

12-11-06

Deed Book 19459 Pg 173
Filed and Recorded Dec-11-2006 03:14pm
2006-0225763
Linda Carter
Clerk of Superior Court
DeKalb County, Georgia

Return to:
Weissman, Nowack, Curry & Wilco, P.C.
3500 Lenox Road
One Alliance Center, 4th Floor
Atlanta, Georgia 30326
Attention: Jane C. Kotake, Esq.

Cross-reference to:
Declaration at Deed Book 13909, Page 275,
DeKalb County, Georgia records

**SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR PARKVIEW AT SHADOW LAKE**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR PARKVIEW AT SHADOW LAKE (hereinafter referred to as the "Supplemental Declaration") is made on this 27th day of November, 2006, by Parkside Homes, Inc., a Georgia corporation (hereinafter referred to as "Declarant"), with the consent of Falling Water, Inc., a Georgia limited liability company (hereinafter referred to as "Land Owner").

WITNESSETH:

WHEREAS, Declarant prepared and filed of record that certain Declaration of Protective Covenants, Conditions & Restrictions for Parkview at Shadow Lake in Deed Book 13909, Page 275, in the Office of the Clerk of the Superior Court of Dekalb County, Georgia (hereinafter referred to as the "Declaration");

WHEREAS, pursuant to the terms of Article II, Section 2 and Articles XVII, Section 1 of the Declaration, the Declarant may submit certain additional property described on Exhibit "D" of the Declaration to the terms of the Declaration;

WHEREAS, Declarant is the owner of a portion of the real property described on Exhibit "A" (hereinafter referred to as the "Additional Tract");

WHEREAS, Land Owner is the owner of a portion of the Additional Tract;

WHEREAS, the Additional Tract is part of the additional property described on Exhibit "D" of the Declaration; and

WHEREAS, Declarant and Land Owner desire to subject the Additional Tract to the provisions of the Declaration;

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby subjects with the consent of Land Owner the real property described on Exhibit "A" hereof to the provisions of the Declaration and this Supplemental Declaration, which shall apply to such property in addition to the provisions of the Declaration. Such property shall be sold, transferred, used, conveyed, occupied, and mortgaged or otherwise encumbered pursuant to the provisions of this Supplemental Declaration and the Declaration, both of which shall run with the title to such property and shall be binding upon all persons having any right, title, or any interest in such property, their respective heirs, legal representatives, successors, successors-in-title, and assigns. The provisions of this Supplemental Declaration shall be binding upon Parkview at Shadow Lake Homeowners Association, Inc. in accordance with the terms of the Declaration.

ARTICLE I
Definitions

The definitions set forth in Article II of the Declaration are incorporated herein by reference.

ARTICLE II
Declaration

Except as specifically amended hereby, the Declaration and all terms thereof shall remain in full force and effect.

[EXECUTION PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned Declarant has executed this Supplemental Declaration the day and year first above written.

DECLARANT:

PARKSIDE HOMES, INC.
a Georgia Corporation

By: [Signature]
Greg Evans, President

[CORPORATE SEAL]

Signed, sealed, and delivered
this 27 day of November, 2006.
in the presence of:

[Signature]
Witness

[Signature]
Notary Public Darell Blandshaw
[NOTARY SEAL] Notary Public Fayette County, Georgia
My Commission Expires on August 24th, 2007



[SIGNATURES CONTINUE ON FOLLOWING PAGE]

[SIGNATURES CONTINUED FROM PREVIOUS PAGE]

Consented to and approved by Falling Water, Inc. this 27th day of November, 2006.

FALLING WATER, INC.
a Georgia Corporation

By: *Gary R. Crump*
Gary R. Crump
Executive Vice President

Signed, sealed, and delivered
this 27 day of November, 2006
in the presence of:

[CORPORATE SEAL]

W. J. Miller
Witness

Mary Nichols Denton
Notary Public
[NOTARY SEAL]



EXHIBIT "A"

Deed Book 19459 Pg 177
Linda Carter
Clerk of Superior Court
DeKalb County, Georgia

Additional Property

All that tract or parcel of land lying and being in Land Lots 97 of the 16th District, DeKalb County, Georgia, containing 5.671 acres, being more particularly described on that certain Final Plat for Park View at Shadow Rock Lakes XI, dated August 4, 2006, prepared by Mansur Engineering, Inc., by Ayyad M. Mansur, Georgia Registered Land Surveyor No. 21055, and recorded on September 12, 2006, in Plat Book 173, Page 11, DeKalb County, Georgia land records.

AND GRANTOR WILL WARRANT and forever defend the right and title to the Common Property unto Crantee against the claims of any persons owning, holding or claiming by, through, or under Grantor.

EXECUTED under seal as of the date above.

DECLARANT:

PARKSIDE HOMES, INC.
a Georgia Corporation

By: [Signature] (SEAL)
Greg Evans

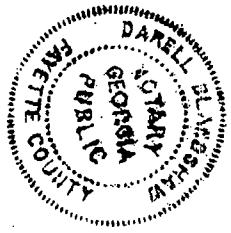
[CORPORATE SEAL]



Signed, sealed, and delivered
this 27 day of November, 2006
in the presence of:

[Signature]
Witness

[Signature]
Darell Blandshaw
Notary Public Fayette County, Georgia
My Commission Expires on August 24th, 2007



[SIGNATURES CONTINUE ON FOLLOWING PAGE]

[SIGNATURES CONTINUED FROM PREVIOUS PAGE]

Consented to and approved by Falling Water, Inc. this 27th day of November, 2006.

FALLING WATER, INC.
a Georgia Corporation

By: *Gary R. Crump* (SEAL)
Gary R. Crump, President

[CORPORATE SEAL]

Signed, sealed, and delivered
this 27 day of November, 2006
in the presence of:

W. J. Miller
Witness

Mary Nichols Southwick
Notary Public

[NOTARY SEAL]



Exhibit "A"

**LEGAL DESCRIPTION
PARKVIEW AT SHADOWROCK LAKES IX
OPEN SPACE**

All that tract or parcel of land lying and being in Land Lot 98, 16th District, Dekalb County and being more particularly described as follows:

Commencing at a point, said point being the beginning of a curve to the left, said curve having a radius distance of 15.00 feet, a chord bearing of N85°30'41"W, a chord distance of 21.21 feet an arc distance of 23.56 feet to a point; thence S49°29'19"W, a distance of 65.60 feet to a point; thence S15°51'36"E, a distance of 121.71 feet to a point; thence S46°43'17"W, a distance of 21.59 feet to a point; thence S27°51'44"W, a distance of 152.45 feet to a point; thence S08°30'06"W, a distance of 161.09 feet to a point to the POINT OF BEGINNING; thence S66°42'12"E, a distance of 302.01 feet to a point; thence S17°31'04"W, a distance of 184.01 feet to a point; thence N89°37'00"W, a distance of 449.31 feet to a point; thence N41°04'57"E, a distance of 337.33 feet to a point; thence N08°30'06"E, a distance of 38.07 feet to a point to the POINT OF BEGINNING.

Said tract of land contains 90,109 square feet or 2.069 acres, more or less, and is shown more fully on the Final Plat of a Survey of Parkview at Shadowrock Lakes IX, by Mansur Engineering, Inc., dated 12-14-04, revised 04-03-06.

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lots 97 of the 16th District, DeKalb County, Georgia, depicted as Open Space "B" (1.03 acres) and Open Space "E" (containing .69 acres) containing a combined total of 1.72 acres, being more particularly described on that certain Final Plat for Park View at Shadow Rock Lakes XI, dated August 4, 2006, prepared by Mansur Engineering, Inc., by Ayyad M. Mansur, Georgia Registered Land Surveyor No. 21055, and recorded on September 12, 2006, in Plat Book 173, Page 11, DeKalb County, Georgia land records.