



2010007793

MACON CO, NC FEE \$20.00

PRESENTED & RECORDED:

11-15-2010 02:15:10 PM

TODD RABY
REGISTER OF DEEDS
BY TODD RABY
REGISTER

BK: CRP A-34

PG: 19-21

**THIRD AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS,
EASEMENTS AND CONDITIONS FOR DIAMOND FALLS ESTATES, A SUBDIVISION**

This Third Amendment to Declaration of Protective Covenants, Easements and Conditions for Diamond Falls Estates, A Subdivision, is made effective the recording date hereof.

Whereas, the Original Declaration of Protective Covenants, Easements and Conditions for Diamond Falls, A Subdivision (Original Declaration) was recorded on January 6, 2009 at Book T-32, Pages 934-945, Macon County Registry; and

Whereas the first Amendment to Declaration of Protective Covenants, Easements and Conditions for Diamond Falls, A Subdivision (Original Declaration) was recorded on March 25, 2009 at Book X-32, Pages 1889-1891, Macon County Registry; and

Whereas the Second Amendment to Declaration of Protective Covenants, Easements and Conditions for Diamond Falls, A Subdivision (Original Declaration) was recorded on September 21, 2010 at Book X-33, Pages 536-538, Macon County Registry; and

Whereas, the Original Declaration provided in paragraph 28 that it could be amended in whole or in part at any time by a duly recorded amendment signed by the Declarant, Diamond Falls Estates, LLC until it had sold all of the Lots subject to the Original Declaration; and

Whereas, the property subject to the Original Declaration is described as a portion of the lands obtained by those deeds recorded at Book C-32, Pages 1327 and Book T-32, Page 932, Macon County Registry and further shown on that Plats recorded at Plat Cards 5997 & 5998, Macon County Registry (The Property) to which reference is made for a more complete description; and

Whereas, the Original Declaration provided "the Declarant reserves the right to, but is not obligated, to, add additional portions of the land described in the following two deeds: deed from Pembroke Heights, LLC to Diamond Falls, LLC recorded at Book C-32, Page 1327 & deed from Shimoba Enterprises, LLC to Diamond Falls Estates, LLC dated December 18, 2008 recorded at Book T-32, page 932, Macon County Registry and other lands, as additional portions of said Subdivision."

Whereas, the undersigned, Declarant, who is still the owner of Lots subject to the Original Declaration amends the declaration as follows:

The property described as Diamond Falls Estates Subdivision, Phase II as depicted on the plats from a survey by Benjamin West, PLS, recorded at Plat Cards 6752, 6753, 6754, 6755 and 6756, Macon County Registry is added to the Subdivision and are subject to the Original Declaration, the Amendments thereto identified above and any future amendments to same.

The first sentence of Paragraph 3 of the Restrictions Section of the Original Declaration is amended to read as follows:

Lots may be re-subdivided once as long as the two resulting Lots are each at least 1 acre in area.

All of the other provisions of the Original Declaration shall remain in full force and effect.

IN WITNESS WHEREOF the Declarant has caused these presents to be properly executed.

DIAMOND FALLS ESTATES, LLC

BY: Shirley Buaf
Shirley Buaf, Member Manager

State of Georgia, County of Bibb

I, Kathy Marie Phelps, a Notary Public of the County and State aforesaid, certify that Shirley Buaf, personally came before me this day and acknowledged that the foregoing instrument was signed by her as an official act of Diamond Falls Estates, LLC.

Witness my hand and official stamp or seal, this 3rd Day November, 2010.

Kathy Marie Phelps
Notary Public
My Commission expires: June 7, 2011

Seal-Stamp



BY: Charles Buaf
Charles Buaf, Member Manager

State of Georgia, County of Bibb

I, Kathy Marie Phelps, a Notary Public of the County and State aforesaid, certify that Charles Buaf, personally came before me this day and acknowledged that the foregoing instrument was signed by her as an official act of Diamond Falls Estates, LLC.

Witness my hand and official stamp or seal, this 3rd Day November, 2010.

Kathy Marie Phelps
Notary Public
My Commission expires: June 7, 2011

Seal-Stamp

