

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 1358594985 SubmitterID: 7067927936

After recording, please return to:

Rachel E. Conrad

Dorough & Dorough, LLC

Attorneys at Law

160 Clairemont Avenue

Suite 650

Decatur, Georgia 30030

(404) 687-9977

CROSS REFERENCE: Deed Book: 14331

Page: 1016

---

**SECOND AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS,  
CONDITIONS, RESTRICTIONS AND EASEMENTS  
FOR HICKORY BLUFFS**

THIS SECOND AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR HICKORY BLUFFS (hereinafter referred to as "Amendment") is made this 2nd day of March, 2023 by **LENNAR GEORGIA, LLC**, a Georgia limited liability company, as successor by conversion to **LENNAR GEORGIA, INC.**, a Georgia corporation (hereinafter referred to as "Declarant") and **HICKORY BLUFFS HOMEOWNERS ASSOCIATION, INC.**, a Georgia nonprofit corporation (hereinafter, the "Association").

**WITNESSETH**

**WHEREAS**, Declarant executed that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for Hickory Bluffs, which was recorded January 28, 2019 at Deed Book 14331, Page 1016, *et seq.*, Cherokee County, Georgia land records (hereinafter as supplemented and/or amended from time to time referred to as the "Declaration"); and

**WHEREAS**, the Association is a nonprofit corporation organized under the Georgia Nonprofit Corporation Code to be the Association named in the Declaration to have the power and authority set forth therein; and

**WHEREAS**, Article 12, Section 12.6(a) of the Declaration provides, in pertinent part, that the Declarant may unilaterally amend the Declaration for any purpose; provided, however, such amendment shall not materially adversely affect the substantive rights of any Owner to use and

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 1358594985 SubmitterID: 7067927936

enjoy his or her Lot nor shall it adversely affect title to any Lot without the consent of the affected Owner; and

**WHEREAS**, this Amendment does not materially adversely affect the substantive rights of any Owner to use and enjoy his or her Lot or adversely affect title to any Lot; and

**WHEREAS**, Article 12, Section 12.6(d) of the Declaration provides, in pertinent part, that the Declaration may not be amended, modified, or otherwise changed if such change would affect an owner outside of an Owner under this Declaration, without the prior written consent of the Grantor and DCC, as such terms are defined in the Master Declaration; and

**WHEREAS**, this Amendment does not affect an owner outside of an Owner under the Declaration; and

**WHEREAS**, Declarant desires to amend the Declaration as set forth herein, as evidenced by the signatures attached hereto and by this reference incorporated herein;

**NOW THEREFORE**, the undersigned hereby adopts this Second Amendment to the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Hickory Bluffs, hereby declaring that all of the property now or hereafter subject to the Declaration shall be held, conveyed, encumbered, used, occupied and improved subject to the Declaration, amended as follows:

1.

The Declaration is hereby amended by deleting Article 7, Section 7.4(a), entitled "General," in its entirety and replacing it with a new Section 7.4(a) to read as follows:

(a) General. Vehicles shall be parked only in appropriate parking spaces serving the Lot or other designated parking areas established by the Board, if any. The term "vehicles," as used herein, shall include, without limitation, motor homes, boats, trailers, motorcycles, minibikes, scooters, go carts, golf carts, trucks, campers, buses, vans and automobiles. The term "parking spaces serving the Lot" shall refer to the number of garage parking spaces and the driveway located on such Lot; provided, however, no vehicle parked on a driveway shall encroach onto any portion of a sidewalk, public right-of-way or any landscaped or grassy area. All parking shall be further subject to such reasonable rules and regulations as the Board may adopt from time to time.

2.

Unless otherwise defined herein, the capitalized words used in this Amendment shall have the same meaning as set forth in the Declaration.

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 1358594985 SubmitterID: 7067927936

3.

This Amendment shall be effective only upon being recorded in the records of the Clerk of Superior Court of Cherokee County, Georgia and shall be enforceable against current Owners of a Lot subject to the Declaration.

4.

Except as herein modified, the Declaration shall remain in full force and effect.

[SIGNATURES BEGIN ON FOLLOWING PAGE]

Rec: \$25.00

Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 1358594985 SubmitterID: 7067927936

IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed under seal the day and year first above written.

DECLARANT: **LENNAR GEORGIA, LLC**, a Georgia limited liability company, as successor by conversion to **LENNAR GEORGIA, INC.**, a Georgia corporation

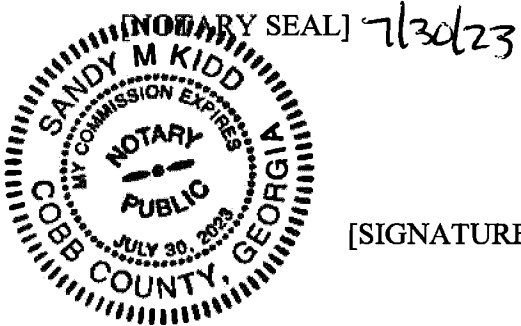
By: *RH* (SEAL)  
Print Name: Ryan Houck  
Title: Division President

Signed, sealed, and delivered in the presence of:

*Curtis Bonineau*  
WITNESS

*Sandy M Kidd*  
NOTARY PUBLIC

My Commission Expires:



[SIGNATURES CONTINUE ON FOLLOWING PAGE]


Rec: \$25.00


Patty Baker, Clerk of Superior Court - Cherokee County, GA

ParticipantIDs: 1358594985 SubmitterID: 7067927936

IN WITNESS WHEREOF, the Association hereby consents and acknowledges this Amendment under seal as of the day and year first above written.

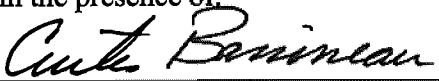
ASSOCIATION: **HICKORY BLUFFS HOMEOWNERS ASSOCIATION, INC.**, a Georgia nonprofit corporation

By:   
Tom Bowers, President

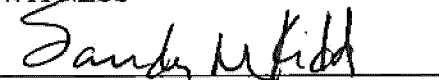
Attest:   
Darren Chase, Secretary

Signed, sealed, and delivered in the presence of:

[CORPORATE SEAL]

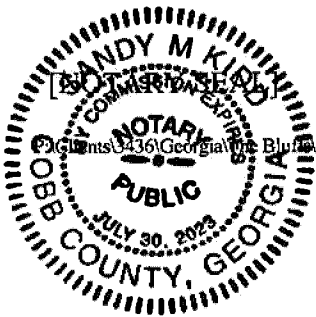


WITNESS



NOTARY PUBLIC

My Commission Expires: 7/30/23



C:\Users\3436\Georgia\The Bluffs\HOA Docs\Second Amendment Declaration.The Bluffs.Parking.docx