

UPON RECORDING PLEASE RETURN TO:
DAVID A HERRIGEL, ESQ., HYATT & STUBBLEFIELD, P.C. *900*
225 PEACHTREE ST., SUITE 225
ATLANTA, GEORGIA 30303

FILED AND RECORDED

INDEX IN GRANTOR INDEX UNDER: WOODS OF KENNESAW DEVELOPMENT CORPORATION

Reference: Deed Book 4024
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Jay C. Stephens
COBB COUNTY COURT CLERK

SUPPLEMENTARY DECLARATION TO THE DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR KENNESBOROUGH SQUARE

THIS SUPPLEMENTARY DECLARATION is made this *15th* day of *SEPTEMBER*, 1994, by WOODS OF KENNESAW DEVELOPMENT CORPORATION, a Georgia corporation (hereinafter referred to as "Declarant");

BACKGROUND STATEMENT

On July 8, 1986, Declarant executed that certain Declaration of Covenants, Conditions, and Restrictions For Kennesborough Square which was recorded on July 14, 1986 in Deed Book 4024, Page 310, et seq., Cobb County, Georgia Records (hereinafter together with all amendments thereof collectively referred to as the "Declaration"). The Declaration provides at Articles IX thereof (as amended) that the Declarant may, with the consent of the owner thereof, submit to the provisions of the Declaration certain property described on Exhibit "C" to the Declaration. As long as covenants applicable to real property previously subjected to the Declaration are not changed and as long as the rights of the then Owners are not adversely affected, the Declarant may unilaterally amend the Declaration to reflect the different character of any such annexed real property.

Declarant desires to subject to the provisions of the Declaration the property described on Exhibit "A" hereto, which property is a portion of the real property described on Exhibit "C" to the Declaration. Declarant is the owner of the real property described on Exhibit "A" attached hereto.

W I T N E S S E T H:

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, and in accordance with the provisions thereof, Declarant hereby takes the following action:

All of those tracts or parcels described on Exhibit "A" attached hereto and by this reference incorporated herein are hereby subjected 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 the Declaration, all 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-in-title and assigns.

IN WITNESS WHEREOF, Declarant has caused this Supplementary Declaration to be executed by its duly authorized officer the day and year first above written.

Declarant: WOODS OF KENNESAW DEVELOPMENT CORPORATION

By: *Dean Kates*
DEAN KATES, President



Signed, sealed, and delivered this *15th* day of *SEPT.*, 1994, in the presence of:

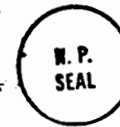
[AFFIX CORPORATE SEAL]

[Signature]
WITNESS

[Signature]
NOTARY PUBLIC

My Commission Expires:

Notary Public, Fulton County, Georgia
My Commission Expires 12/31/94



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EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 127, 139 and 140 of the 20th District, 2nd Section of Cobb County, Georgia, being more particularly described as Lots 1 through 15, inclusive, of Phase IV, as shown on that certain Subdivision Plat of Kennesborough Square Phase IV prepared by Mallet & Associates, which plat was recorded on September 6, 1994, in Plat Book 151, Page 95, Cobb County, Georgia, land records.

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