

Deed Book 13843 Pg 5660
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J.C. Stephenson

Jay C. Stephenson
Clerk of Superior Court Cobb Cty. Ga.

Return to:
Jonathan F. Young, Esq.
John Wieland Homes and Neighborhoods, Inc.
1950 Sullivan Road
Atlanta, GA 30337

CROSS-REFERENCE:
Deed Book 13669, Page 6214

**AMENDMENT TO DECLARATION OF CONDOMINIUM FOR
THE MANOR AT OLDE IVY CONDOMINIUM**

This Amendment is made this 10th day of September, 2003, by John Wieland Homes and Neighborhoods, Inc., a Georgia corporation (hereinafter referred to as "Declarant"), for the purposes of submitting additional property to the Declaration of Condominium for The Manor at Olde Ivy Condominium and the Georgia Condominium Act, O.C.G.A. § 44-3-70, *et seq.* (herein called the "Act").

BACKGROUND STATEMENT

Declarant has executed that certain Declaration of Condominium for The Manor at Olde Ivy Condominium, which was recorded on January 17, 2003 in Deed Book 13669, Page 6214 *et seq.*, Cobb County, Georgia records (hereinafter as supplemented and/or amended from time to time the "Declaration"). The Declaration provides in Section 26 thereof that the Declarant has the right, until seven (7) years after the recording of the Declaration, to submit to the provisions of the Declaration portions of the real property described on Exhibit "D" to the Declaration.

Declarant is the owner of the real property described on Exhibit "A" hereof, which is a portion of the real property described on Exhibit "D" to the Declaration. Declarant desires to subject to the provisions of the Declaration the real property described on Exhibit "A" hereof.

WITNESSETH:

NOW THEREFORE, pursuant to the powers retained by Declarant under Section 26 of the Declaration, and in accordance with the provisions of that section, Declarant hereby subjects all of those tracts or parcels described on Exhibit "A" attached hereto to the provisions of the Declaration. Such property shall be sold, transferred, used, conveyed, occupied and mortgaged or otherwise encumbered pursuant to the provisions of the Declaration, all of which shall run

with the title of such property and shall be binding upon all persons having any right, title or any interest in such property, their respective heirs, legal representatives, successors, successors-in-title and assigns.

In connection with the expansion of the Condominium, the Declaration is hereby amended by striking Exhibit "B" in its entirety and substituting therefore the Exhibit "B" attached hereto and by this reference incorporated herein.

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

IN WITNESS WHEREOF, the undersigned, on behalf of the Declarant, has executed this Amendment and affixed the corporate seal as of the day and year first written above.

Signed, sealed and delivered
in the presence of:

Stacy Jones
Witness

[Signature]
Notary Public

My commission expires

[NOTARIAL SEAL]



John Wieland Homes and Neighborhoods, Inc.,
a Georgia corporation

By: Andrea Lofstrand
Andrea Lofstrand
Assistant Secretary

[CORPORATE SEAL]



EXHIBIT "A"

Description of Property Annexed

ALL THAT TRACT OR PARCEL OF LAND LYING and being in Land Lot 821 of the 17th District, 2nd Section, Cobb County, Georgia, being identified as Pod C2 on that Condominium Plat of The Manor at Olde Ivy Condominium, Pod C2, Phase 2, Units 24, 25 & 30 a.k.a Olde Ivy at Vinings, by Planners and Engineers Collaborative, dated August 28, 2002, last revised July 9, 2003 containing the seal of David M. Brown, Georgia Registered Land Surveyor No. 2741, which plat was recorded on August 14, 2003, in Condominium Plat Book 9, Pages 9, 10, 11, 12 and 13, Cobb County, Georgia records, and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, begin at the land lot corner common to Land Lots 764, 765, 820 and 821, said district, section, county and state; leaving said point, thence south 45 degrees 19 minutes 40 seconds west a distance of 89.27 feet to a point; thence south 45 degrees 15 minutes 33 seconds west a distance of 227.55 feet to a point; thence south 25 degrees 11 minutes 10 seconds east a distance of 93.76 feet to a point; thence south 47 degrees 59 minutes 27 seconds east a distance of 190.64 feet to a point; thence south 42 degrees 00 minutes 33 seconds west a distance of 40.49 feet to a point; thence south 48 degrees 00 minutes 12 seconds east a distance of 147.09 feet to a point; thence north 21 degrees 21 minutes 00 seconds east a distance of 120.32 feet to a point; thence south 85 degrees 38 minutes 52 seconds east a distance of 43.60 feet to a point; thence north 85 degrees 11 minutes 17 seconds east a distance of 65.15 feet to a point; thence north 61 degrees 33 minutes 38 seconds east a distance of 58.39 feet to a point, said point being the TRUE POINT OF BEGINNING; thence north 54 degrees 45 minutes 15 seconds east a distance of 89.50 feet to a point; thence north 45 degrees 12 minutes 17 seconds east a distance of 85.85 feet to a point; thence south 44 degrees 33 minutes 05 seconds east a distance of 153.01 feet to a point; thence south 36 degrees 23 minutes 59 seconds west a distance of 108.85 feet to a point; thence south 56 degrees 52 minutes 14 seconds west a distance of 52.62 feet to a point; thence south 66 degrees 17 minutes 13 seconds west a distance of 87.61 feet to a point; thence north 19 degrees 28 minutes 13 seconds west a distance of 157.51 feet to a point, said point being the TRUE POINT OF BEGINNING.

EXHIBIT "B"**Percentage Undivided Interest In And To The Common Elements:
Assignment of Parking Spaces and Storage Units**

UNIT # **	PERCENTAGE INTEREST	PARKING SPACE ASSIGNMENTS	STORAGE UNIT ASSIGNMENTS
4805-101	1.01	15	No separate storage unit
4805-102	1.17	16	No separate storage unit
4805-103	1.17	21	No separate storage unit
4805-104	1.01	22	No separate storage unit
4805-201	1.64	17	S1
4805-202	0.82	14	S12
4805-203	0.83	10	S13
4805-204	1.15	13	S2
4805-205	1.04	7	S16
4805-206	1.15	12	S3
4805-301	1.64	18	S4
4805-302	0.82	5	S17
4805-303	0.83	9	S14
4805-304	1.15	11	S5
4805-305	1.23	20	S6
4805-306	1.15	4	S7
4805-401	1.64	19	S8
4805-402	0.82	1	S18
4805-403	0.83	8	S15
4805-404	1.15	3	S9
4805-405	1.23	6	S10
4805-406	1.15	2	S11
4800-101	1.01	15	S1
4800-102	1.17	16	No separate storage unit
4800-103	1.17	21	No separate storage unit
4800-104	1.01	22	S2
4800-201	1.64	14	S12
4800-202	0.82	8	S15
4800-203	0.83	10	S13
4800-204	1.15	13	S3
4800-205	1.04	19	S4
4800-206	1.15	12	S5
4800-301	1.64	1	S18
4800-302	0.82	7	S16
4800-303	0.83	9	S14
4800-304	1.15	11	S6
4800-305	1.23	5	S17
4800-306	1.15	6	S7
4800-401	1.68	20	S8
4800-402	1.68	4	S9
4800-403	2.10	17 & 18 *	S10
4800-404	1.52	2 & 3 *	S11
4855-101	1.04	15	No separate storage unit
4855-102	1.21	16	No separate storage unit
4855-103	1.21	21	No separate storage unit

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4855-104	1.04	22	S7
4855-201	0.89	10	S13
4855-202	0.84	1	S18
4855-203	1.74	12	S11
4855-204	1.21	6	S10
4855-205	1.10	1	S9
4855-206	1.21	11	S8
4855-301	0.89	9	S14
4855-302	0.84	14	S12
4855-303	1.74	3	S6
4855-304	1.21	2	S5
4855-305	1.29	7	S16
4855-306	1.21	13	S4
4855-401	0.89	8	S15
4855-402	0.84	5	S17
4855-403	1.76	4	S3
4855-404	1.64	20	S2
4855-405	2.15	17 & 18	S1

* Units 4800-403, 4800-404 and 4855-405 have 2 garage parking spaces.

** The recorded Survey uses certain terms as required by Cobb County which may differ from the terms used in the Georgia Condominium Act; Unit Numbers correspond with the Address Number as shown on the Survey.

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 rev. 9/10/03