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GEORGIA, LEE COUNTY
FILED FOR RECORD ON

5-17-2018

TIME 4:10P BOOK 1995 PG 123-125

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Betty J. McGehee, Dep.

SARA CLARK, CLERK
S.C.L.C., GA

AFTER RECORDING RETURN TO:

E. DUNN STAPLETON

WATSON SPENCE LLP

POST OFFICE BOX 2008

ALBANY, GEORGIA 31702-2008

**DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR
THE GROVES AT OAKLAND PARKWAY, SECTION 3**

GEORGIA, LEE COUNTY.

THIS DECLARATION, made this 10th day of May, 2018, by **BDC PROPERTIES OF
GEORGIA, LLC** ("Declarant"),

WITNESSETH:

WHEREAS, Declarant is the owner of the real property described in Section I of this Declaration, and is desirous of subjecting the real estate therein described to the restrictions, protective covenants, conditions, reservations, easements, liens and charges hereinafter set forth, which are for the benefit of said real estate and the owners and future owners thereof, and which shall be covenants running with the land, binding the owners and future owners thereof and their respective heirs, administrators, executors and assigns;

NOW, THEREFORE, Declarant hereby declares that the real estate described in Section I hereof is, and shall be in the future, held, transferred, sold and conveyed subject to the provisions of this Declaration.

SECTION I: Property subject to this Declaration.

The real property (the "Property") which is held and shall be conveyed, transferred and sold subject to the conditions, restrictions, protective covenants, reservations, easements, liens and charges set forth in the various sections, clauses and provisions of this Declaration is more particularly described as follows:

All that tract or parcel of land lying and being in Land Lots 231 and 250 in the Second Land District of Lee County, Georgia, and being all of Lots 61 through 91 of The Groves at Oakland, Section 3, according to a map or plat of said subdivision as same is recorded in Plat Book PCF, Pages 181 and 182, in the office of the Clerk of the Superior Court of Lee County, Georgia.

SECTION II. Incorporation of Section 2 Covenants by reference.

Pursuant to the provisions of Section 2.2 of the Declaration of Protective Covenants, Conditions, Restrictions and Easements for The Groves at Oakland Parkway, Section 2, dated July ---, 2016, recorded in **Deed Book 1854, Page 1**, in the office of the Clerk of Superior Court of Lee County, Georgia (the "Section 2 Covenants"), all terms and provisions, and all protective covenants, conditions, restrictions, easements, liens and charges set forth in the Section 2 Covenants are hereby incorporated into this Declaration and made a part hereof by this express reference; and same are made fully applicable to the Property subject to this Declaration as described in Section I herein above.

SECTION III. Amendments to the Section 2 Covenants Applicable to The Groves at Oakland, Section 3


1. The definition of "Plat" in Section 1.12 of the Section 2 Covenants, as it applies to the Property in Section 3, is as set out above in Section I of this Amendment.
2. As described in Section I of this Declaration, the Property as defined in Section 2.1 of the Section 2 Covenants, is, as to Section 3 of The Groves at Oakland Parkway, all of Lots 61 through 91.
3. All ground cover to be placed in flower beds or other areas on the lawn of any Lot shall be pine straw, bark or other mulch material of natural color. The use of any other materials, including but not limited to rocks, requires the prior approval of Declarant.

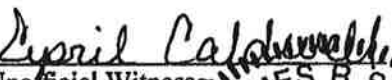
IN WITNESS WHEREOF, Declarant has caused this Declaration to be signed by its duly authorized sole Member the day and year first above written.


DECLARANT:


BDC PROPERTIES OF GEORGIA, LLC

Signed, sealed and delivered
in the presence of:

By:  (SEAL)
Barry D. Carr, sole Member


Unofficial Witness


Notary Public
My Commission Expires: 2-1-22
(Affix Notary Seal Here)



12-V-201

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BOOK 2013 PAGE 323

GEORGIA, LEE COUNTY
FILED FOR RECORD ON

Aug. 27, 2018

TIME 8:30 AM BOOK 2013 PG. 323-326

RECORDED *Aug. 27, 2018*

Nancy Meadows Dep

SARA CLARK, CLERK
S.C.L.C., GA

AFTER RECORDING, RETURN TO:

E. DUNN STAPLETON
WATSON SPENCE LLP
POST OFFICE BOX 2008
ALBANY, GEORGIA 31702-2008

CLERK, PLEASE CROSS REFERENCE TO:

DEED BOOK 1995, PAGE 123,
LEE COUNTY LAND RECORDS

**AMENDMENT
TO
DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR
THE GROVES AT OAKLAND PARKWAY, SECTION 3**

AMENDMENT
TO
DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR
THE GROVES AT OAKLAND PARKWAY, SECTION 3

THIS AMENDMENT TO DECLARATION ("Amendment") made this 21st day of August, 2018, by **BDC PROPERTIES OF GEORGIA, LLC** (hereinafter referred to as "Declarant"), as follows:

WITNESSETH:

WHEREAS, Declarant, as the owner and developer of certain real property (the "Property") located in Land Lots 231 and 250 of the Second Land District in Lee County, Georgia, previously executed and recorded a Declaration of Protective Covenants, Conditions, Restrictions and Easements (the "Declaration") covering the Property, which Declaration is recorded in Deed Book 1995, page 123, Lee County land records; and

WHEREAS, the original plat (the "Original Plat") of the Property is recorded in Plat Book PCF, Pages 181 and 182, in the office of the Clerk of Superior Court of Lee County; and

WHEREAS, the original plat has been updated and superseded by the revised, updated plat (the "Revised Plat") of the Property as recorded in Plat Book PCF, Pages 192 and 193, in the office of the Clerk of Superior Court of Lee County; and

WHEREAS, the only difference between the Original Plat and the Revised Plat is that the Curve Table shown on the recorded plat has been updated and corrected as to some of the curve arc lengths contained in that table.

WHEREAS, Declarant desires to amend the Declaration to update the plat reference of the Property; and

WHEREAS, Declarant has previously sold and conveyed Lot 63 of the Property to Doublegate Homes, LLC, as evidenced by that certain limited warranty deed dated June 12, 2018, recorded in Deed Book 2000, page 130, Lee County land records, which deed utilized the Original Plat in its legal description; and

WHEREAS, Declarant acknowledges, agrees and declares that the description of said Lot 63 according to the Original Plat is exactly the same as the description of said Lot 63 according to the Revised Plat.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

A. The definition of "Property" in Section I of the Declaration is amended to read as follows:

All that tract or parcel of land lying and being in Land Lots 231 and 250 in the Second Land District of Lee County, Georgia, and being all of Lots 61 through 91 of The Groves at Oakland, Section 3, according to a map or plat of said subdivision as same is recorded in Plat Book PCE, Pages 192 and 193, in the office of the Clerk of the Superior Court of Lee County, Georgia.

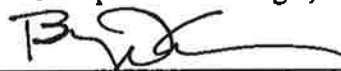
B. A conveyance of any lot in The Groves, Section 3, by reference to either the Original Plat or the Revised Plat will be an effective conveyance of that lot, and such conveyance will be subject to the terms and provisions of the Declaration except that the above-referenced revised provisions in the Revised Plat will control over the similar provisions in the Original Plat.

C. Doublegate Homes, LLC joins in the execution of this Amendment for the sole purpose to acknowledge, confirm and agree that this Amendment shall apply to its Lot 63 so that, going forward, Lot 63 will be subject to the Declaration as amended herein.

D. Except as amended herein, the terms and provisions of the Declaration remain in full force and effect.

IN WITNESS WHEREOF, the undersigned duly authorized sole Member of Declarant has executed this Amendment to Declaration as of the day and year first above written.

BDC Properties of Georgia, LLC


Barry D. Carr, sole Member

Signed, sealed and delivered in the presence of:


Unofficial Witness


Notary Public

My Commission Expires: 12/12/2021

[Affix Notary Seal Here]

[Signatures continued on next page]



[Signatures continued]

Approved:

Doublegate Homes, LLC

By: 
Robert V. Haas, sole Member/Manager

Signed, sealed and delivered
in the presence of:


Unofficial Witness


Notary Public

My Commission Expires: 7/25/22

[Affix Notary Seal Here]

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