

PLEASE RETURN TO:
Mr. Willis B. Jones
Fairgreen Development
6065 Roswell Road
Suite 900
Atlanta, GA 30328

Cross Reference
Deed Book 4515, Page 62

Deed Book **10967 Pg 283**
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Patty Baker
Clerk of Superior Court Cherokee Cty, GA

**FOURTH AMENDMENT TO DECLARATION OF
COVENANTS, RESTRICTIONS AND
EASEMENTS FOR GREAT SKY**

This Fourth Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky is made effective as of this 29th day of March, 2010, by FAIRGREEN GREAT SKY, LLC, a Georgia limited liability company (hereinafter Declarant).

WITNESSETH:

WHEREAS, Fairgreen Capital, L.P. filed that certain Declaration of Covenants, Restrictions and Easements for Great Sky on April 2, 2001, recorded at Deed Book 4515, Pages 62-99, in the Office of the Clerk of the Superior Court of Cherokee County, Georgia (the "Declaration"); and

WHEREAS, Fairgreen Capital, L.P. filed that certain Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky on December 31, 2005, recorded at Deed Book 8474, Pages 269 - 270, in the Office of the Clerk of the Superior Court of Cherokee County, Georgia; and

WHEREAS, all of the rights, duties, powers and obligations of Fairgreen Capital, L.P. as Declarant under the Declaration have been assigned to Fairgreen Great Sky, LLC pursuant to that certain Assignment and Assumption Agreement regarding Rights of Declarant Under the Declaration of Covenants, Conditions, Restrictions and Easements for Great Sky dated October 17, 2007 by and between Fairgreen Capital, L.P. and Fairgreen Great Sky, LLC recorded at Deed Book 9910, Page 27, aforesaid records; and

WHEREAS, Declarant filed that certain Second Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky on October 31, 2007, recorded at Deed Book 9920, Page 191, aforesaid records; and

WHEREAS, Declarant filed that certain Third Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky on April 1, 2008, recorded at Deed Book 10148, Page 93, aforesaid records; and

WHEREAS, Fairgreen Capital, L.P. also assigned and transferred all of its right, title, interest and power as Declarant arising under the Declaration to Fairgreen Great Sky, LLC in the Corrective Quitclaim Deed recorded at Deed Book 10791, Page 213, aforesaid records, and in the Corrective Quitclaim Deed recorded at Deed Book 10791, Page 228, aforesaid records; and

WHEREAS, Declarant desires to amend further the Declaration in certain specific regards in accordance with its rights contain in Paragraph 10.02 of Article X of the Declaration.

NOW, THEREFORE, Declarant does hereby provide as follows:

The Declaration is hereby amended by making the following changes to the Declaration:

1.

Section 4.08 of the Declaration is hereby deleted in its entirety and the following new section is substituted in lieu thereof:

4.08 Commencement Date for Assessments. Each Lot shall become subject to Annual Assessments, the pump equipment assessment as provided for in this Article IV, and Special Assessments for Capital Improvements on the date that Owner closes on the purchase of a Lot with a Dwelling constructed thereon. Neither Declarant nor a Builder shall have any obligation to pay any Annual Assessments, the pump equipment assessment as provided for in this Article IV, or Special Assessments for Capital Improvements.

This Fourth Amendment to Declaration of Covenants, Restrictions and Easements for Great Sky has been executed by the duly authorized Managers of Declarant on the day and year first above written.

DECLARANT:

FAIRGREEN GREAT SKY, LLC
a Georgia limited liability company

By: [Signature]
Manager

By: [Signature]
Manager

Signed, sealed and delivered in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

My commission expires:

