is required for all children who are not toilet trained
- No spitting or blowing nose in the pool.
- Persons with contagious illnesses should not enter the pool or the pool area.
- No animals or pets are allowed in the pool area.
- No glass or glass containers are allowed in the pool or pool area.
- Drugs are prohibited in the pool area. Persons under the influence of drugs or alcohol are prohibited from the pool and pool area.
- Smoking or tobacco products of any kind are prohibited from the pool and pool area.
- Maximum number of swimmers allowed is 25.
- First-aid kit is located in the women's restroom. Please contact 911 or the Cobb County Police Department in the event of an emergency.
- Proper swim attire is required. No cut-offs, shorts, shoes, or street clothes are allowed in the pool.
- No one is allowed to swim alone. Please have a buddy present at all times.
- The ALHOA is not responsible for any accidents or injuries while using the pool. Swim at your own risk.

## **Guideline No. 15**

### **V. Tennis Courts**

- Tennis courts are for homeowners in good standing only and their guests.
- Guests must be accompanied by a homeowner.
- The courts are open from 7 a.m. to 9 p.m. daily.
- One court is for tennis only. The second court – the court with two colors of striping - may be used for either tennis or pickle ball.
- Courts are open on a first-come, first-served basis unless reserved.
- Use is limited to 2 (two) hours.
- Only tennis shoes are allowed on the courts. Black-soled shoes are prohibited.
- No food or glass containers allowed on the courts.
- No roller blades, skate boards, or bicycles are allowed on the courts.
- No person under age 14 (fourteen) is permitted on the courts without an adult.
- The ALHOA is not responsible for any accidents or injuries while using the courts. Play at your own risk.

# Autumn Lake Homeowners Association, Inc.

## Request for Proposed Improvement

Date: _____ Name: _____ Address: _____ _____ Home Phone: _____ Work Phone: _____	<p style="text-align: center;"><b><u>Attached Documents</u></b></p> Survey _____ Plot Plans _____ Plans _____ Photos _____ Specs _____ Color Samples _____ Other: _____ _____
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***Please provide a brief description of the proposed modification, alteration or improvement***

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Contractor (if any): _____ Address: _____ Contact: _____ Phone: _____	<p style="text-align: center;"><b><u>HOMEOWNERS AFFIDAVIT</u></b></p> <p><i>I have read and understand the covenants and deed restrictions of my contract and agree to abide by such covenants and deed restrictions. I understand that no work shall commence without the approval of the ACC.</i></p> Date: _____ Signed: _____
<p style="text-align: center;"><b><u>Approved Status</u></b></p> <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Exceptions <input type="checkbox"/> Revise & Resubmit-Insufficient information <input type="checkbox"/> Rejected CC:   Applicant Management Agent ACC File	<p style="text-align: center;"><b><u>Committee Comments</u></b></p>   Signed: _____ Date of Approval: _____

**If approved, this HOA approval is subject to the approval, permitting, inspections & compliance with all applicable laws from any local, state or federal agencies. Homeowner is responsible for obtaining any approval, permitting, inspections & compliance with all applicable laws from any agency**

# Autumn Lake Homeowners Association, Inc. Request for Improvement Form

1. Fill out proposal form with as much detail as possible. Please submit photos, videos, plats, drawings, plans, materials to be used description and copies of contracts and any narrative descriptions that you may feel would assist the ACC (your fellow homeowners) in understanding your request. *Remember a picture is worth a thousand words ...*
2. Submit the form and supporting documents to the Association's Agent, Heritage Property Management Services, Inc. at their address below.
3. The ACC will consider all applications within 30 calendar days from receipt of your proposal form as provided by in the Association documents.
4. **Commencement of any work is strictly prohibited prior to approval from the ACC. Please do not purchase materials, schedule contractors or in any way begin work until you receive your HOA approval in writing.**
5. If you have any questions about whether or not you need to submit a Request, please contact any member of the ACC or the Association's Agent for clarification. Or, just simply complete the Request just to be certain that you are in compliance.

**Thank you for your cooperation!**

**The Architectural Control Committee of  
Autumn Lake Homeowners Association, Inc.**

**Management Agent:**  
**Heritage Property Management Services, Inc.**  
**500 Sugar Mill Road**  
**Building B, Suite 200**  
**Atlanta, GA 30350**

**Phone: 770-451-8171**  
**Fax: 770-451-3919**  
Email: [sjohansen@heritageproperty.com](mailto:sjohansen@heritageproperty.com)