

BOOK 1953 PAGE 74

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Return to: Thomas H. Calhoun
Kushinka, Calhoun & Godwin
P.O. Box 8219
Warner Robins, GA 31095

AMENDMENT TO

DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS

GEORGIA, HOUSTON COUNTY
SUPERIOR COURT

Of the Subdivision Know As

DEC 13 2001

AUTUMN TRACE, PHASE I

Recorded in Book 1953 Page 74-75
George W. Amick, Clerk

A Subdivision of Eagle Springs

CLERK SUPERIOR COURT

01 DEC 13 AM 10:34

FILED
HOUSTON COUNTY

THIS AMENDMENT TO PROTECTIVE COVENANTS, made and published this the 11th day of December, 2001, by **EAGLE SPRINGS, LLC**, a limited liability company organized and existing under the laws of the State of Georgia, hereinafter referred to as the "Declarant".

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property located in Land Lots 96 and 97 of the Fifth Land District of Houston County, Georgia, which has been subdivided into individual lots, tracts or parcels which, together with the streets and other improvements have been designated as **AUTUMN TRACE, PHASE I** (the "Subdivision"), a Subdivision of Eagle Springs, and is delineated on that certain map or plat of survey of said Subdivision prepared by Waddle & Company, certified by Theodore W. Waddle, Jr., a Georgia Registered Land Surveyor No. 2139, dated February 28, 1997, a copy of which is of record in Map Book 50, Pages 184-185, Clerk's Office, Houston Superior Court;

WHEREAS, it is to the interest, benefit and advantage of the Declarant and to each and every person who shall hereafter purchase any lot in the Subdivision that covenants governing and regulating the use and occupancy of the same be established, set forth and declared to be covenants running with the land;

WHEREAS, certain covenants, conditions, restrictions and easements have heretofore been published and declared with respect to Autumn Trace, said covenants, conditions, restrictions and easements being dated April 30, 1997, of record in Deed Book 1279, Page 249 *et seq.*, Clerk's Office, Houston Superior Court (hereinafter referred to as the "Covenants"); and

WHEREAS, the Declarant is desirous of amending the aforesaid Covenants by changing the name to The Courtyard at Autumn Trace.

NOW, THEREFORE, for and in consideration of the premises and of the benefits to be derived by Declarant and his successors in title, and to each and every subsequent owner of any of the lots, tracts or parcels hereinafter described, Declarant does hereby modify and amend

the said Covenants dated April 30, 1997, of record in Deed Book 1297, Page 249 *et seq.*, Clerk's Office, Houston Superior Court, in the following particulars, to-wit:

1. **Property Subject to Covenants.** The description of the real property to which the Covenants are applicable, as set forth in Section 1.2.1 thereof, is amended to include the recording information for that certain map or plat of survey entitled "The Courtyard at Autumn Trace Eagle Springs, prepared by Waddle & Company, dated March 17, 2000, recorded in Plat Book 55, Page 158-159, Clerk's Office, Houston Superior Court.

2. **Binding Effect; Effective Date.** Said Covenants shall be applicable to The Properties as such term is modified and amended by the foregoing provisions of this instrument, shall be binding on all persons claiming under and through Declarant under the terms, conditions, stipulations and provisions contained therein. Except to the extent hereby amended and modified to include the above-described Subdivision, said Covenants shall remain in full force and effect unless and until same are extended or terminated in accordance with the provisions thereof.

IN WITNESS WHEREOF, the undersigned has set its hand and seal to this instrument by its duly authorized corporate officer, as of the day and year first above written.

EAGLE SPRINGS, LLC
A Georgia Limited Liability Company

By: *Charlie N. McGlamry*
Charlie N. McGlamry, Manager

Signed, sealed and delivered
in the presence of:

[Signature]
Unofficial Witness

Melba Conner
Notary Public

NOTARY PUBLIC
WILCOX COUNTY, GEORGIA
Commission Expires March 1st, 2011

RECORDED
Carolyn V. Sullivan, Clerk

DEC 13 2001