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Fee Amt: \$22.00 Page 1 of 6
Forsyth County, GA
Greg G. Allen Clerk Superior Ct
BK **6723** PG **454-459**

Upon recording return to:
Rachel E. Conrad
RE DOROUGH & DOROUGH, LLC
Attorneys at Law
160 Clairemont Avenue, Suite 650
Decatur, Georgia 30030
(404) 687-9977

Cross Reference: Deed Book: 6147
Page: 208

SUPPLEMENTARY DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS FOR NICHOLS VIEW

THIS SUPPLEMENTARY DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS FOR NICHOLS VIEW is made this 3
_____ day of May, 2013, by **GDCI GA 1, L.P.**, a Georgia limited partnership
(hereinafter "Declarant");

W I T N E S S E T H

WHEREAS, Declarant executed that certain Declaration of Protective Covenants,
Conditions, Restrictions and Easements for Nichols View, which was recorded on December 22,
2011 in Deed Book 6147, Page 208, *et seq.*, Forsyth County, Georgia land records (hereinafter as
such document may have been supplemented and amended from time to time referred to as the
"Declaration"); and

WHEREAS, Article 2, Section 2.2 of the Declaration provides that Declarant as the
owner thereof or, if not the owner, with the consent of the owner thereof, has the unilateral right,
privilege and option from time to time at any time until fifteen (15) years after the recording of
the Declaration to subject portions of the real property described on Exhibit "B" to the
Declaration to the provisions of the Declaration and the jurisdiction of the Nichols View
Homeowners Association, Inc. by filing for record a Supplementary Declaration; and

WHEREAS, Declarant is the owner of the real property described in Exhibit "A" attached hereto and desires to subject such property to the provisions of the Declaration, and such property is a portion of the property that may be subjected to the Declaration by the Declarant;

NOW, THEREFORE, pursuant to the powers retained in Declarant under Article 2, Section 2.2 of the Declaration, and in accordance with the provisions of that Section, Declarant hereby subjects all of that tract or parcel of land described on Exhibit "A" attached hereto and by this reference incorporated herein to the provisions of the Declaration. Such property shall be sold, transferred, used, conveyed, occupied and encumbered pursuant to the provisions of the Declaration, all of which shall run with the title to such property and shall be binding upon all persons having any right, title, or interest in such property, their respective heirs, legal representatives, successors, successors-in-title and assigns.

[SIGNATURES BEGIN ON FOLLOWING PAGE]

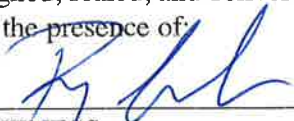
IN WITNESS WHEREOF, Declarant has caused this Supplementary Declaration to be executed under seal the day and year first above written.

DECLARANT: **GDCI GA 1, L.P.**, a Georgia limited partnership

By: **PACIFIC LAND, LLC**, a Georgia limited liability company, as its General Partner

By:  (SEAL)
Michael Kilgallon, as its Manager

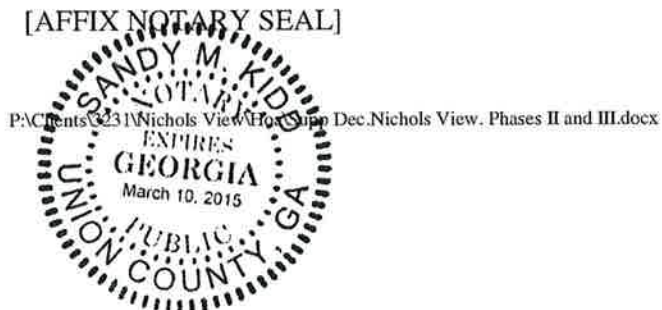
Signed, sealed, and delivered
in the presence of:


WITNESS


NOTARY PUBLIC

My Commission Expires: 3/10/2015

[AFFIX NOTARY SEAL]



IN WITNESS WHEREOF, the undersigned Owner of all or a portion of the tract or parcel of land described on Exhibit "A" attached hereto does hereby declare and consent, on behalf of such Owner and such Owner's heirs, successors, legal representatives, successors-in-title and assigns, that from and after the date hereof the property of Owner described on Exhibit "A" attached hereto shall be owned, held, transferred, sold, conveyed, used, occupied, and encumbered subject to all of the terms, provisions, covenants, restrictions and easements contained in the Declaration.

This 12th day of June, 2013.

Owner: D.R. HORTON, INC., a Delaware corporation

By: 
Name: Bruce A. Rippen
Title: Assistant Secretary

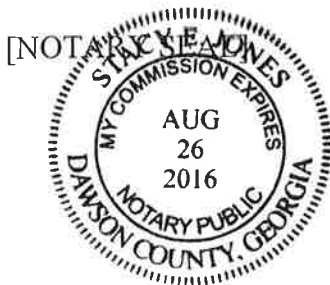
Signed, sealed, and delivered
in the presence of:

[CORPORATE SEAL]


WITNESS


NOTARY PUBLIC

My Commission Expires: 8/26/2016



CONSENT OF LIEN HOLDER

FIRST COVENANT BANK, a Georgia bank ("Lender"), as holder of that certain Deed to Secure Debt and Security Agreement, dated June 14, 2012, recorded at Deed Book 6314, Pages 563-574, Forsyth County, Georgia, land records and re-recorded at Deed Book 6341, Pages 678-689, aforesaid records and as holder of that certain Second Priority Deed to Secure Debt and Security Agreement, recorded at Deed Book 6357, Pages 318-329, aforesaid records (hereinafter collectively referred to as "Security Deed"), encumbering the property described in Exhibit "A" hereof, hereby consents to the Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Nichols View and agrees that any foreclosure of the security title and interest under the Security Deed or any other instrument that Lender holds shall be subject to the Declaration and any amendments thereto with respect to the property described in Exhibit "A".

This ____ of _____, 2013.

LENDER: **FIRST COVENANT BANK**, a
Georgia bank

By: _____

Name: _____

Title: _____

W. Ray Dowling, Jr.
W. RAY DOWLING, JR.
SVP

Signed, sealed, and delivered
in the presence of:

[AFFIX BANK SEAL]

Sandra LeRay

WITNESS

Melanie L. McGee

NOTARY PUBLIC

My Commission Expires: 2/18/15

[NOTARY SEAL]

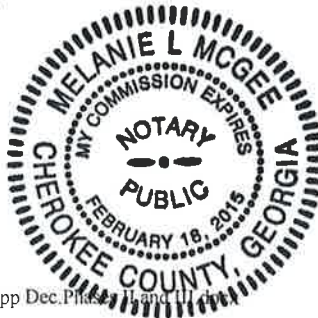


EXHIBIT "A"

Property Description

ALL THAT TRACT OR PARCEL OF LAND LYING and being in Land Lots 801 and 856 of the 2nd District, 1st Section, Forsyth County, Georgia, containing approximately 9.73 acres, including, without limitation, Lots 18 – 50 and Open Space 3, as more particularly shown on that certain **Final Plat for Nichols View – Phase II**, prepared by Travis Pruitt & Associates, Inc., containing the seal of Bruce W. Hamilton, G.R.L.S. No. 2951, dated February 11, 2013, last revised April 16, 2013, recorded April 30, 2013, in Plat Book 138, Pages 57-67, Forsyth County, Georgia land records, reference to said plat of survey and the record thereof being hereby made for a more complete description.

TOGETHER WITH:

ALL THAT TRACT OR PARCEL OF LAND LYING and being in Land Lots 801, 856 and 857 of the 2nd District, 1st Section, Forsyth County, Georgia, containing approximately 4.91 acres, as more particularly shown on that certain **Final Subdivision Plan for Nichols View Phase III**, prepared by Travis Pruitt & Associates, Inc., containing the seal of Bruce W. Hamilton, G.R.L.S. No. 2951, dated June 18, 2012, recorded September 10, 2012, in Plat Book 135, Pages 69-72, Forsyth County, Georgia land records, reference to said plat of survey and the record thereof being hereby made for a more complete description.