

Homeland Communities, Inc.
6251 Smithpointe Drive, Bldg. B
Norcross, Georgia 30092

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.

1998 DEC 27 PM 1:04

GARY R. YATES, CLERK

STATE OF GEORGIA

COUNTY OF FULTON

FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
CHATTAHOOCHEE COVE HOMEOWNERS ASSOCIATION

WHEREAS, HOMELAND COMMUNITIES INC., a Georgia corporation, and FALLING WATER INVESTMENT, LTD., a Georgia limited partnership (hereinafter collectively referred to as "Developer"), recorded a Declaration of Covenants, Conditions and Restrictions for Chattahoochee Cove Homeowner's Association ("Declaration") on October 17, 1996 in Deed Book 13336, Page 0091, et seq., of the Gwinnett County, Georgia land records; and

WHEREAS, Article XIV, Section 9, of the Declaration provides for the amendment thereof by Developer; and

WHEREAS, Developer wishes to amend said Declaration.

NOW, THEREFORE, the Declaration is amended as follows:

1. Article I, Section 7, is deleted in its entirety and in lieu thereof the following is inserted: "7. Limited Common Area" shall mean that property located to the front, rear and side of each Unit as applicable and as further defined herein and as shown on the Site Plan and any amendments thereto, including the private driveway between each Unit and the adjacent public street."
2. Article VIII is amended by adding the following the following thereto:

"Section 7. Easements for Owners. Each Owner shall have an exclusive easement for ingress, egress, maintenance and any other purpose deemed necessary to the Unit Owner and not in violation of any provision hereof over and across the Limited Common Area adjacent to and as an appurtenant to his Unit."

All other terms and conditions of the Declaration shall remain in full force and effect and is hereby re-ratified.

BK 13605 PG0034

IN WITNESS WHEREOF, the parties hereto have affixed their respective hands and seals this 27 day of Dec, 1996.

Signed, sealed and delivered in the presence of:

Muehel Shaw
Unofficial Witness

Jeanne G. Galt
Notary Public

My Commission Expires:

Notary Public, State of Georgia
1997 Expires 03/31/97

Signed, sealed and delivered in the presence of:

Muehel Shaw
Unofficial Witness

Jeanne G. Galt
Notary Public

My Commission Expires:

DEVELOPER:

HOMELAND COMMUNITIES, INC., a Georgia corporation

BY: [Signature]
NAME: J. D. Brooks
TITLE: President

FALLING WATER INVESTMENT, LTD., a Georgia limited partnership

BY: HOMELAND COMMUNITIES, INC., a Georgia corporation, its sole general partner

BY: [Signature]
NAME: J. D. Brooks
TITLE: President