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FILED AND RECORDED

STATE OF GEORGIA
COUNTY OF COBB

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FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM
FOR POWERS FERRY GREEN, A CONDOMINIUM

J. C. Thompson
COBB SUPERIOR COURT CLERK

This First Amendment made and entered into this 1st day of November, 1990, by Township at Powers Ferry, Inc., hereinafter referred to as "Township".

W I T N E S S E T H

WHEREAS, that certain Declaration of Condominium for Powers Ferry Green, a Condominium, hereinafter referred to as the "Declaration", was made and entered into on July 15, 1985, by BPI Construction Co., hereinafter referred to as "BPI", and was filed and recorded July 16, 1985, in Deed Book 3569, page 1, Cobb County Records; and

WHEREAS, the plat (site plan) for Powers Ferry Green, a Condominium, hereinafter referred to as the "Condominium", was recorded simultaneously therewith in Condominium Plat Book 4, page 190, aforesaid Records; and

WHEREAS, the plans for the Condominium were recorded simultaneously therewith in Condominium Floor Plan Folder No. 85-009 A, aforesaid Records; and

WHEREAS, Township became the Declarant, as such term is defined in the Declaration, and the successor in interest to BPI, by virtue of that certain Warranty Deed dated March 31, 1987, filed and recorded April 7, 1987, in Deed Book 4409, page 42, aforesaid Records; and

WHEREAS, the Declaration provides in Paragraph 2.05 thereof that the Declarant may submit to the provisions of the Declaration any and all of the Additional Property as such term is defined in the Declaration; and

WHEREAS, certain condominium units have been developed on the Additional Property and were never submitted to the Declaration as provided for therein; and

WHEREAS, Township now desires to submit to the Declaration such units and the Additional Property upon which they are located;

NOW, THEREFORE, in consideration of the covenants contained herein and in the Declaration, One and No/100ths (\$1.00) Dollar and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby states as follows:

- (1) That certain property described on Exhibit "A-1", attached hereto and by this reference made a part hereof, is hereby

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submitted to the provisions of the Declaration, and shall be and become a part of the Condominium. Furthermore, all units located upon such property described on Exhibit "A-1" hereto which have previously been conveyed from Township to bona fide purchasers shall be considered part of the Condominium from and including the dates of such conveyances, subject to the rights, if any, of such purchasers and/or their mortgagees.

(2) The Plat (site plan) for the Condominium shall hereinafter refer to that certain plat entitled "As-Built Survey of Powers Ferry Green Condominiums" prepared by E. A. Anderson & Associates, dated August 29, 1987, and recorded in Condominium Plat Book 5, Page 68, aforesaid records.

(3) The plans for the Phase II property shall mean and refer to those certain plans recorded in Condominium Floor Plan Folder Number 85-009 A, aforesaid records.

(4) Exhibit "C" attached to the Declaration is hereby deleted in its entirety and the new Exhibit "C", attached hereto and by this reference made a part hereof, is hereby added to the Declaration. All references to Exhibit "C" contained within the Declaration and this Amendment shall mean and refer to the new Exhibit "C" hereto.

(5) The number of votes in the Association, as such term is defined in the Declaration, is hereby increased to fifty-six (56), with each Condominium Unit having one vote in the Association.

EXCEPT AS AMENDED HEREBY, all other terms, covenants, rights, conditions and obligations of the various parties in and to the Declaration shall remain in full force and effect and are hereby ratified and confirmed by Township in its capacity as Declarant.

IN WITNESS WHEREOF, Township has hereunto set its hand and caused its corporate seal to be affixed by its duly authorized and designated officers, the day and year first above written.

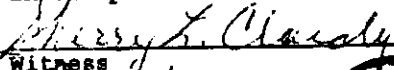
TOWNSHIP OF POWERS FERRY, INC.

Signed, sealed and delivered

BY: 

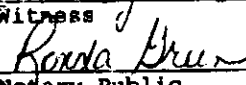
Gilbert Brown President

in the presence of:


Cherry L. Clardy
Witness

ATTEST: 

Lawrence T. Martino Secretary
[Corporate Seal]


Randa Brun
Notary Public

My Commission Expires: _____

[Notary Seal]

Notary Public, DeKalb County, Georgia
My Commission Expires September 27, 1991



SIGNATURES - CONTINUED ON NEXT PAGE

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Collective Federal Savings Bank, mortgagee of the additional property, hereby executes this Amendment in order to show its assent thereto.

COLLECTIVE FEDERAL SAVINGS BANK

Signed, sealed and delivered in the presence of:

BY: [Signature]
Richard J. [unclear], Senior Vice President

[Signature]
Witness

ATTEST: [Signature]
Russell Graves, Asst. Secretary

[Corporate Seal]

Notary Public
My Commission Expires:

(Notary Seal) ADAM W. PALMISCIANO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires July 18, 1983



EXHIBIT "A-1"

All that tract or parcel of land, with all improvements thereon, situate, lying and being in Land Lot 859 of the 17th District, 2nd Section, City of Marietta, Cobb County, Georgia, being shown and designated as "Phase II-2.97 Acres" on that certain plat of survey entitled "As-Built Survey of Powers Ferry Green Condominiums" prepared by E. A. Anderson & Associates, dated August 29, 1987, and recorded in Condominium Plat Book 5, Page 68, Cobb County, Georgia records, and being more particularly described as follows:

BEGINNING at an iron pin found at the corner common to Land Lots 797, 798, 858 and 859, and from said iron pin running thence north 01 degree, 26 minutes, 34 seconds west along the western boundary of Land Lot 859 50.00 feet to a point; thence north 69 degrees, 01 minute, 18 seconds east 363.46 feet to a point; thence north 55 degrees, 16 minutes, 02 seconds east 178.21 feet to a point; thence south 34 degrees, 37 minutes, 58 seconds east 73.00 feet to a point; thence north 54 degrees, 42 minutes, 37 seconds east 129.65 feet to a point; thence south 52 degrees, 40 minutes, 36 seconds east 86.00 feet to an iron pin found on the western boundary of property now or formerly known as Sandpiper Condominiums; thence along such western boundary of property now or formerly known as Sandpiper Condominiums south 00 degrees, 29 minutes, 05 seconds east 244.40 feet to an iron pin found on the southern boundary of Land Lot 859; thence along the southern boundary of Land Lot 859 north 89 degrees, 59 minutes, 44 seconds west 702.34 feet to the iron pin found at the point of beginning.

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EXHIBIT "C"

Unit Number	Unit Type	Percentage Interest in Common Elements
101	A	1.6
102	B	1.9
103	C	1.6
104	D	2.1
105	A	1.6
106	B	1.9
201	A	1.6
202	B	1.9
203	A	1.6
204	B	1.9
301	A	1.6
302	B	1.9
303	C	1.6
304	D	2.1
305	A	1.6
306	B	1.9
401	A	1.6
402	B	1.9
403	C	1.6
404	D	2.1
405	C	1.6
406	D	2.1
407	C	1.6
408	D	2.1
409	A	1.6
501	B	1.9
502	A	1.6
503	B	1.9
504	A	1.6
601	B	1.9
602	A	1.6
603	B	1.9
604	A	1.6
701	B	1.9
702	A	1.6
703	B	1.9
704	C	1.6
705	D	2.1
706	C	1.6
707	D	2.1
708	C	1.6
709	D	2.1
710	A	1.6
801	B	1.9
802	A	1.6
803	B	1.9
804	A	1.6
901	B	1.9
902	A	1.6
903	B	1.9
904	C	1.6
905	D	2.1
906	C	1.6
907	D	2.1
908	A	1.6
	B	1.9

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