

COVENANTS, CONDITIONS AND RESTRICTIONS FOR

WEATHERFORD PLACE

CROSS REFERENCE DEED BOOK 49850, PAGES 198-257

Amendments to the covenants, conditions and restrictions for Weatherford Place to take effect upon filing with Fulton County on or about August 19, 2013. (This amendment submits the property to the provisions of the Georgia Property Owners Association Act. O.C.G.A. S 44-3-220, et sea., as such act may be amended from time to time).

Re: INTRODUCTION page 4 of 43, added filing dates, Plat Book and page number as follows;

Introduction

This Declaration is made this **11 th**, day of **February, 2011** by CADMUS CONSTRUCTION, LLC (hereinafter called the 'Developer') ;

WITNESSETH

WHEREAS, Developer owns all of the property known as Weatherford Place Subdivision as shown on that certain plat of survey recorded in Plat book **354** at page **112**, Fulton County, Georgia Records (The " Subject Property ") ; and

Re: Introduction page 4 of 43, added to the end of this section, the following;

Turnover of the HOA to the homeowners of Weatherford Place

Developer will maintain complete and sole control of the Homeowners Association until such time as the 8th and final home is sold and closed. At that point, Developer will transfer total and complete responsibility for all aspects of the Homeowners Association to the homeowners. Until such time, each homeowner is responsible for their 1/8 portion of maintenance and upkeep expenses, and the Developer will be responsible for the expense for maintenance and upkeep of the common areas for all unsold lots. At the time of transfer of responsibility of the HOA to the homeowners, it will be responsibility of the homeowners to elect Officers, a Board of Directors determine the amount of assessment for each homeowner to provide initial funding for the HOA, and any other actions necessary for the operation of the HOA deemed necessary by the homeowners. The Developer reserves the sole and exclusive right to amend these Covenants, Conditions, and Restrictions for the benefit of the existing homeowners or to aid in the sale of remaining homes until the transfer of responsibility takes place.

Re: 3. LOCATION, PROPERTY DESCRIPTION, AND PLATS page 6 of 43, added Plat Book and Page, shall now read;

The Property subject to this Declaration and the Act is located in Land Lot 410. of the 1st District. 2nd Section, City of Roswell, Fulton County, Georgia, being more particularly described in Exhibit "A" attached to this Declaration, which exhibit is specifically incorporated herein by this reference. A plat of survey relating to the Property has been filed in Plat Book **354**, Page **112**, of the Fulton County, Georgia records. The plat of survey is incorporated herein by reference as fully as if the same were set forth in their entirety herein.

Re: Section 10 Use Restrictions page 13 of 43 (f) Pets, shall read as follows:

Pets. No Owner or Occupant may keep any pets other than generally recognized household pets on any portion of the Property, and no Owner or Occupant may keep more than two (2) generally recognized household pets per Lot, without the prior written approval of the Board of Directors.

Re: Section 10 Use Restrictions page 15 of 43 (q) shall read as follows:

(q) Window Treatments

Windows of rooms which are considered private (e.g. bedrooms, bathrooms) and can be viewed from the street or reasonably from neighboring windows shall have window treatments including but not limited to, curtains, mini-blinds, vertical blinds, and shutters. Window treatments shall be attractive, appropriate to the design of the structure, and of a color or finish that is harmonious with the color scheme of the home. Any window treatments in use in a dwelling on the recording of this Amendment shall not be subject to this subparagraph but shall be required to comply with the provisions set by the Developer or Architectural Control Committee (if any) set up by the homeowners in the event of replacement of window treatments. Window/door screens on the front and/or sides of homes are not permitted under any circumstance.

Re: Section 22 Environmental Management page 22 of 43 (c) shall read as follows:

(C) Rain Harvesting and Drip Irrigation System. Each homeowner is responsible for the maintenance of the rain harvesting system that serves the lot, whether located within or without the Lot's boundaries. The rain harvesting system includes: all gutters and downspouts and the yearly cleaning of gutters to ensure the system is working properly; drip irrigation system and

yearly examination to ensure proper function; timer and pump. Under no circumstance [except for maintenance/repair] may the gutters be disconnected from the rain harvesting system or the drip irrigation system turned off [the pump runs off of a simple timer] because the system is engineered and part of the neighborhoods stormwater attenuation. Rainwater collection levels will vary per lot and is part of the engineered system.

Re: Exhibit "A" LEGAL DESCRIPTION page 24 of 43, added recorded date, Plat Book number and page number to first paragraph:

ALL THAT TRACT or parcel of land lying and being in Land Lot 410, of the 1st District, 2nd Section, city of Roswell, Fulton County, Georgia, being more particularly described on that certain plat of Weatherford Place Townhomes, recorded **February 14, 2011**, in Plat Book **354**, page **112**, in the office of the Clerk of the Superior Court of Fulton County, Georgia, which plat is incorporated herein by reference and made a part of this description.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 410, 1ST DISTRICT, 2ND SECTION, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE AT THE NORTHEASTERLY INTERSECTION OF CRABAPPLE ROAD AND MINHINETTE DRIVE (50' RIGHT OF WAY); THENCE IN AN EASTERLY DIRECTION ALONG THE NORTHERLY RIGHT OF WAY OF MINHINETTE DRIVE A DISTANCE OF 679.31' TO A 1" CRIMP TOP PIPE FOUND AND THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT OF WAY N04°41'46"E A DISTANCE OF 115.50' TO AN IRON PIN SET; THENCE N17°05'09"E A DISTANCE OF 308.97' TO A POINT IN THE CENTERLINE OF CROSSVILLE CREEK; THENCE ALONG THE A TRAVERSE LINE N86°33'41"E A DISTANCE OF 151.79' TO A POINT; THENCE S88°11'39"E A DISTANCE OF 29.00' TO AN IRON PIN SET; THENCE S62°06'25"E A DISTANCE OF 86.32' TO AN IRON PIN SET; THENCE S78°30'04"E A DISTANCE OF 79.40' TO AN IRON PIN SET; THENCE S81°28'20"E A DISTANCE OF 103.98' TO AN IRON PIN SET; THENCE S73°10'58"E A DISTANCE OF 35.67' TO AN IRON PIN SET; THENCE S14°30'35"W A DISTANCE OF 20.52' TO AN IRON PIN SET; THENCE N73°10'58"W A DISTANCE OF 35.01' TO AN IRON PIN SET; THENCE N81°28'20"W A DISTANCE OF 103.03' TO AN IRON PIN SET; THENCE N78°30'04"W A DISTANCE OF 82.88' TO AN IRON PIN SET; THENCE N62°06'25"W A DISTANCE OF 84.52' TO AN IRON PIN SET; THENCE N88°11'39"W A DISTANCE OF 29.55' TO AN IRON PIN SET; THENCE S16°18'35"W A DISTANCE OF 406.97' TO AN IRON PIN SET; THENCE S19°00'18"W A DISTANCE OF 53.25' TO A ½" REBAR FOUND ALONG THE NORTHERLY RIGHT OF WAY OF MINHINETTE DRIVE; THENCE ALONG

THE ARC OF A CURVE TO THE LEFT AN ARC DISTANCE 115.70' WITH A RADIUS OF 97.03 AND BEING SUBTENDED BY A CHORD BEARING N64°21'02"W AND A CHORD DISTANCE OF 94.21' TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY N88°11'03"W A DISTANCE OF 29.26' TO THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINING

Re: Exhibit "B" Common Property page 25 of 43 shall read as follows:

ALL THAT TRACT or parcel of land lying and being in Land Lot 410, of the 1st District, 2nd Section, City of Roswell, Fulton County, Georgia, being more particularly described on that certain plat of Weatherford Place Townhomes, recorded **February 14, 2011**, in Plat Book **354**, page **112**, in the office of the Clerk of the Superior Court of Fulton County, Georgia, which plat is incorporated herein by reference and made a part of this description.

LESS AND EXCEPT Lot Nos. 105, 110, 115, 120, 125, 130, 135, 140 all as shown on the above referenced plat, recorded in Standard Residential Plat Book **354**, page **112**, aforesaid records.

The following amenities are also included:

- a) Gazebo
- b) Two (2) rain harvesting tanks with electric pumps located in the hammerhead
- c) The Overlook Garden
- d) The Preserve
- e) Pervious concrete street and pavers
- f) Community generator
- g) Irrigation in Right-of-way
- h) Post lights and column lights located in common area and along street

PREPARER.

This Declaration was prepared by the Developer, CADMUS CONSTRUCTION, LLC.

WITNESS THEREOF, the undersigned officers of Weatherford Place Homeowners Association, Inc., hereby certify this is the Original Declaration and the attached documents are the Original By-Laws duly adopted by the required majority of the Association and its membership.

This 16th day of August, 2013.

Declarant

By

President (SEAL)

SIMONE de BOISE

Secretary (Corporate Seal)

Sworn to and subscribed to before me this 16th day of August, 2013.

Witness

Notary Public

Iryna Yadegary

My Commission Expires

6/12/2017

Notary Seal

IRYNA YADEGARY
NOTARY PUBLIC
Cherokee County
State of Georgia
My Comm. Expires June 12, 2017

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