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FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
EASEMENTS AND RESTRICTIONS FOR
MCEVER MILL

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR MCEVER MILL is made on this 30th day of November 2020 by MCEVER MILL DEVELOPMENT, LLC, a Georgia limited liability company ("the Declarant");

WITNESSETH:

WHEREAS, the Declarant did heretofore execute, acknowledge and cause to be recorded that certain Declaration of Covenants, Conditions, Easements and Restrictions for McEver Mill, dated March 18, 2019, recorded in Deed Book 8236, Page 109, Hall County, Georgia Records (the "Declaration"); and

WHEREAS, the Declaration provides for the creation of a "Community" consisting of one hundred five (105) "Lots" (as those terms are defined in the Declaration); and

WHEREAS, on the date of this First Amendment, the Declarant is the "Owner" (as that term is defined in the Declaration) of ninety-five (95) of the Lots in the Community; and

WHEREAS, the Declaration provides, in Section 15.3(b) thereof, that the same may be amended upon the written consent of Owners holding at least two-thirds (2/3) of the "Total Association Vote" (as that term is defined in the Declaration); and

WHEREAS, the Declarant has received the written consent of this First Amendment from Owners representing more than two-thirds (2/3) of the Total Association Vote; and

WHEREAS, the Declarant now desires that the Declaration be amended in the manner hereinafter specified.

NOW, THEREFORE, pursuant to Section 15.3(b) of the Declaration, the Declarant does hereby consent to the amendment of, and does hereby amend, the Declaration as follows:

1. By deleting therefrom the third WHEREAS clause thereof;
2. By deleting therefrom Section 1.22 thereof, and replacing the same with the following:

Section 1.22 Fair Housing Acts shall mean the Fair Housing Act, 43 U.S.C. § 3601, et seq., and O.C.G.A. § 8-3-200, et seq., as such laws may be amended from time to time, and any regulations adopted pursuant to such laws (collectively, the "Fair Housing Acts"); and

3. By deleting the first sentence of Section 5.9 thereof, and replacing same with the following:

Section 5.9. Initiation Fee. The purchaser of each Lot at the closing of the sale or resale of a Lot that has been improved with a Residence for which a certificate of occupancy has been issued shall pay to the Association an initiation fee in the amount determined by the Board.

4. By deleting from the second sentence of Section 7.4(a) thereof the words "and must comply with Article 8 of this Declaration."

5. By deleting therefrom in its entirety Article 8 thereof, and replacing the same with the following: "INTENTIONALLY OMITTED".

Except as amended hereby, the Declaration shall remain in full force and effect pursuant to its terms and provisions.

IN WITNESS WHEREOF, the undersigned, Declarant herein, hereby executes this instrument by and through its duly authorized officers and under seal on the day and year first above written.

DECLARANT:

MCEVER MILL DEVELOPMENT, LLC
a Georgia limited liability company

By: [Signature]
Name: James B. Chapman
Title: Manager

Signed, sealed and delivered this 31 day of November, 2020 in the presence of:

[Signature]
Witness

[Signature]
Notary Public

Melanie Ruth Burusa
NOTARY PUBLIC
DeKalb County, GEORGIA
My Comm. Expires 05/18/2021

[NOTARY SEAL]