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FAYETTE COUNTY, GA,

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B. D. MURPHY, III, P.C.
370 WEST STONEWALL AVENUE
P.O. BOX 26
FAYETTEVILLE, GEORGIA 30214

FIRST AMENDMENT TO ~~RESIDENTIAL DECLARATION~~ ^{W.A. SALES} ~~DECLARATION~~ 4226

**OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS
FOR MAGNOLIA RIDGE SUBDIVISION**

KNOW ALL MEN BY THESE PRESENTS, that this First Amendment to Declaration of Covenants, Conditions and Restrictions is made and entered into on this 12th day of March, 1999, by DAN V. STINCHCOMB, hereinafter referred to as Grantor,

W I T N E S S E T H:

WHEREAS, Grantor has previously declared those certain **RESIDENTIAL DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS** for Magnolia Ridge Subdivision, Unit One, which Declaration was dated March 17, 1998, and is recorded in Deed Book 1230, page 165, Fayette County Deed Records; and

WHEREAS, Grantor desires to amend said Covenants in certain particulars, pursuant to the provisions of Article XV, as set forth in said prior Covenants; and

WHEREAS, Grantor desires to add additional Phases of Magnolia Ridge, pursuant to the provisions of Article I, and subject such additional Phases to the provisions set forth in the aforesaid **RESIDENTIAL DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS;**

NOW THEREFORE, Grantor hereby amends the aforesaid RESIDENTIAL DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS, as follows, to wit:

ARTICLE I TO FIRST AMENDMENT

ARTICLE I

PROPERTIES SUBJECT TO THIS DECLARATION

The real property which is described on Exhibit "A" hereto, which property constitutes Phases Two and Three of Magnolia Ridge Subdivision, is hereby added to the aforesaid RESIDENTIAL DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS, so as to subject said additional property to all of the terms, conditions and provisions set forth therein.

ARTICLE II TO FIRST AMENDMENT

ARTICLE IX

EASEMENTS

The following paragraph is added to this Article, to wit:

Notwithstanding the foregoing, the maintenance of the four storm water detention ponds located in Magnolia Ridge shall be the sole responsibility of the Association, and shall not be the responsibility of the individual owner or owners upon which lot said detention ponds may be located.

ARTICLE III TO FIRST AMENDMENT

Except as herein amended, all of the terms, conditions and provisions contained in the aforesaid RESIDENTIAL DECLARATION OF

PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal, this 12th day of March, 1999.

Signed, sealed and delivered
in the presence of

BY: Dan V. Stinchcomb (Seal)
DAN V. STINCHCOMB

[Signature]
Unofficial Witness

[Signature]
Notary Public

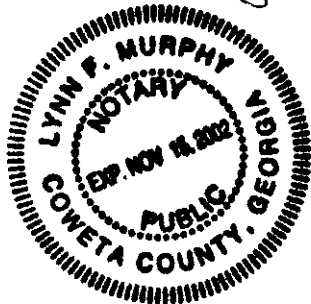


EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lots 95 and 96 of the 5th District of Fayette County, Georgia, and being more particularly described as follows:

BEGINNING AT THE POINT of intersection of the northeasterly right-of-way of Lester Road (60 foot right-of-way) with the southerly land lot line of Land Lot 96; from said **POINT OF BEGINNING** running thence in a northwesterly direction, and following along the northeasterly right-of-way of Lester Road, and along the arc of a curve to the right, an arc distance of 145.47 feet (chord bearing north 6 degrees 12 minutes 59 seconds west and a chord length of 144.94 feet) to a point; running thence north 0 degrees 08 minutes 31 seconds west, and continuing along said right-of-way, a distance of 168.90 feet to a point; continuing thence in a northwesterly direction, and following along the northeasterly right-of-way of Lester Road, and along the arc of a curve to the left an arc distance of 455.93 feet (chord bearing north 6 degrees 22 minutes 56 seconds west and a chord length of 455.03 feet) to a point; running thence north 12 degrees 37 minutes 22 seconds west, and continuing along said right-of-way, a distance of 520.35 feet to a point; running thence north 13 degrees 05 minutes 23 seconds west, and continuing along said right-of-way, a distance of 128.24 feet to a point; running thence north 16 degrees 31 minutes 05 seconds west, and continuing along said right-of-way, a distance of 104.59 feet to a point, which point is located at the intersection of the northeasterly right-of-way of Lester Road with the southeasterly right-of-way of Old Norton Road (30 foot right-of-way); running thence north 47 degrees 34 minutes 39 seconds east, and following along the right-of-way of Old Norton Road, a distance of 205.61 feet to a point; running thence south 89 degrees 41 minutes 29 seconds east a distance of 3,137.61 feet to a point, which point is located at the centerline of Whitewater Creek; running thence in a southwesterly, southerly, and southeasterly direction, and following along the meanderings of the centerline of Whitewater Creek, a distance of 1980 feet, more or less, to a point located at the intersection of said centerline with the southerly land lot line of Land Lot 95; running thence south 89 degrees 30 minutes 39 seconds west, and following along the southerly land lot line of said Land Lot 95, a distance of 2078.00 feet to a point and the **POINT OF BEGINNING**.

LESS AND EXCEPT on the above described property all that property shown on a plat dated September 22, 1997, prepared by R. M. Boyd & Associates, entitled "Magnolia Ridge, Unit One", which plat is recorded in Plat Book 30, pages 4 through 9, Fayette County, Georgia Records.