

BK 56028 PG 0001

FILED & RECORDED  
CLERK SUPERIOR COURT  
GWINNETT COUNTY, GA

2018 JUL 25 PM 2:00

RICHARD ALEXANDER, CLERK

Pulte Home Company  
2475 Northwinds Pkwy  
Ste 600  
Alpharetta GA 30009~~After recording, please return to:~~Rachel E. Conrad  
Dorough & Dorough, LLC  
Attorneys at Law  
160 Clairemont Avenue  
Suite 650  
Decatur, Georgia 30030  
(404) 687-9977CROSS REFERENCE: Deed Book: 47357  
Page: 296**AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS AND  
EASEMENTS FOR STONEHAVEN AT SUGARLOAF**

THIS AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS AND EASEMENTS FOR STONEHAVEN AT SUGARLOAF (hereinafter referred to as "Amendment") is made this 10 day of July, 2018 by **PULTE HOME COMPANY, LLC**, a Michigan limited liability company, an entity legally converted from **PULTE HOME CORPORATION**, a Michigan corporation (hereinafter referred to as "Declarant") and **STONEHAVEN AT SUGARLOAF NEIGHBORHOOD ASSOCIATION, INC.**, a Georgia nonprofit corporation (hereinafter referred to as the "Association");

**WITNESSETH**

**WHEREAS**, John Wieland Homes and Neighborhoods, Inc., a Georgia corporation ("John Wieland Homes"), as Declarant, executed that certain Declaration of Protective Covenants and Easements for Stonehaven at Sugarloaf, which was recorded December 12, 2006 at Deed Book 47357, Page 296, *et seq.*, Gwinnett County, Georgia records (hereinafter as supplemented and/or amended from time to time, the "Declaration"); and

**WHEREAS**, John Wieland Homes assigned all of the rights, title, interests, powers and authority as the Declarant arising under the Declaration to JW Homes, LLC, a Delaware limited liability company ("JW Homes") pursuant to that certain Assignment of Declarant's Rights, recorded November 19, 2012 at Deed Book 51806, Page 427, *et seq.*, aforesaid records; and

**WHEREAS**, JW Homes assigned all of the rights, title, interests, powers and authority as the Declarant arising under the Declaration to Pulte Home Corporation, a Michigan corporation,

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pursuant to that certain Assignment of Declarant's Rights, recorded January 22, 2016 at Deed Book 54061, Page 459, *et seq.*, aforesaid records; 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 XIII, Section 4 of the Declaration provides, in pertinent part, that so long as the Declarant has the right unilaterally to subject additional property to the Declaration as provided in Article IX hereof, the Declarant may unilaterally amend the Declaration for any purpose; provided, however, such amendment shall not materially adversely affect the substantive rights of any Unit Owner under the Declaration, nor shall it adversely affect title to any Unit without the consent of the affected Unit Owner; and

**WHEREAS**, the right of the Declarant to unilaterally annex additional property to the Community has not expired as provided in Article IX of the Declaration; and

**WHEREAS**, this Amendment does not materially adversely affect the substantive rights of any Unit Owner under the Declaration or adversely affect title to a Unit;

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

1.

The Declaration is hereby amended by adding the following sentence to the end of the first paragraph of Article VI, Section 4 to read as follows:

Notwithstanding anything to the contrary herein, parking shall be permitted along that portion of Haventree Court which is located in front of Lots 1-11, inclusive, as shown on that certain Final Plat for Enclave at Stonehaven, recorded August 10, 2017 at Plat Book 140, Pages 63-66, Gwinnett County, Georgia land records, subject to reasonable rules and regulations adopted by the Board of Directors from time to time in its sole discretion; provided, however, any rules and regulations adopted by the Board shall not have the effect of prohibiting or restricting parking on Haventree Court as permitted above.

2.

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

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3.

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

4.

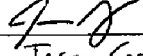
Except as herein modified, the Declaration shall remain in full force and effect.

[SIGNATURES BEGIN ON FOLLOWING PAGE]

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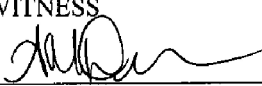
IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed under seal the day and year first above written.

DECLARANT: **PULTE HOME COMPANY, LLC**, a  
Michigan corporation, an entity legally  
converted from **PUTLE HOME**  
**CORPORATION**, a Michigan corporation

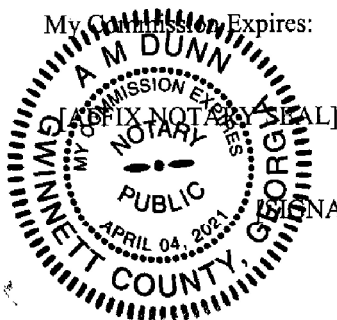
By:  (SEAL)  
Print Name: Jason Garrett  
Title: Vice President of Land Planning & Development

Signed, sealed, and delivered  
in the presence of:

  
WITNESS

  
NOTARY PUBLIC

My Commission Expires: 4.4.21



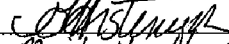
SIGNATURES CONTINUE ON FOLLOWING PAGE]

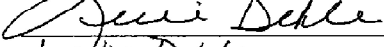
MICHIGAN  
CORPORATE SEAL  
PULTE HOME  
COMPANY, LLC

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IN WITNESS WHEREOF, the Association hereby consents to, approves and executes this Amendment under seal, this 10 day of July, 2018.

ASSOCIATION: **STONEHAVEN AT SUGARLOAF  
NEIGHBORHOOD ASSOCIATION,  
INC.**, a Georgia nonprofit corporation


By:   
Print Name: Michelle Horstemeier  
President

Attest:   
Its: Leslie Dekle  
Secretary

Signed, sealed, and delivered  
in the presence of:

[CORPORATE SEAL]

  
WITNESS

  
NOTARY PUBLIC

My Commission Expires

4.4.21

[ATTESTING NOTARY SEAL]

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