

Type: COVE
Kind: DECLARATION OF RESTRICTIVE COV
Recorded: 1/23/2019 11:26:00 AM
Fee Amt: \$16.00 Page 1 of 3
Chatham, Ga. Clerk Superior Court
Tammie Mosley Clerk Superior Court

Participant ID(s): 4878462932,
7067927936

BK 1537 PG 238 - 240

ABOVE SPACE FOR RECORDING INFORMATION ONLY

Prepared by:

**BOUHAN
FALLIGANT**

ATTORNEYS & COUNSELORS AT LAW
One West Park Avenue
Savannah, Georgia 31401
ATTN: Robert B. Brannen, Jr.
(912) 644-5721
File No.: 19267-1

**Please cross-reference to:
Deed Book 1411, page 469**

**FIRST AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR THE PALMS**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE PALMS ("First Amendment") is made this 16th day of January, 2019, by R-6 SAVANNAH, LLC, a Georgia limited liability company (the "Declarant").

WITNESSETH:

WHEREAS, certain property was subjected to that Declaration of Covenants, Conditions, and Restrictions for The Palms, dated July 18, 2018, and recorded in Deed Book 1411, page 469, Chatham County, Georgia records (the "Declaration"); and

WHEREAS, the property subject to the Declaration is also subject to that master declaration entitled Declaration of Covenants, Conditions and Restrictions for New Hampstead, dated December 24, 2005, and recorded in Deed Book 299-Z, page 21, Chatham County, Georgia, records (as supplemented and amended, the "Master Declaration"); and

WHEREAS, the parties hereto are all of the owners of property subject to the Declaration and desire to amend the Declaration to conform to certain requirements contained in the Master Declaration;

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. The definition of Master Declaration is deleted in its entirety and replaced with the following:

“Master Declaration:” The Declaration of Covenants Conditions and Restrictions for New Hampstead, dated December 28, 2005, and recorded at Deed Book 299-Z, page 21, Chatham County, Georgia, records, and subsequent amendments filed of record.

2. The following Article XVII Master Association Rights consisting of Section 17.1 and 17.2 is added to the Declaration:

Article XVII – Master Association Rights

17.1. Enforcement Right.

In the event that the Association fails to enforce any or all provisions of the Governing Documents, after thirty (30) days written notice from the Master Declarant (or the Master Association after the Master Association’s Class B Control Period), the Master Declarant (or the Master Association after the Class B Control Period) shall have the authority to enforce said provisions and to take such actions on behalf of the Association as may be required to enforce said provisions. Said authority shall include but not be limited to, the right to specially assess Unit Owners for the purpose of paying assessments due from the Members of the Association to the Master Association.”

17.2. Amendments.

The Declaration shall not be modified or amended in any manner that materially affects the rights of the Master Association without the prior written consent of the Master Association.

3. Except as specifically amended hereby, the Declaration shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned has caused this First Amendment to be executed as of the same date above.

Signed, sealed and delivered in the presences of:

Anne Adam Waters
Witness

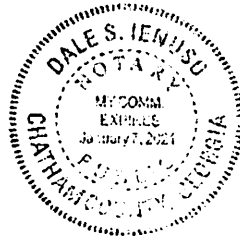
Dale S. Iennuso
Notary Public

My Commission Expires:
7/07/2021
[NOTARIAL SEAL]

R-6 Savannah, LLC

By: Josh H. Bell

Its: Managing Partner



Upon recording return to:
Joseph R Ross, Esq.
Morris, Manning & Martin, LLP
24 Drayton Street, Suite 712
Savannah, Georgia 31401

Type: COVE
Kind: DECLARATION OF RESTRICTIVE COV
Recorded: 1/8/2021 2:51:00 PM
Fee Amt: \$25.00 Page 1 of 3
Chatham, Ga. Clerk Superior Court
Tammie Mosley Clerk Superior Court

Participant ID: 7428341760

BK 2202 PG 163 - 165

Cross-Reference:
Deed Book 1411, Page 469
Deed Book 1537, Page 238

**SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS
FOR
THE PALMS SUBDIVISION**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS for the Palms Subdivision (this "Amendment") is made and entered into this 7th day of January, 2021, by R6 SAVANNAH, LLC, a Georgia limited liability company ("Declarant").

W I T N E S S E T H:

WHEREAS, Declarant caused to be executed and recorded that certain Declaration of Covenants, Conditions and Restrictions for the Palms Subdivision dated July 18, 2018, and recorded at Deed Book 1411, page 469, Chatham County, Georgia records, as amended by First Amendment dated January 16, 2019 and recorded at Deed Book 1537, page 238, said records (as amended, the "Declaration");

WHEREAS, Developer has determined to subject the residential lots and common areas known as The Palms, Phase 2, more particularly described in Exhibit A, attached hereto and made a part hereof (the "Subdivision") to the covenants, conditions and restrictions of the Declaration; and

NOW, THEREFORE, that for \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Developer hereby agrees that the Declaration shall be amended and supplemented as follows:

1. All capitalized terms not otherwise defined in this Amendment shall have the meaning given such term in the Declaration.
2. The Developer hereby submits the Subdivision as more particularly described on Exhibit A attached hereto to the Declaration for all purposes set forth in the Declaration.

3. Except as modified and amended hereby, all other terms, covenants and conditions of the Declaration shall continue and remain in full force and effect without change.

IN WITNESS WHEREOF, the parties have executed this Amendment under seal as of the date first above written.

Signed, sealed and delivered in the presence of:

Anne Polansky
Witness

[Signature]
Notary Public

My commission expires: _____

[AFFIX NOTARIAL SEAL OR STAMP]

Declarant:

R6 SAVANNAH, LLC, a Georgia limited liability company

By: [Signature]
Name: Gustave H. Bell, III
Title: Manager



EXHIBIT A
To
SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS
FOR
PALMS SUBDIVISION

The PALMS, PHASE 2

All those certain lots, parcels or tracts of land, lying and being in Chatham County, Georgia, known as The Palms, Phase 2, and shown and more particularly described on that certain Subdivision Plat of Survey dated March 30, 2020, prepared by P. Nathan Brown, GRLS, Hussey, Gay, Bell, Consulting Engineers, for R6 Savannah, LLC, and recorded in Plat Book 52, Page 669, Chatham County Records.

Type: COVE
Kind: DECLARATION OF RESTRICTIVE COV
Recorded: 10/4/2022 11:47:00 AM
Fee Amt: \$25.00 Page 1 of 6
Chatham, Ga. Clerk Superior Court
Tammie Mosley Clerk Superior Court

Participant ID(s): 2338216266,
2795240093

Upon recording return to:
Joseph R Ross, Esq.
Morris, Manning & Martin, LLP
24 Drayton Street, Suite 712
Savannah, Georgia 31401

BK 2928 PG 693 - 698

Cross-Reference:
Deed Book 1411, Page 469
Deed Book 1537, Page 238
Deed Book 2202, Page 163

**SECOND SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS
FOR
THE PALMS SUBDIVISION**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS for the Palms Subdivision (this "**Second Supplemental Declaration**") is made and entered into this 15th day of September, 2022, to be effective as of May 17, 2021, by R6 SAVANNAH, LLC, a Georgia limited liability company ("**Declarant**") and BEACON NEW HOMES, LLC, a Georgia limited liability company ("**Beacon**").

WITNESSETH:

WHEREAS, Declarant caused to be executed and recorded that certain Declaration of Covenants, Conditions and Restrictions for the Palms Subdivision dated July 18, 2018, and recorded at Deed Book 1411, page 469, Chatham County, Georgia records (the "**Original Declaration**"), as amended by that First Amendment to the Original Declaration dated January 16, 2019 and recorded at Deed Book 1537, page 238, said records; and as supplemented by that Supplemental Declaration of Covenants, Conditions and Restrictions for the Palms Subdivision dated January 7, 2021 and recorded in Deed Book 2202, 163, said records (the Original Declaration, First Amendment and Supplemental Declaration being collectively referred to herein as the "**Declaration**");

WHEREAS, Declarant has determined to subject the residential lots and common areas known as The Palms, Phase 3, more particularly described in Exhibit A, attached hereto and made a part hereof (the "**Subdivision**") to the covenants, conditions and restrictions of the Declaration;

WHEREAS, Declarant conveyed the Subdivision to Beacon by Limited Warranty Deed dated May 17, 2021 and recorded in Deed Book 2373, Page 437, Chatham County Records;

NOW, THEREFORE, that for \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Declarant hereby agrees that the Declaration shall be amended and supplemented as follows:

1. All capitalized terms not otherwise defined in this Amendment shall have the meaning given such term in the Declaration.

2. The Declarant hereby submits the Subdivision as more particularly described on Exhibit A attached hereto to the Declaration for all purposes set forth in the Declaration. Declarant hereby acknowledges and agrees that pursuant to Subsection 8.8(d) of the Declaration, Subdivision Lots and Units shall remain exempt from and against any liability for payment of Base Assessments and Special Assessments (collectively, the "Assessments") until such time as any individual Subdivision Lot or Unit is improved and receives a Certificate of Occupancy, at which time such individual Subdivision Unit or Lot shall be subjected to payment of Assessments in accordance with the Declaration and Association's bylaws, and all unimproved Lots, Units, or land within the Subdivision shall remain exempt from Assessments until the issuance of a Certificate of Occupancy for the improvements thereupon. Declarant agrees that Declarant shall neither amend the Declaration to subject undeveloped land within the Subdivision to Assessments and covenants that any conveyance, assignment or transfer by Declarant of its rights in and under the Declaration shall include the foregoing covenant and agreement therein. Subject to and conditioned upon the foregoing agreements of Declarant in this paragraph, Beacon hereby acknowledges and consents to the submission of the Subdivision to the Declaration.

3. Except as modified and amended hereby, all other terms, covenants and conditions of the Declaration shall continue and remain in full force and effect without change.

IN WITNESS WHEREOF, the parties have executed this Amendment under seal as of the date first above written.

[Signatures on Following Pages]

As to Declarant:
Signed, sealed and delivered in the
presence of:

Witness [Signature]

Dale S. Ienuso
Notary Public

My commission expires: 12/08/2024

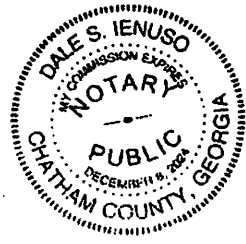
[AFFIX NOTARIAL SEAL OR STAMP]

Declarant:

R6 SAVANNAH, LLC, a Georgia limited
liability company

By: [Signature]

Name: Gustave H. Bell, IV
Title: Manager



As to Beacon New Homes, LLC:

Witness _____

Notary Public

[AFFIX NOTARIAL SEAL OR STAMP]

Acknowledged and Agreed to:
BEACON NEW HOMES, LLC, a Georgia
limited liability company

By: _____

Name: Corde Wilson
Title: Manager

Signed, sealed and delivered in the presence of:

R6 SAVANNAH, LLC, a Georgia limited liability company

Witness

By:

Name: Gustave H. Bell, IV

Title: Manager

Notary Public

My commission expires:

[AFFIX NOTARIAL SEAL OR STAMP]

As to Beacon New Homes, LLC:

Witness

Notary Public

Acknowledged and Agreed to:

BEACON NEW HOMES, LLC, a Georgia limited liability company

By:

Name: Corde Wilson

Title: Manager

[AFFIX NOTARIAL SEAL OR STAMP]



First Chatham Bank is executing this Second Supplemental Declaration for the sole purposes of subordinating its security interest in the Subdivision granted pursuant to that certain Security Deed dated May 17, 2021 and recorded in Deed Book 2373, Page 439, Chatham County Records, as Modified by Modification of Security Deed dated June 16, 2022 and recorded in Deed Book 2373, Page 439, said records, to -3- the Declaration, as supplemented hereby.

First Chatham Bank is executing this Second Supplemental Declaration for the sole purposes of subordinating its security interest in the Subdivision granted pursuant to that certain Security Deed dated May 17, 2021 and recorded in Deed Book 2373, Page 439, Chatham County Records, as Modified by Modification of Security Deed dated June 16, 2022 and recorded in Deed Book 2840, Page 14-16, said records, to the Declaration, as supplemented hereby.

As to First Chatham Bank:

Signed, Sealed and Delivered in the presence of:

Witness

Notary Public

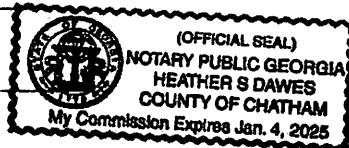
My commission expires:

Acknowledged and Consented To:

FIRST CHATHAM BANK

By:

Its:



[AFFIX NOTARIAL SEAL OR STAMP]

EXHIBIT A
To
SECOND SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS
FOR
PALMS SUBDIVISION

The PALMS, PHASE 3

All that certain lot, tract, or parcel of land situate lying and being in Chatham County, Georgia and shown as "Tract 3," containing 23.40 acres, more or less, on that certain subdivision plat entitled "SUBDIVISION PLAT, Portion of Parcel V, Being a Portion of Parcel B-1, New Hampstead Tracts, City of Savannah, Chatham County, Georgia" prepared by P. Nathan Brown, G.R.L.S. No. 3185, of Hussey, Gay, Bell & Deyoung, Inc., having as its Plat Date of January 6, 2021 and recorded on May 10, 2021 in Plat Book 52 at Page 786, Chatham County, Georgia real property records