

P03-1872

Due/Ret A. H. Clarke, Jr.
P.O. Box 7995
Warner Robins, GA. 31095-7995



Doc ID: 005559580003 Type: GLR
Filed: 10/06/2003 at 05:00:00 PM
Fee Amt: \$14.00 Page 1 of 3
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk

BK 2767 PG 18-20

STATE OF GEORGIA
COUNTY OF HOUSTON

AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS

FOR THE SUBDIVISION KNOWN AS

THE VILLAGE

(Adding Phase No. 1, Addition No. 1)

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, made and published this 24th day of September, 2003, 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 THE VILLAGE, PHASE NO. 1, ADDITION NO. 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 11, 2003, recorded in Map Book 61, Page 161, Clerk's Office, Houston Superior Court.

WHEREAS, the Subdivision is adjacent and/or contiguous to THE VILLAGE, PHASE NO. 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 January 4, 1999, a copy of which is of record in Map Book 54, Page 3, 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 THE VILLAGE, said covenants, conditions, restrictions and easements being dated January 29, 1999, of record in Deed Book 1427, Page 198 et seq., Clerk's Office, Houston Superior Court; as amended by instrument dated March 1, 1999, of record in Deed Book 1434, Page 29 et seq., re-recorded in Deed Book 1509, Page 672, et seq.; further amended by instrument dated February 8, 2000, of record in Deed Book 1509, Page 675 et seq.; further amended by instrument dated April 3, 2000, of record in Deed Book 1528, Page 675 et seq.; further amended by instrument dated September 13, 2002, of record in Deed Book 2225, Page 141 et seq., said Clerk's Office, Houston Superior Court (said covenants, conditions, restrictions and easements, as amended, being 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 THE VILLAGE, PHASE NO. 1, 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 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 72, 73 and 74, Block "A" and Parcel "X", comprising 0.699 acres, of a Subdivision known as THE VILLAGE, PHASE NO. 1, ADDITION NO. 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 11, 2003, a copy of which is of record in Map Book 61, Page 161, 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.

BOOK 2767 PAGE 20

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* (SEAL)
CHARLIE N. McGLAMRY, Manager

Signed, sealed and delivered
in the presence of:

Keth Nantz
Witness

Melba Conner
Notary Public

