

BK 22082 PG 0191

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.

2001 JAN 19 AM 8:00

TOM LAWLER, CLERK

Please return to:
WEBB, TANNER & POWELL, LLP
P. O. Box 1390
Lawrenceville, GA 30046-1390

Clerk, please cross-reference this instrument
to Declaration of Covenants, Restrictions, and
Easements for Hamiltons Crossing recorded in
Deed Book 21610, beginning at page 105, Gwinnett
County, Georgia Deed Records.

**AMENDMENT TO THE DECLARATION OF COVENANTS, RESTRICTIONS,
AND EASEMENTS FOR HAMILTONS CROSSING**

**THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, RESTRICTIONS,
AND EASEMENTS FOR HAMILTONS CROSSING**, recorded in Deed Book 21610, page 0105, Gwinnett
County, Georgia Deed Records, is made this 12th day of January, 2001, by D.G. Jenkins Development
Corporation (hereinafter referred to as the "Declarant").

WITNESSETH

WHEREAS, Declarant is the Owner of all that tract or parcel of land lying and being in Land Lot 1 and
Land Lot 3 of the 1st Land District, Gwinnett County, Georgia, being shown and more particularly described on
that Final Plat for Hamiltons Crossing, Unit One, dated May 23, 2000, prepared by Precision Planning, Inc.,
certified by Randall W. Dixon, Georgia Registered Land Surveyor No. 1678, and being recorded in Plat Book 86,
Page 286 and 287, Clerk of Superior Court of Gwinnett County, Georgia Records, which said plat is by reference
incorporated herein and made a part hereof (hereinafter referred to as the "Property"); and

WHEREAS, Declarant has subjected the Property to that certain Declaration of Covenants, Restrictions,
and Easements for Hamiltons Crossing recorded at Deed Book 21610, page 0105, Gwinnett County, Georgia
Deed Records (hereinafter referred to as the "Declaration"); and

WHEREAS, Declarant is the Declarant of the Declaration as stated therein; and

WHEREAS, Declarant desires to amend Article V of the Declaration and Section 8.02 of the Declaration
authorizes the Declarant to amend said Declaration, unilaterally and without approval of the remaining Members

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of the Association provided certain conditions are met; and

WHEREAS, the conditions as specified in Section 8.02 of the Declaration are met and Declarant now desires to amend said Declaration.

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

(a) Declarant hereby deletes Section 5.9 of the Declaration in its entirety and substitutes therefor the following:

5.9 Minimum Size. No single story dwelling shall be constructed or maintained on any Lot which dwelling shall have less than eighteen hundred (1800) square feet of heated floor space, exclusive of garages, porches and terraces. No two story dwelling shall be constructed or maintained on any Lot which dwelling shall have less than two thousand (2000) square feet of heated floor space, exclusive of garages, porches and terraces.

(b) Declarant hereby deletes Section 5.13 of the Declaration in its entirety and substitutes therefor the following:

5.13 Clotheslines, Garbage Cans, Woodpiles, Storage Shed. All clotheslines, garbage cans, woodpiles, swimming pool pumps, filters and related equipment and other similar items shall be located or screened so as to be concealed from view of neighboring streets and property. No separate or detached storage sheds shall be placed or erected on any Lot without the prior written consent of the ARC. All construction debris, rubbish, trash and garbage shall be regularly removed and shall not be allowed to accumulate.

Declarant makes this Amendment by virtue of its authority contained in Section 8.02 of the Declaration and Declarant hereby certifies that it has approved such Amendment and that no other approval is necessary. All other terms and conditions of said Declaration not expressly modified herein are hereby ratified and confirmed.

IN WITNESS WHEREOF, Declarant has caused this Amendment to be duly executed by its authorized officer under seal on the day and year first above written.

Signed, sealed and delivered
in the presence of:

Debra Allen Moser
Unofficial Witness

Notary Public
My commission expires:



D.G. JENKINS DEVELOPMENT
CORPORATION

By: *David G. Jenkins*
David G. Jenkins, President

(SEAL)