

526 0453

05 JUN 23 PM 4:50

CLERK OF SUPERIOR COURT
BRYAN COUNTY, GA

CLERK'S COVER SHEET

Law Offices of:
James R. Gardner, LLC
Post Office Box 113
Richmond Hill, Georgia 31324
ATTN: Pamela Williams

GRANTOR: ERNEST COMMUNITIES, LLC

GRANTEE:

DATE OF INSTRUMENT: June 10, 2005

TYPE OF INSTRUMENT:

- Security Deed
- Cancellation
- Warranty Deed
- Other

Note: This cover page is for recording purposes only and does not modify or amend the Terms of the attached instrument.

STATE OF GEORGIA)
COUNTY OF BRYAN 528

0454

05 JUN 23 PM 4:50

CLERK OF SUPERIOR COURT
BRYAN COUNTY
AMENDMENT TO
DECLARATION OF PROTECTIVE COVENANTS
AND RESTRICTIONS FOR
BUCKHEAD SOUTH
TRANQUILLA HALL PHASE, PHASES 1 AND 2

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("Declaration"), made on the date hereinafter set forth by ERNEST COMMUNITIES, LLC ("Declarant").

WITNESSETH:

WHEREAS, Declarant has previously established the Declaration of Protective Covenants And Restrictions for Buckhead South, Tranquilla Hall Phase, Phases 1 and 2, with respect to that certain property in Bryan County, Georgia, more particularly described in Exhibit "B" hereof (hereinafter defined as "Buckhead South, Tranquilla Hall Phase, Phases 1 and 2" or "the Property") by Declaration of Protective Covenants And Restrictions for Buckhead South, Tranquilla Hall Phase, Phase 1, being recorded in Deed Book 359, Page 0385, (hereinafter the "Declaration") and by a Supplemental Declaration recorded in Deed Book 480, Page 0173, in the office of the Clerk of Superior Court of Bryan County, Georgia (hereinafter collectively referred to as the "Buckhead South, Tranquilla Hall Phase Declarations");

WHEREAS, Declarant reserved the right in the Declaration, Article XI, Section 6, to amend said Declaration in its sole discretion and further reserved the right in Article V to extend said Declaration to any property that is adjacent to either the Existing Property or the Additional Property as defined in the Declaration and owned by a third party with whom Declarant might have agreed to extend said Declaration that is (hereinafter "Future Existing Property");

WHEREAS, Declarant has agreed with Richmond Hill Development, Inc., Coastal Living Homes, Inc. and Coventry Homes Southeast, Inc., owners of the property more particularly described in Exhibit "C" attached hereto, to extend the Declaration to said property;

WHEREAS, the property of Richmond Hill Development, Inc., Coastal Living Homes, Inc. and Coventry Homes Southeast, Inc. described in Exhibit "C" is adjacent to the Additional Property under the Declaration and may be made a part of the Future Existing Property; and

WHEREAS, Declarant wishes to amend the description of the "Additional Property" in the Declaration to include the property described in Exhibit "C".

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS that Declarant does hereby amend that certain Declaration of Protective Covenants And Restrictions for Buckhead

South, Tranquilla Hall Phase, Phase 1, recorded in Deed Book 359, Page 0385, as extended to Buckhead South, Tranquilla Hall Phase, Phase 2, by Supplemental Declaration recorded in Deed Book 480, Page 0173, in the office of the Clerk of Superior Court of Bryan County, Georgia with the following amendment:

The description of the Additional Property as set forth in Exhibit "A" to the Declaration is amended to read as shown in Exhibit "A" as attached to this amendment and incorporated herein by reference.

All other terms and provisions of the Buckhead South, Tranquilla Hall Phase Declarations as previously amended and extended shall remain in full force and effect as if set forth fully herein in their entirety.

This Amendment to Declaration of Protective Covenants And Restrictions for Buckhead South, Tranquilla Hall Phase, Phases 1 and 2, all of which is for the purpose of protecting the value, desirability and attractiveness of the Property, shall run with the title to the Property and be binding on all persons having or hereafter acquiring any right, title or interest in Buckhead South, Tranquilla Hall Phase, Phase 2, or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

IN WITNESS WHEREOF, the foregoing instrument has been executed under seal, by Declarant, on this 10 day of June, 2005.

ERNEST COMMUNITIES, LLC

By: Jessica Miles (L.S.)
Jessica Miles, Manager

Sworn to and subscribed before me

James R. Gardner
Witness
[Signature]
Notary Public



My Commission Expires:

(Notarial Seal)

526

0456 EXHIBIT "A"

05 JUN 23 PM 4:50

ALL THOSE CERTAIN LOTS, TRACTS OR PARCELS OF LAND SITUATE, LYING AND BEING IN THE 20TH G.M. DISTRICT OF BRYAN COUNTY, GEORGIA, BEING 156.14 ACRES, MORE OR LESS, IN THE AGGREGATE AND CONSISTING OF THOSE CERTAIN TRACTS OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 89.68 ACRES, MORE OR LESS, BEING KNOWN AND DESIGNATED AS "TRACT B" ON THAT CERTAIN PLAT OF SURVEY ENTITLED "MURPHY'S TRACT, FORMERLY A PORTION OF PARCEL 12 OF THE BUCKHEAD PROJECT AND OPTION SITES (RAYLAND COMPANY, INC.), 133.52 ACRES, DIVIDED AS SHOWN, 20TH G.M.D., BRYAN COUNTY, GEORGIA" PREPARED BY SOUTHEAST GEORGIA SURVEYING AND MAPPING, DATED MAY 3, 2000, RECORDED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF BRYAN COUNTY, GEORGIA IN PLAT SLIDE 491, PAGE 3. SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE THERETO FOR DESCRIPTIVE AND ALL OTHER PURPOSES.

AND

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE 20TH G.M. DISTRICT OF BRYAN COUNTY, GEORGIA, CONTAINING 66.46 ACRES MORE OR LESS AND BEING MORE PARTICULARLY DESCRIBED AS "HAMPTON PHASES 1, 2, 3 & 4 AND PORTIONS OF RICHMOND HILL DEVELOPMENT, INC." 20TH G.M.D., BRYAN COUNTY, GEORGIA, AS SHOWN ON THAT CERTAIN PLAT OF SURVEY PREPARED BY SOUTHEAST GEORGIA SURVEYING AND MAPPING, DATED MAY 24, 2005, AND RECORDED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF BRYAN COUNTY, GEORGIA, IN PLAT SLIDE 534, PAGES 8. SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE THERETO FOR DESCRIPTIVE AND ALL OTHER PURPOSES.

526

EXHIBIT B

05 JUN 23 PH 4: 50

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE 20TH G.M. DISTRICT OF BRYAN COUNTY, GEORGIA, BEING KNOWN AND DESIGNATED AS TRANQUILLA HALL, PHASE 1, BUCKHEAD, PHASE 9-A, BEING "TRACT A" OF A 133.52 ACRES TRACT KNOWN AS "MURPHY'S TRACT" 20TH G.M.D., BRYAN COUNTY, GEORGIA, PREPARED BY SOUTHEAST GEORGIA SURVEYING AND MAPPING, DATED OCTOBER 24, 2000, REVISED OCTOBER 29, 2001, RECORDED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF BRYAN COUNTY, GEORGIA, IN PLAT SLIDE 511, PAGES 9 AND 10. SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE THERETO FOR DESCRIPTIVE AND ALL OTHER PURPOSES.

AND ALSO,

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE 20TH G.M. DISTRICT OF BRYAN COUNTY, GEORGIA, CONTAINING 25.85 ACRES MORE OR LESS AND BEING MORE PARTICULARLY DESCRIBED AS "TRANQUILLA HALL, PHASE 2, BUCKHEAD, PHASE 9-B, BEING A PORTION OF "TRACT B" OF A 133.52 ACRES TRACT KNOWN AS "MURPHY'S TRACT" 20TH G.M.D., BRYAN COUNTY, GEORGIA, AS SHOWN ON THAT CERTAIN PLAT OF SURVEY PREPARED BY SOUTHEAST GEORGIA SURVEYING AND MAPPING, DATED APRIL 5, 2002, AND RECORDED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF BRYAN COUNTY, GEORGIA, IN PLAT SLIDE 536, PAGES 8 AND 9. SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE THERETO FOR DESCRIPTIVE AND ALL OTHER PURPOSES.

526

0458

05 JUN 23 PM 4:50

EXHIBIT "C"

CLERK OF SUPERIOR COURT
BRYAN COUNTY, GA

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN THE 20TH G.M. DISTRICT OF BRYAN COUNTY, GEORGIA, CONTAINING 66.46 ACRES MORE OR LESS AND BEING MORE PARTICULARLY DESCRIBED AS "HAMPTON PHASES 1, 2, 3 & 4 AND PORTIONS OF RICHMOND HILL DEVELOPMENT, INC." 20TH G.M.D., BRYAN COUNTY, GEORGIA, AS SHOWN ON THAT CERTAIN PLAT OF SURVEY PREPARED BY SOUTHEAST GEORGIA SURVEYING AND MAPPING, DATED MAY 24, 2005, AND RECORDED IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF BRYAN COUNTY, GEORGIA, IN PLAT SLIDE 534, PAGES 8. SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE THERETO FOR DESCRIPTIVE AND ALL OTHER PURPOSES.