

ORIGINAL

BK 37146 PG 0260

FILED & RECORDED
CLERK SUPERIOR COURT
GWINNETT COUNTY, GA.

04 FEB 23 PM 3:53

TOM LAWLER, CLERK

Re: Deed Book 18488,
Page 264 and Deed
Book 20815, page 130,
Gwinnett County,
Georgia Records

RETURN TO:
THOMPSON & SWEENEY, P.C.
ATTORNEYS AT LAW
P.O. DRAWER 1250
LAWRENCEVILLE, GA 30046-1250

302203

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR MONFORT ESTATES

This Declaration is made and published this 21st date of November, 2002 by Crescent Mountain Properties, Inc., a corporation formed under the laws of Georgia, and the undersigned property owners. Crescent Mountain Properties, Inc. holds controlling interest in the Monfort Estate Homeowners Association, Inc. and is the original Declarant of the documents being amended.

WHEREAS, the Declarant did file certain restrictive covenants dated June 1, 1999 in Deed Book 18488, page 264 through 271 of the Gwinnett County Georgia, Superior Court Records; and

WHEREAS, said restrictive covenants were amended by an Amended Declaration of Covenants, Conditions and Restrictions signed by Crescent Mountain Properties, Inc. and certain property owners in a document dated June 30, 2000 recorded in Deed Book 20815, page 130, Gwinnett County, Georgia Superior Court Records; and

WHEREAS, Crescent Mountain Properties, Inc., the Monfort Estates Homeowners Association, Inc. and the undersigned property owners desire to make certain amendments to the Amended Declaration of Covenants, Conditions and Restrictions, the undersigned being the Declarant, the controlling interest in the Monfort Estates Homeowners Association, Inc. and ninety percent (90%) of the lot owners do hereby declare that the Amended Declaration of Covenants, Conditions and Restrictions dated June 30, 2000 as recorded in Deed Book 20815, page 130 Gwinnett County, Georgia Superior Court Records is hereby amended as follows:

- (a) Exhibit B is hereby deleted in its entirety and replaced with Exhibit B which is attached hereto and incorporated herein by reference.
- (b) Section 11 (a)(i) of Article VII shall be amended to read as follows:
 - (i) Roofing material shall be fiberglass shingles of dark gray or black color, and the roof shall have a pitch of ten/twelve (10/12) or greater. This specific guideline is not subject to change, alteration or waiver by any party including the Monfort Estate Architectural Committee.

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4.

- (c) Section 11 (a)(v.) Of Article VII shall be amended to read as follows:

(v.) Exteriors. All homes shall have front facades of brick, stucco or stone. Sides and backs must have concrete siding. This specific guideline is not subject to change, alteration or waiver by any party including the Monfort Estates Architectural Committee.

- (d) The following shall be added as Section 11 (a)(vii) of Article VII:

(vii) Windows must be wood windows. No vinyl or metal frames shall be allowed. This specific guideline is not subject to change, alteration or waiver by any party including the Monfort Estates Architectural Committee. This provision shall not apply to any homes in which vinyl or metal frames were installed in the initial construction prior to August 1, 2002.

- (e) The following shall be added as Section 11 (a)(viii) of Article VII:

(viii) All front porches shall have solid foundations and steps of brick, stucco or stacked stone. Plain pillars even of brick, stucco or stone will not be allowed. No wooden porches shall be allowed except for rear decks. This specific guideline is not subject to change, alteration or waiver by any party including the Monfort Estates Architectural Committee.

- (f) The following will be added as Section 11 (a)(ix) of Article VII:

(ix) To provide for a variety of exterior appearances, the same exterior house plan shall not be constructed on any adjoining lots. This specific guideline is not subject to change, alteration or waiver by any party including the Monfort Estate Architectural Committee.

- (g) Section 18 of Article VII shall be redesignated Section 19 and Section 19 of Article VII shall be redesignated Section 20, and the following shall be added as a new Section 18 of Article VII:

Section 18. Construction Maintenance

No trees, trash, or other construction debris will be placed on any vacant lot other than the lot on which construction is taking place, and all lots under construction will be maintained in a clean and orderly condition. All builders performing construction in the subdivision will provide a port-a-john on the lot under construction for builders and subcontractors. Following completion of construction of a home, a lot will be maintained and the home will be kept in a clean and orderly condition ready for occupancy.

- (h) Section 3 of Article IV shall be deleted in its entirety and replaced with the following:

Section 3. Maximum Annual Assessment.

Beginning on the 1st day of January, 2003, the maximum annual assessment shall be Five Hundred Dollars (\$500.00) per lot.

- (a) Any individual or entity owning a lot on which no home has been constructed or on which a home has been constructed but not yet occupied shall not be required to pay an assessment of more than Two Hundred Dollars (\$200.00) for any such lot. Once a home has been constructed and occupied, the assessment shall be the regular lot assessment and such assessment shall be prorated for the year as of the date the house is occupied. The assessment provided for in this paragraph may not be increased more than five percent (5%) per year until January 1, 2006. As of that date, this paragraph shall be subject to deletion or revision as provided in this Declaration.
- (b) The maximum annual assessment may be increased each year not more than five percent (5%) above the maximum annual assessment for the previous year without a vote of the membership.
- (c) The maximum annual assessment may be increased above five percent (5%) above the annual maximum assessment for the previous year by an affirmative vote of two-thirds (2/3) of each class of members who are voting in person or by proxy at a meeting duly called for that purpose.
- (d) The Board of Directors may fix the annual assessment at an amount not in excess of the maximum allowed by this Section.

In Witness Whereof, the Undersigned have set their hands and seals to this document and approve said document as an amendment to the Declaration of Covenants, Conditions and Restrictions of Monfort Estates.

Crescent Mountain Properties, Inc.
Declarant and Controlling Interest in
Monfort Estates Homeowners Association, Inc.

By: _____ (SEAL)

Title: President

Witness

Notary Public



8K37146PG0263

Paul Lucia (SEAL)

Gayle J. Lucia (SEAL)

ANTHONY L & GAYLE J. DELUCIA

2050 LEE PATRICK DR

Dacula, GA 30019

(Print Name and Address)

Witnessed and Notarized by:

Shirley Baden

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Margaret A. Nguyen (SEAL)

Thanh P. Nguyen (SEAL)

Thanh P. & Margaret A. Nguyen

2010 Lee Patrick Drive

Dacula, GA 30019

(Print Name and Address)

Witnessed and Notarized by:

Shirley Baden

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Donna R. Rice (SEAL)

Donna R. Rice (SEAL)

CARLENE & DONNA RICE

2115 LEE PATRICK DR

Dacula, GA 30019

(Print Name and Address)

Witnessed and Notarized by:

Shirley Baden

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Caroline J. O'Bannon (SEAL)
(SEAL)

Caroline J. O'Bannon
2130 Lee Patrick Drive
Dacula, GA 30019
(Print Name and Address)

Witnessed and Notarized by:

Vincent Baker
Witness
Maria C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Janet P. Lee (SEAL)
Joseph M. Lee (SEAL)

Marye & Janet Lee
1575 River Run Lane
Dacula, Ga. 30019
(Print Name and Address)

Witnessed and Notarized by:

Vincent Baker
Witness
Maria C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Willene M. Bush (SEAL)
Raiford D. Bush Sr. (SEAL)

Willene M. Bush & Raiford G. Bush, Sr.
1815 Lee Patrick Drive
Dacula, Georgia 30019
(Print Name and Address)

Witnessed and Notarized by:

Vincent Baker
Witness
Maria C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Donna Lynskey (SEAL)
Finney Miranda (SEAL)
1990 Lee Patrick Dr
Dacula, Ga 30019
Jim MIRANDA
 (Print Name and Address)

Witnessed and Notarized by:

Dele Baden
 Witness
Maria C. Julian
 Notary Public

Notary Public, Gwinnett County, Georgia
 My Commission Expires Sept. 26, 2006

Daniel W. Masters (SEAL)
Denise M. Masters (SEAL)
1970 Lee Patrick Dr.
Dacula, GA 30019
Daniel + Denise Masters
 (Print Name and Address)

Witnessed and Notarized by:

Dele Baden
 Witness
Maria C. Julian
 Notary Public

Notary Public, Gwinnett County, Georgia
 My Commission Expires Sept. 26, 2006

Barbara Taylor (SEAL)
John W. Taylor, Jr. (SEAL)
John W. Taylor, Sr.
1760 Babycreechane
Dacula GA 30019
 (Print Name and Address)

Witnessed and Notarized by:

Dele Baden
 Witness
Maria C. Julian
 Notary Public

Notary Public, Gwinnett County, Georgia
 My Commission Expires Sept. 26, 2006

Dennis Kozlowski (SEAL)
Stacey Kozlowski (SEAL)
Dennis and Stacey Kozlowski
2095 Lee Patrick Drive
Dacula, GA 30019
(Print Name and Address)

Witnessed and Notarized by:

Dele Baker
Witness
Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Anne Thompson (SEAL)
Greg Thompson (SEAL)
Greg + Anne Thompson
2090 Lee Patrick Dr
Dacula, GA 30019
(Print Name and Address)

Witnessed and Notarized by:

Dele Baker
Witness
Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Jay D. Williams (SEAL)
Jay & Evan Williams (SEAL)
Jay & Evan Williams
2100 Lee Patrick Dr.
Dacula, GA 30019
(Print Name and Address)

Witnessed and Notarized by:

Dele Baker
Witness
Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

BK 37146 PG 0267

(SEAL)

Witnessed and Notarized by:

(SEAL)

Deirdre Balen

Witness

TAMMY EDMONDSON

JOHN L. EDMONDSON

1770 RUBY LEE LANE

(Print Name and Address)

Dacula, GA 30019

Maria C. Julian

Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Odina Hipp

(SEAL)

Witnessed and Notarized by:

Terry Hipp

(SEAL)

Deirdre Balen

Witness

Terry Hipp Adina Hipp

1750 Ruby Lee Lane

Dacula, GA 30019

(Print Name and Address)

Maria C. Julian

Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

William T Duncan

(SEAL)

Witnessed and Notarized by:

Terri Duncan

(SEAL)

Deirdre Balen

Witness

Terri & Tom Duncan

2080 Lee Patrick Dr.

Dacula, GA 30019

(Print Name and Address)

Maria C. Julian

Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Stephen D. Speer (SEAL)
Melissa P. Speer (SEAL)
 STEPHEN D. SPEER
 MELISSA P. SPEER
 1835 LEE PATRICK DR

Dacula, GA 30019
 (Print Name and Address)

Witnessed and Notarized by:

Wanda Baker
 Witness
Maria C. Julian
 Notary Public

Notary Public, Gwinnett County, Georgia
 My Commission Expires Sept. 26, 2006

Jeffery M. Lurie (SEAL)
Jeffery M. Lurie (SEAL)
 JEFFERY M. LURIE
 1855 LEE PATRICK DR
Dacula, GA. 30019
 (Print Name and Address)

Witnessed and Notarized by:

Wanda Baker
 Witness
Maria C. Julian
 Notary Public

Notary Public, Gwinnett County, Georgia
 My Commission Expires Sept. 26, 2006

Scott A. Poffenberger (SEAL)
Terra L. Poffenberger (SEAL)
 1815 Lee Patrick Dr.
Dacula, GA. 30019
Scott & Terra Poffenberger
 (Print Name and Address)

Witnessed and Notarized by:

Wanda Baker
 Witness
Maria C. Julian
 Notary Public

Notary Public, Gwinnett County, Georgia
 My Commission Expires Sept. 26, 2006

Dianne Gray (SEAL)

Kenneth E. Gray II (SEAL)

Lemessa L Green

1580 River Run Lane

Dacula, GA 30019

(Print Name and Address)

Dianne Gray (SEAL)

2150 E. Potomac (SEAL)

Dacula, GA

JOE PRYETT

(Print Name and Address)

Michael P. Moffitt (SEAL)

Cheryl Moffitt (SEAL)

1600 River Run Ln.

Dacula, Ga 30019

Mike Cheryl Moffitt

(Print Name and Address)

Witnessed and Notarized by:

T. L. Evers

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Witnessed and Notarized by:

T. L. Evers

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Witnessed and Notarized by:

T. L. Evers

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Prudence Garbutt (SEAL)

(SEAL)

Prudence Garbutt

1590 River Run Lane

Dacula GA 30019

(Print Name and Address)

E. Wayne Peters (SEAL)

Mary Peters (SEAL)

E. Wayne Peters

Mary Peters

2185 Lee Patrick Drive

(Print Name and Address) Dacula

Kurt M Fox (SEAL)

Angela G. Fox (SEAL)

Kurt M Fox

ANGELA G. FOX

1900 LEE PATRICK

(Print Name and Address)

Witnessed and Notarized by:

T. L. Evers

Witness

Morie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Witnessed and Notarized by:

T. L. Evers

Witness

Morie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Witnessed and Notarized by:

T. L. Evers

Witness

Morie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Tahira K (SEAL)

(SEAL)

TAKASHI KUSANO

2000 LEE PATRICK DR

Dacula, GA. 30019
(Print Name and Address)

Leopra Wynn (SEAL)

Leopra Wynn (SEAL)

1780 Ruby Leekane

Dacula GA 30019
(Print Name and Address)

(Print Name and Address)

Jeffrey T. Man (SEAL)

Jeffrey T. Man (SEAL)

2075 Lee Patrick Dr

Dacula GA, 30019
(Print Name and Address)

(Print Name and Address)

Witnessed and Notarized by:

T. K. Guevarra

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Witnessed and Notarized by:

T. K. Guevarra

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Witnessed and Notarized by:

T. K. Guevarra

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

John Nystrom (SEAL)

Leslie Nystrom (SEAL)

John NYSTROM

Leslie NYSTROM

2030 Lee Patrick Dr
(Print Name and Address)

Witnessed and Notarized by:

T. de Guzman

Witness

Maria C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Renee Day (SEAL)

Charles Day (SEAL)

Renee Day

Charles Day

1775 Ruby Lee
(Print Name and Address)

Witnessed and Notarized by:

T. de Guzman

Witness

Maria C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Alison Sharpton (SEAL)

Billy Sharpton (SEAL)

Alison + Billy Sharpton

1709 Ruby Lee Lane

Dacula, Ga 30019
(Print Name and Address)

Witnessed and Notarized by:

T. de Guzman

Witness

Maria C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

[Signature] (SEAL)

Phyllis E. Davis (SEAL)

TEX W. & PHYLLIS E. DAVIS

11980 LEE PATRICK DR

Dacula GA 30019

(Print Name and Address)

Witnessed and Notarized by:

T. L. Evers

Witness

Maria C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

[Signature] (SEAL)

Julie Allen (SEAL)

David & Julie Allen

2120 Lee Patrick Dr.

Dacula GA 30019

(Print Name and Address)

Witnessed and Notarized by:

T. L. Evers

Witness

Maria C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

[Signature] (SEAL)

Sharon William Dolph (SEAL)

Sharon William Dolph

2135 Lee Patrick Drive

Dacula GA 30019

(Print Name and Address)

Witnessed and Notarized by:

T. L. Evers

Witness

Maria C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Barbara Skeen (SEAL)

Phillip J. Skeen (SEAL)

Phillip J. Skeen

Barbara Skeen

1850 Lee Patrick Dr.

(Print Name and Address)

Witnessed and Notarized by:

T. de Guzman

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Jesse James (SEAL)

Dorothy James (SEAL)

1820 Lee Patrick Dr
Jesse James & Betty James

Dacula, GA,
(Print Name and Address)

Witnessed and Notarized by:

T. de Guzman

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006

Garry W. Kimbro (SEAL)

(SEAL)

Garry W Kimbro

2140 Lee Patrick Dr

Dacula, GA 30019
(Print Name and Address)

Witnessed and Notarized by:

T. de Guzman

Witness

Marie C. Julian
Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires Sept. 26, 2006



[Signature] (SEAL)

[Signature] (SEAL)

20 Lee Patrick Dr.

Dacula, GA 30019

JARVIS L. REID
(Print Name and Address)

Witnessed and Notarized by:

T. L. Evers

Witness

[Signature]

Notary Public, Gwinnett County, Georgia
My Commission Expires February 13, 2004



[Signature] (SEAL)

[Signature] (SEAL)

MYRNA PERKINS

1865 Lee Patrick Dr

Dacula GA 30019
(Print Name and Address)

Witnessed and Notarized by:

T. L. Evers

Witness

[Signature]

Notary Public, Gwinnett County, Georgia
My Commission Expires February 13, 2004

DARYLE YARAB (SEAL)

Nicole Lussan Yarab (SEAL)

1950 LEE PATRICK DRIVE

DACULA, GA 30019

Nicole + Daryle Yarab.
(Print Name and Address)

Witnessed and Notarized by:

[Signature]

Witness

[Signature]

Notary Public



[Signature] (SEAL)

Catherine Meyer (SEAL)

JAMES & CATHERINE MEYER

2020 LEE PATRICK DR

Dacula GA. 30019

(Print Name and Address)

[Signature] (SEAL)

Chris Folgman (SEAL)

1878 Grayson Hwy

Grayson, GA 30017

(Print Name and Address)

[Signature] (SEAL)

Randy York (SEAL)

1878 Grayson Hwy

Grayson, GA 30017

(Print Name and Address)

Witnessed and Notarized by:

Tal Eucio

Witness

Coita D. Adams

Notary Public

Notary Public, Gwinnett County, Georgia
My Commission Expires February 13, 2004

Witnessed and Notarized by:

Maggie Boyce

Witness

Pamela K. Bishop

Notary Public



Witnessed and Notarized by:

Maggie Boyce

Witness

Pamela K. Bishop

Notary Public

