Prepared by and returned to: Amy H. Bray Hyatt & Stubblefield, P.C. 225 Peachtree Street, N.E., Suite 1200 Atlanta, Georgia 30303

Deed Book 13342 Pg 1516 Filed and Recorded Mar-21-2001 10:46an 2001-0040760

Clerk of Superior Court Cobb Cty. Ga. 308

STATE OF GEORGIA

Cross Reference: Deed Book 12472 Page 141

COUNTY OF COBB

## FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR EAST PARK

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR EAST PARK ("Amendment") is made as of the date set forth below by East Park Development, Inc., a Georgia corporation ("Declarant").

## WITNESSETH:

WHEREAS, on May 7, 1999, Declarant caused to be recorded that certain Declaration of Covenants, Conditions, and Restrictions for East Park ("Declaration") in Deed Book 12472 at Page 141, et seq., in the Office of the Clerk of Superior Court of Cobb County, Georgia; and

WHEREAS, pursuant to the terms of Section 16.2(a) of the Declaration, during the Class "B" Control Period Declarant may unilaterally amend the Declaration for any purpose; and

WHEREAS, the Class "B" Control Period has not expired; and

WHEREAS, Declarant desires to amend the Declaration to increase the amount of the initial capital contribution to be paid by the first Owner of each Unit, other than the Declarant. NOW, THEREFORE, pursuant to the powers retained by the Declarant under Section 16.2 of the Declaration, Declarant hereby amends Section 8.5 of the Declaration by striking the second paragraph of Section 8.5 in its entirety and inserting the following paragraph in its place:

Upon acquisition of record title to a Unit by the first Owner thereof other than the Declarant, a contribution in the amount of two hundred and fifty dollars (\$250.00) shall be made by or on behalf of the purchaser to the capital reserve account of the Association. This amount shall be in addition to, not in lieu of, the annual General Assessment and shall not be considered an advance payment of any assessment. This amount shall be deposited into the purchase and sales escrow and disbursed therefrom to the Association for use in owning and maintaining the

capital assets of the Association.

IN WITNESS WHEREOF, the undersigned Declarant has caused this Amendment to be executed by its authorized representatives, this  $19^{TH}$  day of March 2001.

EAST PARK DEVELOPMENT INC., a Georgia DECLARANT: corporation By: B. Wilmont Williams, President Attest: 11 Its: [CORPORATE SEAL] ath Signed, sealed, and delivered this day of MRIL 2001, in the presence of: CORPORATE ren er Witness N.P. wohle us SEAL Notary Public My Commission Expires: Notary Public,Cobb County, Georgia, My Commission Expires Aug. 17, 2008. [NOTARY SEAL]

Clerk of Superior Court Cobb Cty. Ba. Deed Book 1334은 월 1517 ^