

Rec: \$25.00

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

Upon recording, return to:

Landeavor, LLC
10930 Crabapple Road, Suite 204
Roswell, GA 30075
Attn: Jennifer Genovese

Clerk: Please cross-reference to Declaration at:
Book 4515, Page 62

STATE OF GEORGIA

COUNTY OF CHEROKEE

ELEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR GREAT SKY

This Eleventh Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Great Sky ("**Amendment**") is made and executed by GREAT SKY LOTS HOLDINGS, LLC, a Delaware limited liability company ("**GS Lots**," also being sometimes referred to herein as "**Declarant**"), with the joinder and consent of GREAT SKY COMMERCIAL HOLDINGS, LLC, a Delaware limited liability company ("**GS Commercial**").

WITNESSETH:

WHEREAS, Fairgreen Capital, L.P. ("**Original Declarant**") filed that certain Declaration of Covenants, Restrictions and Easements for Great Sky which was recorded in the Office of the Clerk of the Superior Court for Cherokee County, Georgia ("**Land Records**") on April 2, 2001 in Deed Book 4515, Pages 62-99, *et seq.* (the "**Original Declaration**"), which has since been amended and supplemented by various instruments filed in the Land Records (the Original Declaration, as amended and supplemented, is referred to herein as the "**Declaration**"); and

WHEREAS, the Original Declarant conveyed certain properties to Fairgreen Great Sky, LLC, a Georgia limited liability company ("**FGS**") pursuant to that Quitclaim Deed dated September 18, 2006, and recorded October 16, 2006 in Deed Book 9133, Page 356, *et seq.*, as superseded and replaced by that Corrective Quitclaim Deed dated effective as of September 18, 2006, filed for record September 24, 2009 and recorded in Deed Book 10791, Page 213, *et seq.* (as corrected, the "**FGS Deed**"), and Original Declarant, as assignor, with FGS, as assignee,

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executed that Assignment and Assumption Agreement Regarding Rights of Declarant under the Declaration of Covenants, Restrictions and Easements for Great Sky dated October 17, 2007, recorded in the Land Records on October 24, 2007 in Deed Book 9910, Page 27, *et seq.* ("**FGS Assignment**"), expressly stating in such FGS Deed and FGS Assignment the intent, by such instruments, to transfer, assign, and convey to FGS, and for FGS to assume, all rights of the "Declarant" under the Declaration to FGS; and

WHEREAS, FGS, as assignor, and DB Aster III, LLC, a Delaware limited liability company, as assignee, executed that Assignment and Assumption Agreement Regarding Rights of Declarant under the Declaration of Covenants, Restrictions and Easements for Great Sky dated as of June 5, 2012 and recorded in the Land Records on June 25, 2012 in Deed Book 11879, Page 274, *et seq.* ("**Aster Assignment**"), expressly stating in such Aster Assignment the intent, by such instrument, to transfer, assign and convey to DB Aster III, LLC, and for DB Aster III, LLC to assume, all rights and status of "Declarant" under the Declaration. That certain Deed Under Power of Sale dated July 11, 2012 and recorded July 13, 2012 at Deed Book 11905, Page 348, as amended by Amended Deed Under Power of Sale dated July 30, 2012 and recorded August 8, 2012 at Deed Book 11944, Page 408, *et seq.* ("**Aster Deed**"), expressly stated the purpose and intent of the Aster Deed being to convey to DB Aster III, LLC "all of the right, title, equity and interest of FGS, its legal representatives, heirs, assigns and all persons whomsoever claiming under it" in and to the lands described therein; and

WHEREAS, DB Aster III, LLC assigned all of its rights and status as "Declarant" under the Declaration to GS Lots in that Limited Warranty Deed dated as of April 28, 2017, filed for record May 8, 2017 at Book 14175, Page 2202, *et seq.* ("**GSLH Deed**"), and in that Assignment and Assumption of Declarant's Rights between DB Aster III, LLC and GS Lots dated as of April 28, 2017 and recorded in the Land Records on May 8, 2017 in Deed Book 14175, Page 2381, *et seq.* ("**GSLH Assignment**"); and

WHEREAS, pursuant to Article X, Section 10.02 of the Declaration, during any period in which Declarant retains the right to appoint and remove any directors and officers of the Association, the Declarant may amend the Declaration without the approval of any Owner, Commercial Owner or mortgagee, provided that the amendment does not materially alter any Owner's right to the use and enjoyment of such Owner's Lot or Commercial Property, or of the Common Property as set forth in the Declaration, or adversely affect the title in the Declaration or the title to any Lot or Commercial Property, or materially and adversely affect the security title and interest of any mortgagee in a Lot or Commercial Property, without the consent of the affected Owner or mortgagee;

WHEREAS, GS Lots, as the current Declarant, still holds the right to appoint and remove directors and officers of the Association pursuant to Section 3.11 of the Declaration, and desires to amend the Declaration as described herein; and

WHEREAS, GS Commercial is the sole owner of that property described in Exhibit "A" to this Amendment ("**Pod 16**"), which is or may be part of the property described in that Supplemental Declaration and Fifth Amendment to Declaration of Covenants, Restrictions and

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Easements for Great Sky recorded in the Land Records on December 29, 2010 in Deed Book 11254, Page 261, *et seq.* ("**Fifth Amendment**"); and

WHEREAS, all or part of Pod 16 is the subject of a Conditional Use Permit issued by the City of Canton pursuant to Resolution #CUP1911-001 dated September 2, 2021 ("**CUP**"), condition #7 of which provides that the development in POD 16 may not be marketed as being a part of the Great Sky development and may not be included in the Great Sky Homeowner's Association or have access to any of its amenities; and

WHEREAS, the Declarant and GS Commercial desire to amend the Declaration to remove and expressly exclude Pod 16 from the coverage of the Declaration and the description of the "Property" subject thereto, in order to eliminate any conflict between the CUP and the Fifth Amendment and bring the Declaration and Fifth Amendment into conformity with the conditions of governmental resolution granting the CUP, and in order to eliminate any rights and obligations of Pod 16 with respect to Great Sky Homeowner's Association, including any right of access to its amenities;

WHEREAS, GS Commercial has joined in execution of this Amendment to evidence its consent to the same and, there being no mortgage on Pod 16, no mortgagee consent is required;

NOW, THEREFORE, the Declarant, with the joinder and consent of GS Commercial, hereby amends the Declaration as follows:

Section 1.13, Property, is amended by deleting that Section and replacing it with the following:

1.13. Property. "Property" means that certain real property described in and expressly made subject to this Declaration by those instruments described in Exhibit "A" attached hereto together with such additional real property as may have been or as may hereafter be made subject to the provisions of this Declaration pursuant to Article XI hereof or by amendment to this Declaration, but excluding any real property expressly withdrawn, removed or otherwise excluded on Exhibit "A" or by amendment to this Declaration or any Supplemental Declaration.

2.

Article XI, ANNEXATION, as previously amended, is further amended by deleting the last paragraph thereof (added by the Fifth Amendment), and replacing it with the following:

Notwithstanding any other provision to the contrary in the Declaration, upon recording of a plat in the real estate records of Cherokee County, Georgia which encompasses any of the property subjected to the Declaration by the Supplemental Declaration and Fifth Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky dated December 22, 2010 and not thereafter removed or excluded by amendment thereto

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or amendment to this Declaration, the Lots and any roads, open spaces, and other parcels described on said plat shall automatically be and remain subject to the Declaration and all of its terms, provisions, covenants, restrictions, conditions, easements agreement, charges and benefits provided therein without the need for the plat itself to contain a statement which expressly sets forth Declarant's intention to make such annexed property subject to the provisions of this Declaration and/or without the need for the recording of any additional or amended supplemental declaration describing such recorded plat or the Lots and other parcels described therein.

3.

The Declaration is further amended by attaching, as Exhibits "A" and "B" to the Declaration, respectively, Exhibits "A" and "B" attached to this Amendment.

[continued on next page]

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IN WITNESS WHEREOF, the Declarant has executed this Amendment by and through its authorized representative this 22 day of April, 2022.

DECLARANT:

GREAT SKY LOTS HOLDINGS, LLC, a Delaware limited liability company

By: Great Sky Holdings, LLC, a Delaware limited liability company, its managing member

By: Landeavor Great Sky Manager, LLC, a Delaware limited liability company, as its managing member

By: Adam Lorry
Adam Lorry, Authorized Signatory

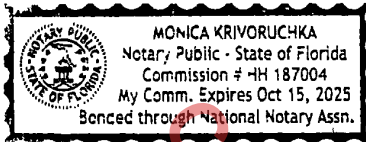
Signed, sealed and delivered this 22 day of April, 2022, in the presence of:

[Signature]
Unofficial Witness
(Print Name): Alfonso Herrea

Monica Krivoruchka
Notary Public
(Print Name): Monica Krivoruchka

[Notary Seal/Stamp]

My commission expires:
Oct 15, 2025



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EXHIBIT "A"

Amendments and Supplemental Declarations Through April 11, 2022

The "**Property**," as such term is defined in this Declaration, includes (without limitation) all those tracts or parcels of land described in and expressly made subject to this Declaration by the following instruments recorded in the Office of the Clerk of the Superior Court for Cherokee County, Georgia ("**Land Records**"), as they may be amended, less and except any portion thereof which is now or hereafter withdrawn, removed or excluded from the Property by amendment of this Declaration or any Supplemental Declaration:

Supplemental Declaration for Starlight Climb at Great Sky (POD 2A) by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of April 26, 2001, filed for record April 27, 2001 at 1 :06 p.m., recorded in Deed Book 4561, Page 79

Supplemental Declaration for Overlook Grand at Great Sky (POD 3A) by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of September 5, 2001, filed for record September 5, 2001 at 10:10 a.m., recorded in Deed Book 4733, Page 77

Supplemental Declaration for Daybreak at Great Sky (POD 1A) by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of November 14, 2001, filed for record November 21, 2001 at 12:02 p.m., recorded in Deed Book 4884, Page 110

Supplemental Declaration for Daybreak at Great Sky (POD 2B) by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of October 25, 2002, filed for record October 28, 2002 at 4:00 p.m., recorded in Deed Book 5623, Page 164

Supplemental Declaration for Daybreak at Great Sky (POD 1B) by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of June 25, 2003, filed for record June 26, 2003 at 9:28 a.m., recorded in Deed Book 6272, Page 81

Supplemental Declaration for Horizon Peaks at Great Sky (POD 5) by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of November 13, 2003, filed for record November 18, 2003 at 10:14 a.m., recorded in Deed Book 6707, Page 7; as amended by that certain Amended Supplemental Declaration for Horizon Peaks at Great Sky (POD 5) by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of March 5, 2004, filed for record March 8, 2004 at 3:55 p.m., recorded in Deed Book 6923, Page 282

Supplemental Declaration for Thundering Hills at Great Sky (POD 8 - Phase 1) by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of January 19, 2004, filed for record January 26, 2004 at 8:18 a.m., recorded in Deed Book 6838, Page 51

Supplemental Declaration for Morning Mist at Great Sky (POD 6 - Phase I) by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of September 8, 2004, filed for record September 13, 2004 at 10:12 a.m., recorded in Deed Book 7365, Page 423

EXHIBIT "A"

Amendments and Supplemental Declarations Through April 11, 2022

(continued)

Supplemental Declaration for Southern Lights at Great Sky (POD 4 - Phase I) by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of January 11, 2005, filed for record January 18, 2005 at 1:09 p.m., recorded in Deed Book 7650, Page 276

Supplemental Declaration for Southern Lights at Great Sky (POD 4 - Phase I) by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of January 11, 2005, filed for record February 8, 2005 at 4:38 p.m., recorded in Deed Book 7695, Page 165

Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of December 29, 2005, filed for record December 31, 2005 at 11:53 a.m., recorded in Deed Book 8474, Page 269

Supplemental Declaration for Southern Lights at Great Sky (POD 4 - Phase II) by Fairgreen Capital, L.P., a Georgia limited partnership and Fairgreen Great Sky, LLC, a Georgia limited liability company, dated effective as of March 26, 2007, filed for record March 28, 2007 at 9:48 a.m., recorded in Deed Book 9488, Page 96

Second Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky by Fairgreen Great Sky, LLC, a Georgia limited liability company, dated effective as of October 18, 2007, filed for record October 31, 2007 at 2:05 p.m., recorded in Deed Book 9920, Page 191

Supplemental Declaration for Open Spaces at Great Sky by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of December 31, 2007, filed for record December 31, 2007 at 4:08p.m., recorded in Deed Book 10013, Page 190

Supplemental Declaration for Great Sky Commercial by Fairgreen Capital, L.P., a Georgia limited partnership, dated effective as of March 31, 2008, filed for record April 1, 2008 at 3:36 p.m., recorded in Deed Book 10148, Page 88

Third Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky by Fairgreen Great Sky, LLC, a Georgia limited liability company, dated effective as of March 31, 2008, filed for record April 1, 2008 at 3:36p.m., recorded in Deed Book 10148, Page 93

Fourth Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky by Fairgreen Great Sky, LLC, a Georgia limited liability company, dated effective as of March 29, 2010, filed for record March 30, 2010 at 10:44 a.m., recorded in Deed Book 10967, Page 283

Fourth Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky by Fairgreen Great Sky, LLC, a Georgia limited liability company, dated effective as of November 29, 2010, filed for record December 3, 2010 at 3:02 p.m., recorded in Deed Book 11227, Page 24

EXHIBIT "A"

Amendments and Supplemental Declarations Through April 11, 2022

(continued)

Supplemental Declaration and Fifth Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky by Fairgreen Great Sky, LLC, a Georgia limited liability company, dated effective as of December 22, 2010, filed for record December 29, 2010 at 8:11 a.m., recorded in Deed Book 11254, Page 261;

Sixth Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky by Fairgreen Great Sky, LLC, a Georgia limited liability company, dated effective as of June 5, 2012, filed for record June 15, 2012 at 3:04 p.m., recorded in Deed Book 11869, Page 416;

Seventh Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky by DB Aster III, LLC, a Delaware limited liability company, dated effective as of April 22, 2014, filed for record May 5, 2014 at 10:59 a.m., recorded in Deed Book 12838, Page 212

Confirmatory Supplemental Declaration (for Pod 8B) by Great Sky Lots Holdings, LLC, Great Sky Homeowners Association, Inc. and D.R. Horton, Inc., filed for record December 6, 2019 and recorded in Deed Book 14422, Page 750

Confirmatory Supplemental Declaration (for Pod 6B) by Great Sky Lots Holdings, LLC, Great Sky Homeowners Association, Inc. and Grand Communities, LLC, filed for record December 11, 2019 and recorded in Deed Book 14423, Page 2137

Eighth Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky filed for record February 4, 2021 and recorded in Deed Book 14596, Page 1260

Ninth Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky filed for record February 4, 2021 and recorded in Deed Book 14596, Page 1264

Tenth Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky filed for record September 23, 2021 and recorded in Deed Book 14704, Page 2687

LESS AND EXCEPT:

Great Sky Pod 16A, Great Sky Pod 16B, Great Sky Pod 16 C1, Great Sky Pod 16 C2, and Great Sky Pod 16D as described in Exhibit "B" attached hereto (collectively, "Pod 16"), being a portion of the property described in Exhibit "A" to that Quitclaim Deed between DB Aster III, LLC and Great Sky Commercial Holdings, LLC dated April 28, 2017 and recorded May 8, 2017 in Book 14175 at Page 2355.

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EXHIBIT "B"

Description of Pod 16

Pod 16 is comprised of Great Sky Pod 16A, Great Sky Pod 16B, Great Sky Pod 16 C1, Great Sky Pod 16 C2, and Great Sky Pod 16D, being described as follows:

Great Sky Pod 16 A

All that tract or parcel of land lying and being in Land Lots 190, 191, 206, and 207, 14th District, 2nd Section, City of Canton, Cherokee County, Georgia and being more particularly described as follows:

COMMENCING at a 1.25' open top pipe at the corner of land lots 170, 171, 190, and 191; THENCE North 88 degrees 39 minutes 25 seconds East a distance of 772.78 feet to an iron pin set; THENCE North 05 degrees 46 minutes 31 seconds East a distance of 61.03 feet to an iron pin set; THENCE North 05 degrees 46 minutes 31 seconds East a distance of 115.40 feet to an iron pin set, said iron pin set being the **TRUE POINT OF BEGINNING**.

BEGINNING at an iron pin set, THENCE North 05 degrees 46 minutes 41 seconds East a distance of 368.21 feet to an iron pin set on the 1060' contour; THENCE the following calls along said 1060' contour South 88 degrees 22 minutes 12 seconds East a distance of 23.78 feet to a point; THENCE South 23 degrees 31 minutes 52 seconds East a distance of 36.70 feet to a point; THENCE South 11 degrees 14 minutes 15 seconds West a distance of 43.52 feet to a point; THENCE South 18 degrees 46 minutes 46 seconds East a distance of 16.61 feet to a point; THENCE North 48 degrees 15 minutes 38 seconds East a distance of 31.76 feet to a point; THENCE North 62 degrees 57 minutes 24 seconds East a distance of 115.57 feet to a point; THENCE South 77 degrees 23 minutes 17 seconds East a distance of 54.30 feet to a point; THENCE South 51 degrees 10 minutes 35 seconds East a distance of 46.50 feet to a point; THENCE South 05 degrees 53 minutes 17 seconds East a distance of 47.03 feet to a point; THENCE South 81 degrees 16 minutes 44 seconds East a distance of 38.70 feet to a point; THENCE North 89 degrees 00 minutes 38 seconds East a distance of 41.92 feet to a point; THENCE South 66 degrees 26 minutes 54 seconds East a distance of 37.39 feet to a point; THENCE South 34 degrees 49 minutes 12 seconds East a distance of 55.48 feet to a point; THENCE South 30 degrees 48 minutes 32 seconds East a distance of 62.08 feet to a point; THENCE South 17 degrees 13 minutes 02 seconds East a distance of 37.57 feet to a point; THENCE South 01 degrees 43 minutes 31 seconds East a distance of 65.71 feet to a point; THENCE South 16 degrees 20 minutes 07 seconds East a distance of 53.86 feet to a point; THENCE South 87 degrees 08 minutes 44 seconds East a distance of 50.68 feet to a point; THENCE North 10 degrees 14 minutes 28 seconds East a distance of 51.73 feet to a point; THENCE North 03 degrees 27 minutes 14 seconds East a distance of 55.27 feet to a point; THENCE North 30 degrees 44 minutes 25 seconds East a distance of 92.19 feet to a point; THENCE North 40 degrees 02 minutes 01 seconds East a distance of 28.98 feet to a point; THENCE North 58 degrees 06 minutes 01 seconds East a distance of 24.26 feet to a point; THENCE South 70 degrees 21 minutes 05 seconds East a distance of 26.64 feet to a point; THENCE South 62 degrees 27 minutes 13 seconds East a distance of 37.81 feet to a point; THENCE North 76 degrees 52 minutes 08 seconds East a distance of 33.22 feet to a point; THENCE North 30 degrees 15 minutes 48 seconds East a distance of 25.46 feet to a point; THENCE North 26 degrees 48 minutes 09 seconds East a distance of 50.35 feet to a point;

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EXHIBIT "B"**Description of Pod 16**

(continued)

THENCE South 85 degrees 51 minutes 34 seconds East a distance of 41.09 feet to a point;
THENCE North 80 degrees 14 minutes 14 seconds East a distance of 33.96 feet to a point;
THENCE South 71 degrees 07 minutes 01 seconds East a distance of 41.53 feet to a point;
THENCE South 66 degrees 32 minutes 46 seconds East a distance of 58.66 feet to a point;
THENCE South 31 degrees 39 minutes 52 seconds East a distance of 29.54 feet to a point;
THENCE South 14 degrees 25 minutes 32 seconds East a distance of 109.51 feet to a point;
THENCE South 18 degrees 47 minutes 56 seconds East a distance of 88.28 feet to a point;
THENCE South 67 degrees 22 minutes 30 seconds East a distance of 47.79 feet to a point;
THENCE North 42 degrees 04 minutes 08 seconds East a distance of 41.01 feet to a point;
THENCE North 09 degrees 20 minutes 11 seconds East a distance of 40.09 feet to a point;
THENCE North 23 degrees 53 minutes 05 seconds East a distance of 36.14 feet to a point;
THENCE North 35 degrees 27 minutes 27 seconds East a distance of 38.04 feet to a point;
THENCE North 53 degrees 07 minutes 19 seconds East a distance of 45.17 feet to a point;
THENCE North 67 degrees 29 minutes 23 seconds East a distance of 87.08 feet to a point;
THENCE South 89 degrees 37 minutes 38 seconds East a distance of 28.95 feet to a point;
THENCE South 62 degrees 50 minutes 51 seconds East a distance of 63.93 feet to a point;
THENCE South 62 degrees 33 minutes 42 seconds East a distance of 58.30 feet to a point;
THENCE South 74 degrees 53 minutes 34 seconds East a distance of 44.23 feet to a point;
THENCE North 75 degrees 16 minutes 22 seconds East a distance of 56.08 feet to a point;
THENCE North 58 degrees 17 minutes 54 seconds East a distance of 35.75 feet to a point;
THENCE North 69 degrees 21 minutes 56 seconds East a distance of 36.38 feet to a point;
THENCE North 85 degrees 35 minutes 25 seconds East a distance of 55.77 feet to a point;
THENCE North 81 degrees 04 minutes 58 seconds East a distance of 55.29 feet to a point;
THENCE North 75 degrees 30 minutes 52 seconds East a distance of 61.45 feet to a point;
THENCE South 51 degrees 02 minutes 07 seconds East a distance of 25.83 feet to a point;
THENCE South 24 degrees 37 minutes 51 seconds East a distance of 40.15 feet to a point;
THENCE South 02 degrees 06 minutes 52 seconds East a distance of 37.02 feet to a point;
THENCE South 50 degrees 12 minutes 49 seconds East a distance of 21.03 feet to a point;
THENCE South 76 degrees 20 minutes 27 seconds East a distance of 117.03 feet to a point;
THENCE South 63 degrees 57 minutes 28 seconds East a distance of 69.53 feet to a point;
THENCE North 83 degrees 14 minutes 28 seconds East a distance of 21.78 feet to a point;
THENCE North 65 degrees 11 minutes 20 seconds East a distance of 37.03 feet to a point;
THENCE North 49 degrees 49 minutes 14 seconds East a distance of 45.64 feet to a point;
THENCE North 55 degrees 50 minutes 11 seconds East a distance of 56.74 feet to a point;
THENCE North 84 degrees 27 minutes 56 seconds East a distance of 73.99 feet to a point;
THENCE South 85 degrees 38 minutes 38 seconds East a distance of 80.83 feet to a point;
THENCE South 67 degrees 42 minutes 36 seconds East a distance of 86.06 feet to a point;
THENCE North 85 degrees 50 minutes 54 seconds East a distance of 21.55 feet to a point;
THENCE North 59 degrees 39 minutes 42 seconds East a distance of 47.53 feet to a point;
THENCE North 75 degrees 56 minutes 58 seconds East a distance of 36.99 feet to a point;
THENCE South 77 degrees 46 minutes 44 seconds East a distance of 40.84 feet to a point;
THENCE South 49 degrees 15 minutes 02 seconds East a distance of 23.41 feet to a point;
THENCE South 12 degrees 56 minutes 12 seconds East a distance of 27.95 feet to a point;
THENCE South 15 degrees 47 minutes 42 seconds East a distance of 57.76 feet to a point;
THENCE South 36 degrees 19 minutes 55 seconds East a distance of 10.44 feet to a half inch rebar; THENCE leaving the 1060' contour South 31 degrees 28 minutes 35 seconds West a

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EXHIBIT "B"

Description of Pod 16

(continued)

distance of 88.68 feet to an iron pin set; THENCE South 00 degrees 14 minutes 46 seconds East a distance of 38.82 feet to an iron pin set; THENCE South 27 degrees 14 minutes 20 seconds East a distance of 390.51 feet to an iron pin set; THENCE South 79 degrees 25 minutes 45 seconds West a distance of 1249.34 feet to an iron pin set; THENCE along a curve to the right with a radius of 7714.02 feet and an arc length of 1016.27 feet, said curve having a chord bearing of South 83 degrees 11 minutes 53 seconds West and a chord distance of 1015.54 feet to an iron pin set on the Eastern right of way of Reservoir Drive; THENCE along said right of way of Reservoir Drive a curve to the left with a radius of 850.00 feet and an arc length of 899.98 feet, said curve having a chord bearing of North 23 degrees 57 minutes 13 seconds West and a chord distance of 858.52 feet to a point; THENCE North 54 degrees 17 minutes 09 seconds West a distance of 58.19 feet to an iron pin set, said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 43.69 acres.

The above described property is shown on an ALTA/NSPS Survey for DB ASTER III, LLC.

Great Sky Pod 16 B

All that tract or parcel of land lying and being in Land Lots 190 and 191, 14th District, 2nd Section, City of Canton, Cherokee County, Georgia and being more particularly described as follows:

BEGINNING at a 1.25' open top pipe at the corner of land lots 170, 171, 190, and 191; THENCE North 88 degrees 39 minutes 25 seconds East a distance of 772.78 feet to an iron pin set; THENCE North 05 degrees 46 minutes 31 seconds East a distance of 61.03 feet to an iron pin set on the Western right of way of Reservoir Drive; THENCE along a curve to the right with a radius of 750.00 feet and an arc length of 810.87 feet, said curve having a chord bearing of South 23 degrees 21 minutes 29 seconds East and a chord distance of 771.95 feet to an iron pin set; THENCE leaving said western right of way South 87 degrees 15 minutes 10 seconds West a distance of 1081.98 feet to a half inch rebar; THENCE North 00 degrees 20 minutes 19 seconds West a distance of 681.72 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 688943 square feet or 15.82 acres.

The above described property is shown on a ALTA/NSPS Survey for DB ASTER III, LLC

Great Sky Pod 16 C1

All that tract or parcel of land lying and being in Land Lot 190, 14th District, 2nd Section, City of Canton, Cherokee County, Georgia and being more particularly described as follows:

COMMENCING at a 1 inch open top pipe at the intersection of land lots 170, 171, 190, and 191 at a half inch rebar; THENCE leaving said land lot corner North 00 degrees 23 minutes 21 seconds East a distance of 1,952.50 feet to a half inch rebar, said half inch rebar being the **TRUE**

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EXHIBIT "B"**Description of Pod 16**

(continued)

POINT OF BEGINNING.

BEGINNING at a half inch rebar North 00 degrees 19 minutes 24 seconds East a distance of 155.27 feet to a half inch rebar on the 1060' contour, THENCE following said 1060' contour the following courses North 29 degrees 56 minutes 48 seconds East a distance of 30.60 feet to a point; THENCE North 22 degrees 53 minutes 28 seconds East a distance of 17.63 feet to a point; THENCE North 24 degrees 00 minutes 22 seconds East a distance of 39.54 feet to a point; THENCE North 28 degrees 46 minutes 27 seconds East a distance of 12.08 feet to a point; THENCE North 32 degrees 51 minutes 03 seconds East a distance of 22.02 feet to a point; THENCE North 48 degrees 03 minutes 44 seconds East a distance of 20.80 feet to a point; THENCE North 53 degrees 15 minutes 35 seconds East a distance of 25.53 feet to a point; THENCE North 65 degrees 31 minutes 28 seconds East a distance of 18.91 feet to a point; THENCE North 80 degrees 41 minutes 34 seconds East a distance of 32.28 feet to a point; THENCE North 85 degrees 48 minutes 25 seconds East a distance of 25.59 feet to a point; THENCE North 80 degrees 30 minutes 10 seconds East a distance of 50.77 feet to an iron pin set on the Western right of way of Reservoir Drive; THENCE leaving the 1060' contour and following said right of way the following courses South 01 degrees 53 minutes 24 seconds East a distance of 301.95 feet to a point; THENCE along a curve to the right with a radius of 859.83 feet and an arc length of 15.46 feet, said curve having a chord bearing of South 01 degrees 22 minutes 30 seconds East and a chord distance of 15.46 feet to an iron pin set; THENCE leaving said right of way North 89 degrees 36 minutes 40 seconds West a distance of 227.78 feet to a half inch rebar, said half inch rebar being the **TRUE POINT OF BEGINNING**.

Said tract contains 61836 square feet or 1.42 acres.

The above described property is shown on a ALTA/NSPS Survey for DB ASTER III, LLC

Great Sky Pod 16 C2

All that tract or parcel of land lying and being in Land Lot 190, 14th District, 2nd Section, City of Canton, Cherokee County, Georgia and being more particularly described as follows:

COMMENCING at a 1 inch open top pipe at the intersection of land lots 170, 171, 190, and 191 at a half inch rebar; THENCE leaving said land lot comer North 00 degrees 23 minutes 21 seconds East a distance of 1,952.50 feet to a half inch rebar; THENCE North 89 degrees 36 minutes 40 seconds West a distance of 227.78 feet to an iron pin set; THENCE South 89 degrees 36 minutes 40 seconds East a distance of 60 feet to an iron pin set, said iron pin set being the **TRUE POINT OF BEGINNING**.

BEGINNING at an iron pin set on the Eastern right of way of Reservoir Drive, THENCE following said right of way along a curve to the left with a radius of 828.76 feet and an arc length of 17.84 feet, said curve having a chord bearing of North 01 degrees 18 minutes 06 seconds West and a chord distance of 17.84 feet to a point; THENCE North 01 degrees 53 minutes 25 seconds West a distance of 309.97 feet to an iron pin set; THENCE leaving said right of way along the 1060' contour the following courses North 80 degrees 30 minutes 10 seconds East a distance of 64.17 feet to a point; THENCE South 69 degrees 46 minutes 17 seconds East a distance of 13.25 feet to a point; THENCE South 77 degrees 36 minutes 24 seconds East a distance of 30.22 feet

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EXHIBIT "B"**Description of Pod 16**

(continued)

to a point; THENCE South 66 degrees 07 minutes 50 seconds East a distance of 13.46 feet to a point; THENCE South 54 degrees 36 minutes 21 seconds East a distance of 38.57 feet to a point; THENCE South 53 degrees 16 minutes 31 seconds East a distance of 48.46 feet to a point; THENCE South 59 degrees 06 minutes 10 seconds East a distance of 49.52 feet to a point; THENCE South 60 degrees 43 minutes 12 seconds East a distance of 29.19 feet to a point; THENCE South 58 degrees 30 minutes 18 seconds East a distance of 52.53 feet to a point; THENCE South 53 degrees 29 minutes 35 seconds East a distance of 34.95 feet to a point; THENCE South 49 degrees 41 minutes 50 seconds East a distance of 21.64 feet to a point; THENCE South 51 degrees 13 minutes 50 seconds East a distance of 35.54 feet to a point; THENCE South 75 degrees 38 minutes 31 seconds East a distance of 37.95 feet to a point; THENCE South 61 degrees 13 minutes 25 seconds East a distance of 32.74 feet to a point; THENCE South 54 degrees 35 minutes 56 seconds East a distance of 30.23 feet to a point; THENCE South 53 degrees 04 minutes 53 seconds East a distance of 25.62 feet to a point; THENCE South 52 degrees 30 minutes 05 seconds East a distance of 29.09 feet to a point; THENCE South 54 degrees 41 minutes 18 seconds East a distance of 33.16 feet to a point; THENCE South 32 degrees 56 minutes 01 seconds East a distance of 19.68 feet to a point; THENCE South 17 degrees 15 minutes 56 seconds East a distance of 15.70 feet to a point; THENCE South 02 degrees 38 minutes 45 seconds East a distance of 23.43 feet to an iron pin set; THENCE leaving said 1060' contour North 89 degrees 36 minutes 40 seconds West a distance of 539.44 feet to an iron pin set on the Eastern right of way of Reservoir Drive, said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 116142 square feet or 2.67 acres.

The above described property is shown on a ALTA/NSPS Survey for DB ASTER III, LLC

Great Sky Pod 16 D

All that tract or parcel of land lying and being in Land Lot 190, 14th District, 2nd Section, City of Canton, Cherokee County, Georgia and being more particularly described as follows:

COMMENCING at a 1inch open top pipe at the intersection of land lots 170, 171, 190, and 191; THENCE leaving said land lot corner North 00 degrees 23 minutes 21 seconds East a distance of 1,952.50 feet to a half inch rebar; THENCE North 89 degrees 36 minutes 40 seconds West a distance of 227.78 to an iron pin set; THENCE South 89 degrees 36 minutes 40 seconds East a distance of 60.00 feet; THENCE North 89 degrees 36 minutes 40 seconds West a distance of 539.44 feet; THENCE South 89 degrees 33 minutes 24 seconds East a distance of 135.58 feet; THENCE South 00 degrees 31 minutes 25 seconds West a distance of 99.59 feet; THENCE South 89 degrees 27 minutes 05 seconds East a distance of 386.74 feet, said iron pin set being the **TRUE POINT OF BEGINNING**.

BEGINNING at an iron pin set on the 1060' contour, THENCE the following calls along said 1060' contour North 03 degrees 10 minutes 07 seconds West a distance of 64.58 feet to a point; THENCE North 08 degrees 26 minutes 12 seconds West a distance of 27.56 feet to a point; THENCE North 16 degrees 14 minutes 38 seconds West a distance of 25.07 feet to a point;

Rec: \$25.00

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

EXHIBIT "B"

Description of Pod 16

(continued)

THENCE North 22 degrees 23 minutes 09 seconds West a distance of 21.79 feet to a point;
THENCE North 27 degrees 09 minutes 28 seconds West a distance of 14.90 feet to a point;
THENCE North 01 degrees 50 minutes 01 seconds East a distance of 24.56 feet to a point;
THENCE North 15 degrees 06 minutes 44 seconds East a distance of 16.10 feet to a point;
THENCE North 39 degrees 15 minutes 56 seconds East a distance of 16.20 feet to a point;
THENCE North 64 degrees 15 minutes 46 seconds East a distance of 11.97 feet to a point;
THENCE North 76 degrees 09 minutes 11 seconds East a distance of 21.30 feet to a point;
THENCE North 86 degrees 20 minutes 09 seconds East a distance of 17.33 feet to a point;
THENCE South 57 degrees 18 minutes 27 seconds East a distance of 14.72 feet to a point;
THENCE South 74 degrees 56 minutes 38 seconds East a distance of 22.35 feet to a point;
THENCE South 73 degrees 56 minutes 58 seconds East a distance of 46.13 feet to a point;
THENCE South 75 degrees 09 minutes 04 seconds East a distance of 36.10 feet to a point;
THENCE South 71 degrees 51 minutes 40 seconds East a distance of 56.29 feet to a point;
THENCE South 64 degrees 19 minutes 14 seconds East a distance of 26.88 feet to a point;
THENCE South 64 degrees 16 minutes 14 seconds East a distance of 68.15 feet to a point;
THENCE South 62 degrees 26 minutes 53 seconds East a distance of 41.40 feet to a point;
THENCE North 75 degrees 14 minutes 43 seconds East a distance of 58.17 feet to a point;
THENCE North 21 degrees 00 minutes 15 seconds West a distance of 45.34 feet to a point;
THENCE North 27 degrees 41 minutes 01 seconds West a distance of 25.43 feet to a point;
THENCE North 26 degrees 58 minutes 15 seconds West a distance of 19.27 feet to a point;
THENCE North 24 degrees 16 minutes 38 seconds West a distance of 26.30 feet to a point;
THENCE North 20 degrees 02 minutes 37 seconds West a distance of 30.09 feet to a point;
THENCE North 31 degrees 40 minutes 10 seconds West a distance of 31.97 feet to a point;
THENCE North 28 degrees 16 minutes 05 seconds West a distance of 23.83 feet to a point;
THENCE North 18 degrees 36 minutes 44 seconds West a distance of 23.57 feet to a point;
THENCE North 05 degrees 07 minutes 20 seconds West a distance of 15.17 feet to a point;
THENCE North 24 degrees 38 minutes 55 seconds East a distance of 15.52 feet to a point;
THENCE North 35 degrees 32 minutes 32 seconds East a distance of 19.12 feet to a point;
THENCE North 65 degrees 19 minutes 07 seconds East a distance of 23.94 feet to a point;
THENCE South 83 degrees 33 minutes 51 seconds East a distance of 57.19 feet to a point;
THENCE South 67 degrees 38 minutes 47 seconds East a distance of 75.03 feet to a point;
THENCE South 65 degrees 29 minutes 12 seconds East a distance of 59.49 feet to a point;
THENCE South 64 degrees 50 minutes 42 seconds East a distance of 38.31 feet to a point;
THENCE South 51 degrees 59 minutes 34 seconds East a distance of 36.56 feet to a point;
THENCE South 56 degrees 07 minutes 55 seconds East a distance of 39.30 feet to a point;
THENCE South 89 degrees 15 minutes 23 seconds East a distance of 74.51 feet to a point;
THENCE South 74 degrees 38 minutes 08 seconds East a distance of 28.34 feet to a point;
THENCE South 45 degrees 27 minutes 08 seconds East a distance of 46.21 feet to a point;
THENCE South 47 degrees 13 minutes 00 seconds East a distance of 37.52 feet to a point;
THENCE South 63 degrees 48 minutes 53 seconds East a distance of 46.86 feet to a point;
THENCE South 67 degrees 43 minutes 16 seconds East a distance of 40.40 feet to a point;
THENCE South 38 degrees 19 minutes 09 seconds East a distance of 65.34 feet to a point;
THENCE South 07 degrees 36 minutes 51 seconds East a distance of 59.21 feet to a point;
THENCE South 15 degrees 35 minutes 57 seconds East a distance of 38.33 feet to a point;

Rec: \$25.00

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

EXHIBIT "B"**Description of Pod 16**

(continued)

THENCE South 65 degrees 35 minutes 11 seconds East a distance of 36.78 feet to a point;
THENCE South 73 degrees 38 minutes 46 seconds East a distance of 41.86 feet to a point;
THENCE South 67 degrees 32 minutes 01 seconds East a distance of 31.31 feet to a point;
THENCE South 63 degrees 54 minutes 36 seconds East a distance of 37.97 feet to a point;
THENCE South 54 degrees 09 minutes 48 seconds East a distance of 37.75 feet to a point;
THENCE South 38 degrees 05 minutes 53 seconds East a distance of 35.86 feet to a point;
THENCE South 30 degrees 22 minutes 06 seconds East a distance of 17.09 feet to a point;
THENCE South 20 degrees 30 minutes 53 seconds East a distance of 33 .12 feet to a point;
THENCE South 15 degrees 21 minutes 00 seconds East a distance of 26.60 feet to a point;
THENCE South 07 degrees 37 minutes 40 seconds East a distance of 47.07 feet to a point;
THENCE South 18 degrees 31 minutes 40 seconds East a distance of 23.80 feet to a point;
THENCE South 01 degrees 20 minutes 59 seconds East a distance of 21.29 feet to a point;
THENCE South 07 degrees 15 minutes 55 seconds West a distance of 28.83 feet to a point;
THENCE South 21 degrees 40 minutes 30 seconds West a distance of 26.51 feet to a point;
THENCE South 20 degrees 14 minutes 14 seconds West a distance of 25.53 feet to a point;
THENCE South 00 degrees 03 minutes 44 seconds East a distance of 17.30 feet to a point;
THENCE South 20 degrees 16 minutes 51 seconds East a distance of 34.99 feet to a point;
THENCE South 18 degrees 27 minutes 14 seconds East a distance of 19.93 feet to a point;
THENCE South 09 degrees 19 minutes 08 seconds West a distance of 18.02 feet to a point;
THENCE South 39 degrees 23 minutes 34 seconds West a distance of 28.55 feet to a point;
THENCE South 42 degrees 06 minutes 13 seconds West a distance of 23.43 feet to a point;
THENCE South 47 degrees 47 minutes 16 seconds West a distance of 24.91 feet to a point;
THENCE South 73 degrees 24 minutes 27 seconds West a distance of 21.41 feet to a point;
THENCE South 88 degrees 52 minutes 54 seconds West a distance of 16.19 feet to a point;
THENCE North 59 degrees 13 minutes 37 seconds West a distance of 14.99 feet to a point;
THENCE North 33 degrees 14 minutes 27 seconds West a distance of 18.70 feet to a point;
THENCE North 08 degrees 26 minutes 42 seconds West a distance of 16.40 feet to a point;
THENCE North 23 degrees 11 minutes 45 seconds West a distance of 18.53 feet to a point;
THENCE North 14 degrees 11 minutes 42 seconds West a distance of 15.54 feet to a point;
THENCE North 21 degrees 45 minutes 50 seconds West a distance of 13.25 feet to a point;
THENCE North 09 degrees 19 minutes 18 seconds East a distance of 12.77 feet to a point;
THENCE North 15 degrees 26 minutes 15 seconds East a distance of 27.09 feet to a point;
THENCE North 13 degrees 33 minutes 06 seconds West a distance of 23.65 feet to a point;
THENCE North 51 degrees 27 minutes 54 seconds West a distance of 28.17 feet to a point;
THENCE North 48 degrees 40 minutes 51 seconds West a distance of 35.53 feet to a point;
THENCE North 59 degrees 33 minutes 30 seconds West a distance of 14.66 feet to a point;
THENCE South 87 degrees 50 minutes 27 seconds West a distance of 47.43 feet to a half
inch rebar; THENCE leaving the 1060' contour North 00 degrees 05 minutes 28 seconds East a
distance of 289.24 feet to a 1.25' open top pipe; THENCE North 89 degrees 26 minutes 56
seconds West a distance of 890.08 feet to an iron pin set, said point being the **TRUE POINT OF
BEGINNING.**

Said tract contains 289051 square feet or 6.64 acres.

The above described property is shown on a ALTA/NSPS Survey for DB ASTER III, LLC.