

GEORGIA, LEE COUNTY
FILED FOR RECORD ON8-27-2018TIME 10:40 ABOOK 2014 PG 192-198RECORDED 8-27-2018Betty J. M. Gee Dep.SARA CLARK, CLERK
S.C.L.C., GAAFTER RECORDING, RETURN TO:E. DUNN STAPLETON
WATSON SPENCE LLP
POST OFFICE BOX 2008
ALBANY, GEORGIA 31702-2008CLERK, PLEASE CROSS REFERENCE TO:DEED BOOK 2009, PAGE 272,
LEE COUNTY LAND RECORDS

AMENDMENT
TO
DECLARATION OF COVENANTS,
CONDITIONS, EASEMENTS AND RESTRICTIONS
FOR
THE VILLAS AT OAKLAND PLANTATION

AMENDMENT
TO
DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS, EASEMENTS AND RESTRICTIONS
FOR
THE VILLAS AT OAKLAND PLANTATION

THIS AMENDMENT TO DECLARATION ("Amendment") made as of the 20th day of August, 2018, by **OAKLAND PLANTATION PARTNERS, LLC** (hereinafter referred to as "Declarant"), as follows:

WITNESSETH:

WHEREAS, Declarant, as the owner and developer of certain real property (the "Property") located in Land Lot 230 of the Second Land District in Lee County, Georgia, previously executed and recorded a Declaration of Covenants, Conditions, Easements and Restrictions (the "Declaration") covering the Property, which Declaration is recorded in Deed Book 2009, page 272, Lee County land records; and

WHEREAS, the original plat (the "Original Plat") of the Property is recorded in Plat Book PCF, Pages 187 and 188, in the office of the Clerk of Superior Court of Lee County; and

WHEREAS, the original plat has been updated and superseded by the revised, updated plat (the "Revised Plat") of the Property as recorded in Plat Book PCF, Pages 195 and 196, in the office of the Clerk of Superior Court of Lee County; and

WHEREAS, the only differences between the Original Plat and the Revised Plat are: (a) Note 7 regarding finished floor elevations for residences has been modified to reflect that, as to Lots 10 through 30, inclusive, the minimum required finished floor elevation was reduced from 231.0 to 229.5; and (b) in the Curve Table shown on the recorded plat, several of the curve lengths have been updated and corrected.

WHEREAS, Declarant desires to amend the Declaration to update the plat reference of the Property and to amend additional provisions of the Declaration;

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

A. The definition of "Plat" in Section 1.14 of Article I of the Declaration is amended to read as follows:

1.14 "**Plat**" means that certain plat prepared by Lanier Engineering, Inc., entitled "**The Villas at Oakland Plantation**", and recorded in **Plat Book PCF, Pages 195 and 196**, in the office of the Clerk of Superior Court of Lee County, Georgia.

B. A conveyance of any lot in The Villas by either the Original Plat or by the Revised Plat will be an effective conveyance of that lot, and such conveyance will be subject to the terms and provisions of the Declaration except that the above-referenced revised provisions in the Revised Plat will control over the similar provisions in the Original Plat.

C. Section 7.06(c) is deleted in its entirety, and the following new Section 7.06(c) is substituted in lieu thereof:

(c) No building shall be located on any Lot nearer to the front lot line or nearer to the side street line or any other side lot line than the minimum building setback line shown on the Plat. For the purpose of this Declaration, steps shall not be considered as part of a building; provided, however, this shall not be construed to permit any portion of any improvement on a Lot to encroach upon any other Lot.

D. Section 7.07 is amended by adding the following additional provision at the end of Section 7.07:

This provision, however, shall not prohibit or restrict Declarant or an Approved Builder from constructing, maintaining and marketing one or more model homes within the Community.

E. Section 7.16 is deleted in its entirety, and the following new Section 7.16 is substituted in lieu thereof:

7.16 Vehicles; Parking; Garages. The term "vehicles," as used herein, shall mean automobiles, pickup trucks, motorcycles, scooters and golf carts. All vehicles shall be parked within garages, driveways or other paved parking areas located on a Lot except that guests and service vehicles may park along streets for reasonable periods of time as determined by the Board. Parking in yards is prohibited. If the Lot includes a garage with exterior doors, the doors shall be kept closed at all times, except during times of entry and exit from the garage, or when someone is working in or around the garage. Motorhomes, boats, trailers, minibikes, go-carts, campers, buses, and all types of farm equipment are prohibited in the Property.

No vehicle may be parked at any time on any Common Property, and no vehicle shall be used as a domicile or residence, either permanent or temporary.

F. Section 7.32 is deleted in its entirety, and the following new Section 7.32 is substituted in lieu thereof:

7.32 Gardens and Play Equipment. Vegetable gardens and/or play equipment may only be erected on any Lot between the rear dwelling line and

the rear lot line and will require the prior written consent of the ARC. No basketball goals are allowed within the Community.

- G. Section 7.40 is deleted in its entirety, and the following new Section 7.40 is substituted in lieu thereof:

7.40 **Construction of Improvements**

- a. No construction or improvements on any Lot shall be undertaken or conducted on any Sundays or holidays as established by the ARC except for emergency situations involving the potential loss, injury or damage to persons or property, and as otherwise permitted by the ARC. Hours of work shall be kept within 7:00 A.M. to 6:00 P.M.
- b. Immediately after clearing the Lot, but prior to any building material being delivered, a dumpster must be placed on the Lot. All construction debris must be placed in the dumpster before leaving the site every day. Builder is to provide proper refuse containers and is responsible for keeping them emptied.
- c. After the building permit is issued but prior to commencing work, a portable toilet must be placed on the job site and in a manner and location so as to least disturb other residences and other construction.
- d. No vehicle belonging to the builder/contractor or anyone within the Property at the request, direction or instance of the builder/contractor, including but not limited to employees, subcontractors, suppliers or agents of the builder/contractor, may be left overnight on the Lot or otherwise within the Property, including on the public streets. Construction equipment may be left on the site while needed.
- e. Twenty-four (24) hour emergency telephone numbers for both the Owner and for the builder/contractor must be provided to Declarant and kept current during the entire construction process.
- f. Any damage to curb, gutters, paving, utility poles and/or lines, drainage ditches, adjacent properties, etc. must be promptly reported and repairs approved by Declarant.
- h. Dwellings may not be temporarily or permanently occupied until the exteriors thereof have been completed, and any required occupancy permits have been obtained from local authorities. No temporary house, shack, tent, barn or other outbuilding shall be permitted on any Lot at any time unless approved by the ARC. During the continuance of construction by or on behalf of an Owner, such Owner shall require its contractors to maintain the Lot in a reasonably clean and uncluttered

condition and, to the extent possible, all construction trash and debris shall be kept within refuse containers. Upon completion of construction, such Owner shall cause its contractor(s) to immediately remove all equipment, tools and construction material and debris from the Lot.

H. Except as amended herein, the terms and provisions of the Declaration remain in full force and effect.

IN WITNESS WHEREOF, the undersigned duly authorized Managers of Declarant have executed this Amendment to Declaration as of the day and year first above written.

Oakland Plantation Partners, LLC



Barry D. Carr, Manager

Signed, sealed and delivered in the presence of:



Unofficial Witness



John T. Phillips, III, Manager



Notary Public

My Commission Expires: 12/12/2021

[Affix Notary Seal Here]

180132

