
[SPACE ABOVE RESERVED FOR RECORDING DATA]

Return to: Eagle Bend POA
PO Box 1715
Blairsville, GA 30514

STATE OF GEORGIA

Reference: Deed Book 162
Page 299

COUNTY OF UNION

**CHANGES TO THE DECLARATION OF RESTRICTIONS,
LIMITATIONS AND COVENANTS RUNNING WITH THE LAND**

WHEREAS, James A Brackett, Jr., Robert L. Head, Jr., James P. McAfee, and W.C. Nelson, Jr. filed a Declaration of Restrictions, Limitations and Covenants Running with the Land on August 10, 1988 in Deed Book 162 Page 299 of the office of the Union County Clerk of Superior Court ("Declaration"); and

WHEREAS, the land subject to the Declaration is as shown on the plat of survey prepared by William F. Rolader in July 1988 and recorded in Plat Book U Page 77 and Plat Book W Page 162 in the Union County, Georgia land records; and

WHEREAS, a "Successive and Amended Declaration of Restrictions, Limitations and Covenants Running with the Land" was recorded on May 24, 2019 in Deed Book 149 Page 564 in the office of the Union County, Georgia Clerk of Superior Court ("Successive Declaration"); and

WHEREAS, the Successive Declaration was not adopted in accordance with the Declaration and is invalid; and

WHEREAS, Paragraph 22 of the Declaration provides the covenants and restrictions shall run with the Property for a period of 25 years from the date of recording at which time the Declaration automatically extended for a successive ten (10) years unless an instrument signed by a majority of the then recorded owners agree to change the Declaration in whole or in part is executed and recorded; and

WHEREAS, the initial period of 25 years expired on August 10, 2013 without any change; and

WHEREAS, the automatic extension of ten (10) years expires on August 10, 2023; and

WHEREAS, a majority of the then recorded owners of Lots have agreed to change the Declaration.

NOW, THEREFORE, the Declaration is changed as follows:

1.

Paragraph 22 is amended by striking it in its entirety and replacing it with the following:

These covenants shall automatically renew for a period of twenty (20) years from the effective date (August 10, 2023), after which time, these covenants shall automatically renew for successive periods of ten (10) years each unless terminated in accordance with O.C.G.A 44-5-60(b).

2.

The following new Paragraph 23 is added:

This Declaration may be amended at any time by the agreement of Owners of at least two-thirds (2/3) of the Owners of Lots. The agreement of Lot Owners shall be evidenced by their execution of this Amendment, or the sworn statement of the President, of any Vice-President, or of the Secretary of the Association attached to or incorporated which sworn statement states unequivocally that agreement of the required approval was lawfully obtained. Any Amendment shall become effective only when recorded or at such later date as may be specified in the Amendment.

3.

Agreements of the Lot Owners are attached hereto as Exhibit A.

[SIGNATURES ON NEXT PAGE]

This 24th day of JULY, 2023.

**EAGLE BEND PROPERTY OWNERS ASSOCIATION,
INC.**

By: Donald W. Williams (Seal)

President, Donald W. Williams

Attest: Cynthia J. Ray (Seal)

Secretary, Cynthia J. Ray

[CORPORATE SEAL]

Sworn to and subscribed to before
me this 24 day of July, 2023.

Joann H. Wilcox
Witness

Joann H. Wilcox
Notary Public

[NOTARY SEAL]



EXHIBIT A

*Homeowner
Signature
Pages*