

FOR AMEND SEE aks
DE Book 14013 Page 3260

Deed Book 13931 Pg 5614
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2004-0031086

J.C. Stephenson
Jav 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

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

This Amendment is made this 19th day of February, 2004, 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:

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

Andrea Lofstrand
Witness

By: [Signature]

[Signature]
Notary Public

Print Name: Dean Fields

Title: V.P.

My commission expires: _____

[CORPORATE SEAL]

[NOTARIAL SEAL]



EXHIBIT "A"

Description of Property Annexed

Condominium Property:

ALL THAT TRACT OR PARCEL OF LAND LYING and being in Land Lots 764 and 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, 29 & 30 a.k.a Olde Ivy at Vinings, by Planners and Engineers Collaborative, dated August 28, 2002, last revised November 4, 2003 containing the seal of David M. Brown, Georgia Registered Land Surveyor No. 2741, which plat was recorded on 2-6-04, in Condominium Plat Book 9, Pages 77, 78, 79, 80, 81 and 82, 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; south 19 degrees 28 minutes 13 seconds east a distance of 157.51 feet to a point; thence south 66 degrees 17 minutes 13 seconds west a distance of 87.61 feet to a point, said point being the TRUE POINT OF BEGINNING; thence south 25 degrees 40 minutes 51 seconds east a distance of 112.70 feet to a point; thence south 48 degrees 19 minutes 16 seconds east a distance of 68.53 feet to a point; thence north 41 degrees 40 minutes 44 seconds east a distance of 292.00 feet to a point; thence north 48 degrees 19 minutes 16 seconds west a distance of 177.03 feet to a point; thence south 36 degrees 23 minutes 59 seconds west a distance of 89.83 feet to a point; thence south 36 degrees 23 minutes 59 seconds west a distance of 108.85 feet to a point; thence north 56 degrees 52 minutes 14 seconds east a distance of 52.62 feet to a point, said point being the TRUE POINT OF BEGINNING.

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rev. 2/19/04

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	1.00%	15	No separate storage unit
4805 102	1.16%	16	No separate storage unit
4805 103	1.16%	21	No separate storage unit
4805 104	1.00%	22	No separate storage unit
4805 201	1.68%	17	S1
4805 202	0.81%	14	S12
4805 203	0.86%	10	S13
4805 204	1.16%	13	S2
4805 205	1.06%	7	S16
4805 206	1.16%	12	S3
4805 301	1.68%	18	S4
4805 302	0.81%	5	S17
4805 303	0.86%	9	S14
4805 304	1.16%	11	S5
4805 305	1.25%	20	S6
4805 306	1.16%	4	S7
4805 401	1.68%	19	S8
4805 402	0.81%	1	S18
4805 403	0.86%	8	S15
4805 404	1.16%	3	S9
4805 405	1.25%	6	S10
4805 406	1.16%	2	S11
4810 101	1.00%	15	S1
4810 102	1.16%	16	No separate storage unit
4810 103	1.16%	21	No separate storage unit
4810 104	1.00%	22	S2
4810 201	1.68%	14	S12
4810 202	0.81%	8	S15
4810 203	0.86%	10	S13
4810 204	1.16%	13	S3
4810 205	1.06%	19	S4
4810 206	1.16%	12	S5
4810 301	1.68%	1	S18
4810 302	0.81%	7	S16
4810 303	0.86%	9	S14
4810 304	1.16%	11	S6
4810 305	1.25%	5	S17
4810 306	1.16%	6	S7
4810 401	1.71%	20	S8
4810 402	1.71%	4	S9
4810 403	2.08%	17 & 18 *	S10
4810 404	1.58%	2 & 3 *	S11
4855 101	1.00%	15	No separate storage unit

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4855	102	1.16%	16	No separate storage unit
4855	103	1.16%	21	No separate storage unit
4855	104	1.00%	22	S7
4855	201	0.86%	10	S13
4855	202	0.81%	1	S18
4855	203	1.68%	12	S11
4855	204	1.16%	6	S10
4855	205	1.06%	1	S9
4855	206	1.16%	11	S8
4855	301	0.86%	9	S14
4855	302	0.81%	14	S12
4855	303	1.68%	3	S6
4855	304	1.16%	2	S5
4855	305	1.25%	7	S16
4855	306	1.16%	13	S4
4855	401	0.86%	8	S15
4855	402	0.81%	5	S17
4855	403	1.71%	4	S3
4855	404	1.58%	20	S2
4855	405	2.08%	17 & 18	S1
4850	101	1.00%	22	No separate storage unit
4850	102	1.16%	21	No separate storage unit
4850	103	1.16%	16	No separate storage unit
4850	104	1.00%	15	No separate storage unit
4850	201	0.86%	5	S17
4850	202	0.81%	14	S12
4850	203	1.68%	20	S6
4850	204	1.16%	2	S2
4850	205	1.06%	18	S4
4850	206	1.16%	3	S1
4850	301	0.86%	7	S16
4850	302	0.81%	1	S12
4850	303	1.68%	19	S5
4850	304	1.16%	4	S11
4850	305	1.25%	9	S14
4850	306	1.16%	11	S9
4850	401	0.86%	8	S15
4850	402	0.81%	10	S13
4850	403	1.68%	17	S3
4850	404	1.16%	13	S7
4850	405	1.25%	6	S10
4850	406	1.16%	12	S8

* 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.