

After Recording Return to:
Vanessa E. Goggans
Morris, Manning & Martin, L.L.P.
990 Hammond Drive
Suite 300
Atlanta, Georgia 30328

Cross Reference:
Declaration recorded at
Deed Book 56798, Page 181 *et seq.*,
Fulton County, Georgia records

WestTown Phase III & V

**THIRD AMENDMENT TO
DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR
WEST TOWN**

This Third Amendment to Amended and Restated Declaration of Covenants, Restrictions and Easements for West Town is made and entered into this 1st day of March, 2019, by Landmark Partners 2 LLC, a Georgia limited liability company (hereinafter referred to as the "Declarant") and consented to by Brock Built Homes, LLC (hereinafter referred to as the "Owner").

WITNESSETH:

WHEREAS, Declarant has filed of record that certain Declaration of Covenants, Restrictions and Easements for West Town recorded at Deed Book 56798, Page 181 *et seq.*, Fulton County, Georgia Records, as amended (said Declaration, as amended, being herein referred to as the "Declaration"); and

WHEREAS, the Declarant desires to further amend certain provisions contained within the Declaration; and

WHEREAS, pursuant to Article XII of the Declaration, until the termination of the Development Period, the Declaration may be amended by Declarant, who may unilaterally amend for any purpose; and

WHEREAS, the Development Period has not yet been terminated; and

WHEREAS, the Brock Built Homes, LLC is the owner of certain property lying and being in Land Lot 188 of the 17th District, City of Atlanta, Fulton County, Georgia, being shown as Phase 3 on that certain Combination Plat for West Town recorded in Plat Book 393, page 35, as well as Phase 5 on that certain plat of subdivision of West Town Phase 5 recorded in Plat Book 413, page 29-34, Fulton County, Georgia records and being more particularly described on Exhibit "A" attached hereto and a part hereof (the "Submitted Property"), which Submitted Property is part of the "Additional Property," as defined in the Declaration; and

WHEREAS, Owner and Declarant desire to submit the Submitted Property to the provisions of the Declaration; and

NOW, THEREFORE, pursuant to Article II, Sections 3 and 5 of the Declaration, Owner and Declarant do hereby submit all of the Submitted Property to the Declaration and do hereby subject any and all of the

Lots created or to be created within the Submitted Property to all of the terms and provisions of the Declaration.


Except as specifically amended herein, all capitalized terms contained herein have the meaning ascribed to them in the Declaration and the Declaration shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, Declarant and Owner have caused this Amendment to be executed by its duly authorized officer on the day and year set forth below.

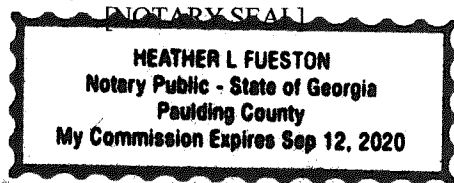
Signed, sealed and delivered this 1st day of March, 2019, in the presence of:

LANDMARK PARTNERS 2 LLC,
a Georgia limited liability company


Unofficial Witness

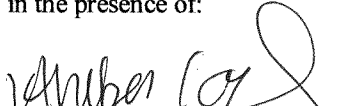
By:  (SEAL)
Steven M. Brock, Manager



Notary Public




Signed, sealed and delivered this 1st day of March, 2019, in the presence of:

Brock Built Homes, LLC,
a Georgia limited liability company


Unofficial Witness

By:  (SEAL)
Steven M. Brock, Manager


Notary Public

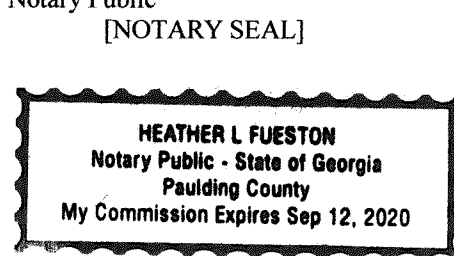


Exhibit "A"
West Town Phase III and V

All that tract or parcel of land being in Land Lot 188 of the 17th District, City of Atlanta, Fulton County, Georgia, to be known as West Town Phase 3, including lots 37, 38, 39, 40, 41, 42, 43 and 44, as shown and depicted on that certain Combination Plat for West Town recorded in Plat Book 393, page 35, Fulton County, Georgia records, said plat being incorporated herein by this reference thereto.

Together with:

All that tract or parcel of land lying and being in Land Lot 188, 17th District of Fulton, County, Georgia, City of Atlanta, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, begin at the point that marks the intersection of the southeast corner of Lot 44 and the westerly right of way of Boyd Avenue (40' right of way); thence proceed South 88°29'32" West a distance of 108.68 feet to the TRUE POINT OF BEGINNING; thence continuing South 88°29'32" West a distance of 70.52 feet to a point; thence North 00°22'30" East a distance of 53.82 feet to a point; thence North 88°31'45" East a distance of 69.52 feet to a point; thence South 00°40'02" East a distance of 53.75 feet to a point being the TRUE POINT OF BEGINNING, as per that certain plat recorded in Plat Book 393, Page 35, Fulton County, Georgia records, said plat being incorporated herein by reference thereto.

Together with:

All that tract or parcel of land being in Land Lot 188 of the 17th District, City of Atlanta, Fulton County, Georgia, being shown as West Town Phase 5 as per that certain plat of subdivision recorded in Plat Book 413, page 29, Fulton County, Georgia records, said plat being incorporated herein by this reference thereto, and being more particularly described as follows:

Beginning at an iron pin found at the intersection of the westerly right of way line of Fairmont Avenue (50' R/W) with the Land Lot line common to Land Lots 187 & 188; thence leaving said Land Lot line and along said right of way line of Fairmont Avenue South 00°38'42" West a distance of 1221.36' to an iron pin set; thence leaving said right of way line and proceeding South 88°14'56" West a distance of 732.28' to an iron pin set; thence North 00°22'58" West a distance of 60.90' to an iron pin set; thence North 88°14'56" East a distance of 65.89' to an iron pin set; thence North 54°33'49" East a distance of 211.95' to an iron pin set; thence North 10°38'42" East a distance of 100.00' to an iron pin set; thence North 14°19'04" East a distance of 115.87' to an iron pin set; thence South 86°21'18" East a distance of 20.48' to an iron pin set; thence North 05°42'28" East a distance of 37.11' to an iron pin set; thence North 86°21'18" West a distance of 21.81' to an iron pin set; thence North 03°41'00" East a distance of 179.73' to an iron pin set; thence North 10°41'26" East a distance of 62.11' to an iron pin set; thence North 21°39'26" East a distance of 62.11' to an iron pin set; thence North 32°37'26" East a distance of 62.11' to an iron pin set; thence North 43°35'25" East a distance of 62.11' to an iron pin set; thence North 56°13'31" East a distance of 62.25' to an iron pin set; thence North 62°30'12" East a distance of 49.61' to an iron pin set; thence North 36°36'41" East a distance of 15.26' to an iron pin set; thence North 08°12'19" East a distance of 65.36' to an iron pin set; thence North 29°30'41" East a distance of 100.62' to an iron pin set; thence North 17°28'59" West a distance of 47.70' to a ½" rebar found; thence North 51°39'43" East a distance of 237.57' to the point of beginning.

Less and except:

ALL THAT LOT, TRACT OR PARCEL OF LAND CONTAINING 3.409 ACRES (148,501 SQUARE FEET) LYING AND BEING IN LAND LOT 188 OF THE 17TH DISTRICT, IN THE CITY OF

ATLANTA, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT INTERSECTION OF THE WESTERLY RIGHT OF WAY MARGIN OF FAIRMONT AVENUE (50-FOOT RIGHT OF WAY) AND THE NORTHERLY LINE OF LAND LOT 188; THENCE 1041.79 FEET IN A SOUTHERLY DIRECTION ALONG SAID RIGHT OF WAY MARGIN TO A 1/2 INCH REBAR SET AT THE SOUTHERLY RIGHT OF WAY MARGIN OF ENGLISH STREET, SAID REBAR BEING THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT OF WAY MARGIN SOUTH 00 DEGREES 38 MINUTES 42 SECONDS WEST A DISTANCE OF 180.07 FEET TO A 1/2 INCH REBAR SET; THENCE LEAVING SAID RIGHT OF WAY MARGIN SOUTH 88 DEGREES 14 MINUTES 56 SECONDS WEST A DISTANCE OF 732.28 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 00 DEGREES 22 MINUTES 58 SECONDS WEST A DISTANCE OF 60.90 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 88 DEGREES 14 MINUTES 56 SECONDS EAST A DISTANCE OF 65.89 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 54 DEGREES 33 MINUTES 49 SECONDS EAST A DISTANCE OF 211.95 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 10 DEGREES 38 MINUTES 42 SECONDS EAST A DISTANCE OF 100.00 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 14 DEGREES 19 MINUTES 04 SECONDS EAST A DISTANCE OF 115.87 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 86 DEGREES 21 MINUTES 18 SECONDS EAST A DISTANCE OF 20.48 FEET TO A 1/2 INCH REBAR SET; THENCE NORTH 05 DEGREES 42 MINUTES 28 SECONDS EAST A DISTANCE OF 18.56 FEET TO A 1/2 INCH REBAR SET; THENCE SOUTH 86 DEGREES 21 MINUTES 18 SECONDS EAST A DISTANCE OF 78.85 FEET TO A 1/2 INCH REBAR SET ON THE WESTERLY RIGHT OF WAY OF ENGLISH STREET; THENCE ALONG SAID RIGHT OF WAY MARGIN SOUTH 03 DEGREES 38 MINUTES 42 SECONDS WEST A DISTANCE OF 69.55 FEET TO A 1/2 INCH REBAR SET; THENCE CONTINUING ALONG SAID RIGHT OF WAY MARGIN ALONG A CURVE TO THE LEFT A DISTANCE OF 152.11 FEET WITH A RADIUS OF 105.00 FEET AND BEING SUBTENDED BY A CHORD WITH A BEARING OF SOUTH 37 DEGREES 51 MINUTES 18 SECONDS EAST AND A DISTANCE OF 139.15 FEET TO A 1/2 INCH REBAR SET; THENCE CONTINUING ALONG SAID RIGHT OF WAY MARGIN SOUTH 79 DEGREES 21 MINUTES 18 SECONDS EAST A DISTANCE OF 119.99 FEET TO A 1/2 INCH REBAR SET; THENCE CONTINUING ALONG SAID RIGHT OF WAY MARGIN ALONG A CURVE TO THE LEFT A DISTANCE OF 34.03 FEET WITH A RADIUS OF 195.00 FEET AND BEING SUBTENDED BY A CHORD WITH A BEARING OF SOUTH 84 DEGREES 21 MINUTES 18 SECONDS EAST AND A DISTANCE OF 33.99 FEET TO A 1/2 INCH REBAR SET; THENCE CONTINUING ALONG SAID RIGHT OF WAY MARGIN SOUTH 89 DEGREES 21 MINUTES 18 SECONDS EAST A DISTANCE OF 115.01 FEET TO A 1/2 INCH REBAR SET, SAID REBAR BEING THE POINT OF BEGINNING.