

Preston
Phase 4 Sec 2

GEORGIA-Peach County

Clerk's Office Superior Court

Filed this 18th day of March, 2013

At 9:00 o'clock A. M. Recorded in Deed

Book 492 Page No. 181-182 This 18th

day of March, 2013

[Signature] Deputy

Control File

This instrument prepared by and after
recording is to be returned to:

✓ MOORE LAW FIRM, LLC.
Post Office Drawer 8269
Warner Robins, GA 31095
(478) 328-3200

Recorded March 18, 2013

BOOK 492 PAGE 181 (This Space for Official Use Only)

FOURTH AMENDMENT

TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

FOR THE SUBDIVISION KNOWN AS THE PRESTON

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, made this the 18th day of March, 2013, by ALEXIS INVESTMENTS, LLC, a Georgia limited liability company, which maintains its principal office and place of business in Houston County, Georgia, hereinafter referred to as the "Declarant."

WITNESSETH: THAT;

WHEREAS, Declarant is the assignee of all rights and privileges, duties and obligations of Preston Development, LLC, under that certain Declaration of Covenants, Conditions and Restrictions for the Subdivision Known as The Preston, dated January 7, 2005, a copy of which is of record in Deed Book 317, Pages 236-252, Clerk's Office, Peach Superior Court (the "Declaration"), as amended by that certain First Amendment to Declaration of Covenants, Conditions and Restrictions for the Subdivision Known as The Preston, dated February 7, 2006, a copy of which is of record in Deed Book 345, Pages 558-559, aforesaid Clerk's Office (the "First Amendment") and by that certain Second Amendment to Declaration of Covenants, Conditions and Restrictions for the Subdivision Known as The Preston, dated February 5, 2009, a copy of which is of record in Deed Book 418, Pages 479-480, aforesaid Clerk's Office (the "Second Amendment"); and by that certain Third Amendment to Declaration of Covenants, Conditions and Restrictions for the Subdivision Known as The Preston, dated December 10, 2012, a copy of which is of record in Deed Book 486, Pages 534-535, aforesaid Clerk's Office (the "Third Amendment");

WHEREAS, Declarant is the owner of certain real property located in Land Lot 60 of the Fifth Land District of Peach County, Georgia, which has been subdivided into individual lots, tracts or parcels which, together with the streets and other improvements have been designated as The Preston, Phase "4," Section 2 (the "Subdivision"), and is delineated on that certain map or plat of survey of said Subdivision prepared by Collins & Company, certified by Jesse Collins, Jr., Georgia Registered Land Surveyor No. 2085, dated January 30, 2013, a copy of which is of record in Plat Book 27, Page 127, Clerk's Office, Peach Superior Court;

WHEREAS, the Subdivision is adjacent and/or contiguous to The Preston, Phase "3," a single-family residential subdivision which is delineated on that certain map or plat of survey prepared by Collins & Company, certified by Jesse Collins, Jr., Georgia Registered Land Surveyor No. 2085, dated June 4, 2007, a copy of which is of record in Plat Book 26, Page 130, Clerk's Office, Peach Superior Court;

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WHEREAS, it is to the interest, benefit and advantage of the Declarant and to each and every person who shall hereafter purchase any lot in the Subdivision that covenants governing and regulating the use and occupancy of the same be established, set forth and declared to be covenants running with the land; and,

WHEREAS, pursuant to specific authority reserved therein, the Declarant is desirous of amending the aforesaid Declaration for the purpose of extending the applicability of said Declaration so as to include the Subdivision to be designated as The Preston, Phase" 4", Section "2".

NOW, THEREFORE, for and in consideration of the premises and of the benefits to be derived by Declarant and his successors in title, and to each and every subsequent owner of any of the lots, tracts or parcels hereinafter described, Declarant does hereby modify and amend the said Declaration, as the same has been amended by the First Amendment and the Second Amendment; in the following particulars, to-wit:

1. **Additional Property Subject to Declaration.** The following described lots, tracts or parcels of land shall be, and the same hereby are made, subject to the terms, provisions and conditions set forth in said Declaration, and said Declaration is hereby modified and amended so as to include the following described lots, tracts or parcels of land, to-wit:

All those lots, tracts or parcels of land situate, lying and being in Land Lot 60 of the Fifth Land District of Peach County, Georgia, and in the City of Byron, known and designated as Lots 67, 68, 69, 70, 71, and 72, Block "A," of the Subdivision known as THE PRESTON, PHASE 4, SECTION 2, according to a map or plat of survey of said Subdivision prepared by Collins & Company, certified by Jesse Collins, Jr., Georgia Registered Land Surveyor No. 2085, dated January 30, 2013, a copy of which is of record in Plat Book 27, Page 127, Clerk's Office, Peach Superior Court. Said plat and the recorded copy thereof are by this reference thereto incorporated herein and made a part of this description for all purposes.

2. **Binding Effect; Effective Date.** Said Declaration shall become effective immediately and shall run with the land, and shall be binding on all personal claiming under and through Declarant under the terms, conditions, stipulations and provisions contained therein. Except to the extent hereby amended and modified to include the above-described Subdivision, said Declaration shall remain in full force and effect unless and until extended or terminated in accordance with the provisions thereof.

IN WITNESS WHEREOF, the undersigned have set their hands and seals to this instrument, or have caused same to be executed by their duly authorized corporate officers, as of the day and year first above written.

ALEXIS INVESTMENTS, LLC

Signed, sealed and delivered in the presence of:

Lisa R Coody
Unofficial Witness

By: *F. Keith Newton*
F. KEITH NEWTON, Manager

Michele Suchy
Notary Public

