

GEORGIA, Gilmer County  
Clerk of Superior Court  
Filed for Record 9-10-99  
No. 445 M. Recorded 9-14-99  
Book 675 Page 423  
*Alexander Ross Johnson*  
Clerk of Superior Court

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Attorney at Law  
P.O. Box 1549  
Blue Ridge, GA 30513

STATE OF GEORGIA  
COUNTY OF GILMER

AMENDMENT TO PROTECTIVE COVENANTS

THIS FOURTH AMENDMENT TO PROTECTIVE COVENANTS is made and published this 1st day of April, 1999, by GOOSE ISLAND, LLC, a limited liability company organized under the laws of the State of Georgia, hereinafter referred to as "Developer", and the undersigned property owners.

WITNESSETH:

THAT WHEREAS, said Developer and the undersigned property owners are the owners of those certain lots, tracts or parcels of land situate, lying and being in the 7th District and 2nd Section of Gilmer County, Georgia and being part of Land Lot Nos. 179, 180 and 181, and in the 10<sup>th</sup> District and 2<sup>nd</sup> Section of Gilmer County, Georgia, and being part of Land Lot Nos. 162 and 163, and being the development generally known in the community as GOOSE ISLAND HIDE AWAY; and

WHEREAS, for the interest, benefit and advantage of the Developer and for each and every person who has and shall hereafter purchase any lot in said development, there have been established, declared and set forth certain protective covenants governing and regulating the use and occupancy of the same, and declared same to be covenants running with the land; and

WHEREAS, said Protective Covenants dated May 12, 1994, are recorded in the office of the Clerk of Superior Court of Gilmer County, Georgia, in Deed Book 400, page 344; and

WHEREAS, said Developer and the undersigned property owners desire to declare and establish a fourth amendment to said protective covenants for the benefit of each and every person who shall hereafter purchase any lot in said development;

NOW, THEREFORE, for and in consideration of the premises and of the benefits to be derived by the current property owners and each and every subsequent owner of any of the lots in said development, the undersigned to hereby amend, revise and modify the original Protective Covenants by adding the following:

PROPERTY OWNERS' ASSOCIATION: Each and every lot owner subject to the original Declaration of Protective Covenants and all subsequent lot owners shall automatically, and by reason of such ownership, become a member of any property owners' association that may be formed and shall be subject to its valid rules and regulations. Said association may or may not be organized as a corporate entity, however, each lot owner shall have one vote per lot in all transactions and business of the association. The association shall also have the authority to make assessments and to place a lien against any lot owner who fails to pay an assessment when due. Any notice of lien shall be filed in the office of the Clerk of Superior Court of Gilmer County, Georgia.

These covenants shall supercede any prior covenants and agreements and shall run with the land and shall be binding on all parties and all persons claiming under them and cannot be amended or changed in any way unless an instrument is signed by all of the property owners in said development.

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate said covenants either to restraining violation or to recover damages.

IN WITNESS WHEREOF, the said parties hereto have hereunto set their hands and seals, the day and year first above written.

Signed, sealed and delivered  
in the presence of:

GOOSE ISLAND, LLC

Mary K. Mell  
Witness

Vicki Hitt (Seal)  
Vicki Hitt, Manager

Angela Stewart Panter  
Notary Public Notary Public, Fannin County, Georgia  
My Commission Expires July 1, 2002

April Galloway  
Witness

Lamar Burnett (Seal)  
Lamar Burnett

Angela Stewart Panter  
Notary Public Notary Public, Fannin County, Georgia  
My Commission Expires July 1, 2002

Dorinda Burnett (Seal)  
Dorinda Burnett

Angela Stewart Panter  
Witness

Antonio Boluda (Seal)  
Antonio Boluda

April Galloway  
Notary Public

Bianca Boluda (Seal)  
Bianca Boluda

APRIL GALLOWAY  
Notary Public, Fannin County, Georgia  
My Commission Expires Oct. 27, 2002

GEORGIA, Gilmer County  
CLERK'S OFFICE SUPERIOR COURT  
Filed for Record 10-6-95  
At 2:00 P.M. Recorded 10-9-95  
Book 400 Page 344  
*[Signature]*  
Clerk of Superior Court

ADDENDUM DATED SEPTEMBER 25, 1995  
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PROTECTIVE COVENANTS

This Addendum to Protective Covenants dated May 12, 1994, and recorded at the Clerk's Office Superior Court of Gilmer County, Georgia, on May 20, 1994, in Book 400, Page 344, is made and published this date by RALPH HAGEDORN and BETTY HAGEDORN, hereinafter referred to as "Developer", and BILLY R. TEMPLETON, PEGGY L. TEMPLETON (Owners of Lot No. 31), RUSSELL B. RALSTON and GLORIA J. RALSTON, (Owners of Lot No. 23), hereinafter collectively referred to as "Owners".

WITNESSETH:

THAT, WHEREAS, said Developer and Owners hereby amend Item No. 13 of said Protective Covenants, "Dwelling Size", on the development generally known in the community as GOOSE ISLAND HIDE AWAY, lying and being in the 7th District and 2nd Section of Gilmer County, Georgia, and being part of Land Lot Nos. 179, 180 and 181, and in the 10th District and 2nd Section of Gilmer County, Georgia, and being part of Land Lot Nos. 162 and 163, containing 230.09 acres, as follows:

"13. DWELLING SIZE: No house or dwelling shall be constructed on any lot with less than one thousand (1,000) square feet of heated living space of the structure, excluding decks, porches, garages and basements."

IN WITNESS WHEREOF, the said RALPH HAGEDORN, BETTY HAGEDORN, BILLY R. TEMPLETON, PEGGY L. TEMPLETON, RUSSELL B. RALSTON and GLORIA J. RALSTON hereunto set their hands and seals as of this 1st day of October, 1995.

STATE OF GEORGIA  
COUNTY OF GILMER

Signed, sealed and delivered  
in the presence of:

*[Signature]*  
Notary Public

My Commission Expires March 2, 1996

*[Signature]*  
Ralph Hagedorn  
*[Signature]*  
Betty Hagedorn  
*[Signature]*  
Billy R. Templeton  
*[Signature]*  
Peggy L. Templeton  
*[Signature]*  
Russell B. Ralston  
*[Signature]*  
Gloria J. Ralston