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Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk

BK **4349** PG **118-120**

**AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
MADISON PLACE**

"PHASE NO. 1" to add "PHASE NO. 2"

THIS AMENDMENT TO Declaration of Covenants, Conditions and Restrictions made and published this the 29th day of June, 2007, by **MADISON PLACE INVESTMENTS, LLC.**, a limited liability company organized and existing under the laws of the State of Georgia, hereinafter referred to as the "Declarant".

W I T N E S S E T H :

WHEREAS, Declarant is the owner of certain real property located in Land Lots 70 and 71 of the Fifth Land District of Houston County, Georgia, which has been subdivided into individual lots, tracts or parcels which, together with the streets and other improvements have been designated as **Madison Place, Phase No. 2**, (the "Subdivision"), and is delineated on that certain map or plat of survey of said Subdivision prepared by Waddle & Company, certified by Theodore W. Waddle, Jr., Georgia Registered Land Surveyor No. 2139, dated March 28, 2007, last revised April 24, 2007, recorded in Map Book 69, Pages 18-20, Clerk's Office Houston Superior Court;

WHEREAS, it is to the interest, benefit and advantage of the Declarant and to each and every person who shall hereafter purchase any lot in the Subdivision that covenants governing and regulating the use and occupancy of the same be established, set forth and declared to be covenants running with the land;

WHEREAS, certain Declaration of Covenants, Conditions and Restrictions have heretofore been published and declared with respect to Madison Place, Phase No. 1, said Covenants being dated April 17, 2006, of record in Deed Book 3808, Pages 150-167, Clerk's Office, Houston Superior Court (hereinafter referred to as the "Covenants"); and,

WHEREAS, the Declarant is desirous of amending the aforesaid Covenants to extend the applicability of said Covenants to include, in addition to the property described therein, the property developed for single-family residential purposes to be known and designated as Madison Place, Phase No. 2.

NOW, THEREFORE, for and in consideration of the premises and of the benefits to be derived by Declarant and his successors in title, and to each and every subsequent owner of any of the lots, tracts or parcels hereinafter described, Declarant does hereby modify and amend the said Covenants, dated April 17, 2006, of record in Deed Book 3808, Pages 150-167, Clerk's Office, Houston Superior Court, in the following particulars, to-wit:

1. **Additional Property Subject to Covenants.** The following described lots, tracts or parcels of land shall be, and the same hereby are made, subject to the terms, provisions and conditions set forth in said Covenants, and said Covenants are hereby modified and amended so as to include the following described lots, tracts or parcels of land, to-wit:

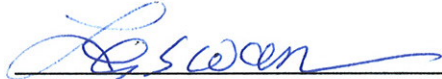
All those tracts or parcels of land situate, lying and being in Land Lots 70 and 71 of the Fifth Land District of Houston County, Georgia, known and designated as Lots 32 through 58, both inclusive, Block "A"; Lots 20 through 46, both inclusive, Block "B"; Lots 1 through 25, both inclusive, Block "C" and Lots 30 through 44, both inclusive, Block "C"; Phase No. 2, MADISON PLACE, according to a plat of survey of said subdivision prepared by Waddle & Company, certified by Theodore W. Waddle, Jr., Georgia Registered Land Surveyor No. 2139, dated March 28, 2007, last revised April 24, 2007, a copy of which is of record in Map Book 69, Pages 18-20, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

2. **Binding Effect; Effective Date.** Said Covenants shall become effective immediately and shall run with the land, and shall be binding on all persons claiming under and through Declarant under the terms, conditions, stipulations and provisions contained therein. Except to the extent hereby amended and modified to include the above-described Subdivision, said Covenants shall remain in full force and effect unless and until same are extended or terminated in accordance with the provisions thereof.

IN WITNESS WHEREOF, the undersigned have set their hands and seals to this instrument, or have caused same to be executed by their duly authorized corporate officers, as of the day and year first above written.

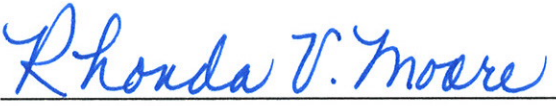
MADISON PLACE INVESTMENTS, LLC

[AFFIX CORPORATE SEAL]

By: 
Larry E. Warnock, Manager

Signed, sealed and delivered
in the presence of:


Unofficial Witness


Notary Public

