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O'Neal, Long & Hall
P. O. Box 730
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**AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTION AND EASEMENTS
FOR THE SUBDIVISION KNOWN AS**

**THE ORCHARDS AT GROVE POINTE
ADDING PHASE NO. 4, ADDITION NO. 1**

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, made and published this 4th day of August 2005, by **EAGLE SPRINGS, LLC**, a limited liability company organized and existing in accordance with the laws of the State of Georgia, hereinafter referred to as "Declarant".

WITNESSETH


WHEREAS, Declarant is the owner of certain real property located in Land Lot 86 of the Fifth Land District, 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. 4, Addition No. 1, **EAGLE SPRINGS**, (the "Subdivision"), and are delineated on those certain maps or plats or survey of said subdivision prepared by Waddle & Company, certified by Theodore W. Waddle, Jr., Georgia Registered Land Surveyor No. 2139, dated November 3, 2004, recorded in Map Book 65, Pages 156 - , Clerk's Office, Houston Superior Court; and

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; and

WHEREAS, certain covenants, conditions, restrictions and easements have heretofore been published and declared with respect to **The Orchards at Grove Pointe**, Phase No. 4, said covenants, conditions, restrictions and easements being dated December 16, 1998, of record in Deed Book 2739, Page 220, et. seq.; 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 **THE ORCHARDS AT GROVE POINTE**, Phase No. 4, Addition No. 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 August 21, 2003 of record in Deed Book 2739, Page 220, et. seq., Clerk's Office, Houston Superior Court, in the following particulars, to-wit:


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Fee Amt: \$12.00 Page 1 of 2
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk
BK **3528** PG **292-293**

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, Houston County, Georgia, being known and designated as Lots 28A - 34, Phase No. 4, Addition No. 1, of a subdivision known as THE ORCHARDS AT GROVE POINTE, 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 November 3, 2004, a copy of which is of record in Plat Book 65, Page 156- ____, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are incorporated herein by reference thereto for all purposes.

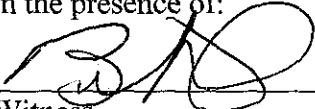
2. Architectural Control Committee. The date of December 31, 2004 referred to in Article VI, Section 6.1, sub-section 6.1.1 Designation of Committee of the Restrictive Covenants shall be extended to December 31, 2006.

3. Binding Effect; Effective Date. Said Covenants shall become effective immediately and shall run with the land, and shall be binding upon all persons claiming under the 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.

Signed, sealed and delivered
in the presence of:

EAGLE SPRINGS, LLC



Witness

By: 

Charlie N. McGlamry, Manager



Notary Public

