

TONY CANTRELL 1/4 BK PG  
2994 Lower Union Hill Rd 2481 138  
CANTON, GA. 30115 10.00

AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WAVERLY PARK SUBDIVISION BY EXTENDING THE SAME TO INCLUDE WAVERLY PARK SUBDIVISION, PHASE II

WHEREAS, Three C Developers, Inc., has heretofore recorded Declaration of Covenants, Conditions and Restrictions for Phase I of Waverly Park Subdivision at Deed Book 2181, pages 1-21, Cherokee County Deed Records, as amended and re-recorded at Deed Book 2223, pages 208-228, said records; and

WHEREAS, the undersigned parties own all of the lots in Waverly Park Subdivision, Phase II as shown on a final subdivision plat for Waverly Park Subdivision, Phase II recorded at Plat Book 51, page 192, in the Office of the Clerk of the Superior Court of Cherokee County, Georgia, and which plat is incorporated herein by reference for a more complete description of this property; and

WHEREAS, pursuant to the terms of said Declaration of Covenants, Conditions and Restrictions, Three C Developers, Inc., does hereby extend the Declaration of Covenants, Conditions and Restrictions to cover Phase II of Waverly Park Subdivision being more particularly described on the aforesaid survey.

NOW THEREFORE, the undersigned party hereby declares that all of the property in Phase II of Waverly Park Subdivision shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions recorded at Deed Book 2223, pages 208-228, Cherokee County Deed Records, which is for the purpose of protecting the value and desirability of and which run with the real property and are binding on all parties having any right, title or interest in the described properties, or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

IN WITNESS WHEREOF, the undersigned party executes this Amendment to the original Declaration of Covenants, Conditions and Restrictions this 23 day of August 1996.

*[Signature]*  
Witness  
*[Signature]*  
Notary Public  
Winnett County, Georgia  
My Commission Expires May 4, 1999

THREE C DEVELOPERS, INC.  
By: *[Signature]*

The undersigned is an owner of a lot in Waverly Park Subdivision, Phase II and hereby consents to this Amendment.

This 23<sup>rd</sup> day of August, 1996.

*[Signature]*  
Witness  
*[Signature]*  
Notary Public  
Winnett County, Georgia  
My Commission Expires May 4, 1999

COKER HOMES, INC.  
By: *[Signature]*  
Roger Coker, President

Rec. 8-29-96

38757  
Filed in office this 28 day of Aug 1996  
at 10:50 A.M. Recorded in Book 2481 Page 138  
this 27 day of Aug 1996  
*[Signature]*  
Clerk Superior Court

ANNE M. RENEAU  
SUPERIOR COUNTY