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Kushinka, Calhoun & Godwin
P.O. Box 8219
Warner Robins, GA 31095

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Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk

BK 2739 PG 168-174

STATE OF GEORGIA
COUNTY OF HOUSTON

AMENDMENT TO RESTRICTIVE COVENANTS
THE ORCHARDS AT GROVE POINTE OF EAGLE SPRINGS
(ADDING PHASE NO. 2)

THIS AMENDMENT TO RESTRICTIVE COVENANTS, made and published this the 23rd day of October, 2002, by EAGLE SPRINGS, LLC, of the State of Georgia and County of Houston, hereinafter referred to as the Declarant.

WITNESSETH: THAT;

WHEREAS, Declarant is the owner of certain real property located in Land Lots 86 & 87 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 THE ORCHARDS AT GROVE POINTE PHASE NO. 2, OF 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 February 14, 2001, recorded in Map Book 59, Page 165, Clerk's Office, Houston Superior Court;

WHEREAS, the Subdivision is adjacent and/or contiguous to THE ORCHARDS OF GROVE POINTE ADDITION TO SECTION NO. 1, a residential subdivision developed by EAGLE SPRINGS, LLC, which is delineated on that certain maps or plats of survey of said Subdivision prepared by Waddle & Company, Surveyors, certified by Theodore W. Waddle, Jr., Georgia Registered Land Surveyor No. 2139, October 15, 1998 and revised February 16, 1999, recorded in Map Book 53, Page 192, 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 restrictive 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 restrictive covenants have heretofore been published and declared with respect to THE ORCHARDS AT GROVE POINT, ADDITION TO SECTION NO. 1, said restrictive covenants and easements being dated February 17, 1999, and recorded in Deed

Book 1430, Page 783 et seq., Clerk's Office, Houston Superior Court.

WHEREAS, the Declarant is desirous of amending the aforesaid Restrictive Covenants in certain particulars and to extend the applicability of said Restrictive Covenants to include, in addition to the property described therein, the Subdivision developed for residential purposes to be known and designated as THE ORCHARDS AT GROVE POINTE, PHASE NO. 2, OF EAGLE SPRINGS; and

WHEREAS, the proposed amendments are authorized by the Covenants.

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 Restrictive Covenants, in the following particulars, to-wit:

1. **Additional Property Subject to Restrictive 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 Restrictive Covenants, and said Restrictive Covenants are hereby modified and amended so as to include the following described lots, tracts or parcels of land, to-wit:

All that tract or parcel of land situate, lying and being in Land Lots 86 & 87, 5th Land District, Houston County, Georgia, being known and designated as Lots 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 58, 59, 60, and 61, THE ORCHARD AT GROVE POINTE, PHASE NO. 2, OF EAGLE SPRINGS Subdivision, according to a plat of survey prepared by Waddle & Company, Surveyors, certified by Theodore W. Waddle, Jr., Georgia Registered Land Surveyor No. 2139, February 14, 2001, recorded in Plat Book 59, Page 165, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are incorporated herein by reference for all purposes.

2. **Binding Effect; Effective Date.** Said Restrictive 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 Restrictive Covenants shall remain in full force and effect

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unless and until same are extended or terminated in accordance with provisions thereof.

IN WITNESS WHEREOF, the undersigned has set his hand and seal to this instrument as of the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]
Witness
[Signature]
Notary Public
WILCOX COUNTY, GEORGIA
My Commission Expires March 10, 2003

EAGLE SPRINGS, LLC ✓

[Signature] (Seal)
Charlie N. McGlamry, Manager

Signed, sealed and delivered in the presence of:

[Signature]
Witness
[Signature]
Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004

[Signature] (Seal)
William Mills
[Signature] (Seal)
Holly R. Mills

Signed, sealed and delivered in the presence of:

[Signature]
Witness
[Signature]
Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004

[Signature] (Seal)
Joseph Daszkiewicz
[Signature] (Seal)
Valentina Daszkiewicz

Signed, sealed and delivered in the presence of:

[Signature]
Witness
[Signature]
Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004

[Signature] (Seal)
Tony L. Baker

Signed, sealed and delivered in the presence of:

Witness

Notary Public

~~[Signature] (Seal)~~
~~John W. Welch~~
~~[Signature] (Seal)~~
~~Dolores V. Welch~~

Signed, sealed and delivered
In the presence of:

[Signature] (Seal)
Sonny Crumpton

Shawn Rowley
Witness

Edna B. Astor
Notary Public

Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004

Paul D. Osgood (Seal)
Paul Osgood

Trena Coleman
Witness

Edna B. Astor
Notary Public

Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004

____ (Seal)
Tammy Osgood

Signed, sealed and delivered
In the presence of:

Eugene Alvarez (Seal)
Eugene Alvarez

Trena Coleman
Witness

Edna B. Astor
Notary Public

Signed, sealed and delivered
In the presence of:

John Winston (Seal)
John Winston

Trena Coleman
Witness

Edna B. Astor
Notary Public

Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004

____ (Seal)
Jane Winston

Signed, sealed and delivered
In the presence of:

David Hodges (Seal)
David Hodges

Trena Coleman
Witness

Edna B. Astor
Notary Public

Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004

Franki Hodges (Seal)
Franki Hodges

NOTARY PUBLIC
HOUSTON COUNTY, GEORGIA

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[Handwritten Signature]

Witness

[Handwritten Signature]

Notary Public

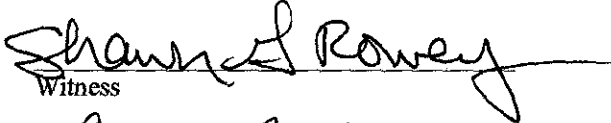
Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004

[Handwritten Signature]
Bobby Graham (Seal)

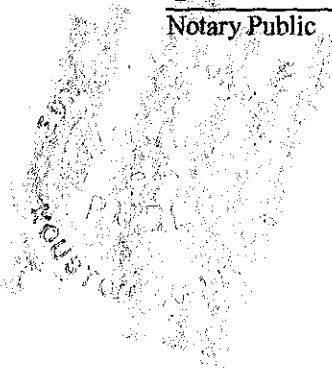


Signed, sealed and delivered
In the presence of:

 (Seal)
Teresa Coleman


Witness


Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004



Signed, sealed and delivered
in the presence of:

Terrell Coleman
Witness

Edna B. Osborne
Notary Public Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004

Ann B. Stormes (Seal)
Ann B. Stormes

Signed, sealed and delivered
in the presence of:

Shawn G. Rowley
Witness

Edna B. Osborne
Notary Public Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004

Margaret J. Scuderi (Seal)
Margaret J. Scuderi

Signed, sealed and delivered
in the presence of:

Terrell Coleman
Witness

Edna B. Osborne
Notary Public Notary Public, Houston County, Georgia
My Commission Expires Feb. 21, 2004

Max R. Wyche (Seal)
Max R. Wyche
Kia P. Wyche (Seal)
Kia P. Wyche