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BOOK 2240 PAGE 322

GEORGIA, HOUSTON COUNTY  
SUPERIOR COURT

SEP 30 2002

Recorded in Book 2240 Page 322-324  
*Camelia V. Iulianu*, Clerk

STATE OF GEORGIA  
COUNTY OF HOUSTON

FILED  
HOUSTON COUNTY  
02 SEP 30 PM 12:04  
CLERK SUPERIOR COURT

AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS  
FOR THE SUBDIVISION KNOWN AS  
GROVE POINTE  
(Adding Addition to Phase 1)

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, made and published this \_\_\_\_\_ day of September, 2002, 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".

W I T N E S S E T H:

WHEREAS, Declarant is the owner of certain real property located in Land Lot 86 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 GROVE POINTE, ADDITION TO PHASE 1, EAGLE SPRINGS, (the "Subdivision"), and is delineated on that certain map or plat of survey of said Subdivision prepared by Waddle & Company, certified by Theodore W. Waddle, Jr., Georgia Registered Land Surveyor No. 2139, dated August 21, 2002, recorded in Map Book 59, Page 136, Clerk's Office, Houston Superior Court.

WHEREAS, the Subdivision is adjacent and/or contiguous to GROVE POINTE, PHASE 1, a single-family residential subdivision developed by EAGLE SPRINGS, LLC, which is delineated on that certain map or plat of survey prepared by Waddle & Company, certified by Theodore W. Waddle, Jr., Georgia Registered Land Surveyor No. 2139, dated March 17, 1997, a copy of which is of record in Map Book 50, Pages 182-183, 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 Grove Pointe, Phase 1, said covenants, conditions, restrictions and easements being dated April 30, 1997, of record in Deed Book 1279, Pages 281-312; amended by Amendment to covenants, conditions, restrictions and easements of the Subdivision known as Tivoli Gates, Phase 1 (Adding Phase 2), being dated March 30, 1998, of record in Deed Book 1351, Pages 225-227, Clerk's Office, Houston Superior Court (hereinafter referred to as the "Covenants"); and,

WHEREAS, the Declarant is desirous of amending the aforesaid Covenants in certain particulars and to extend the applicability of said Covenants to include, in addition to the property described therein, the Subdivision developed for single-family residential purposes to be known and designated as GROVE POINTE, ADDITION TO PHASE 1.

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 1279, Pages 281-312; amended by Amendment dated March 30, 1998, of record in Deed Book 1351, Pages 225-227, Clerk's Office, Houston Superior Court, in the following particulars, to-wit:

1. Additional Property Subject to Covenants. The following described lots, tracts or parcels of land shall be, and the same hereby are made, subject to the terms, provisions and conditions set forth in said Covenants and said Covenants are hereby modified and amended so as to include the following described lots, tracts or parcels of land, to-wit:

All those tracts or parcels of land situate, lying and being in Land Lot 86 of the Fifth Land District of Houston County, Georgia, known and designated as Lots 146 and 147, of a Subdivision known as GROVE POINTE, PHASE 1, according to a plat of survey of said Subdivision prepared by Waddle & Company, certified by Theodore W. Waddle, Jr., Georgia Registered Land Surveyor No. 2139, dated August 21, 2002, a copy of which is of record in Map Book 59, Page 136, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

2. Binding Effect; Effective Date. Said Covenants shall become effective immediately and shall run with the land, and 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 have set their hands and seals to this instrument, or have caused same to be executed by their duly authorized corporate officers, 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]  
Witness

Delba Cannon  
Notary Public  
WILSON COUNTY, GEORGIA  
My Comm. Expires March 15, 2007

RECORDED  
Carolyn V. Sullivan, Clerk  
SEP 30 2002