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STATE OF GEORGIA
COUNTY OF EFFINGHAM

FILED FOR RECORD
D.D. BK. 1368
PAGE NO. 40

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**SIXTH AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS FOR
KATE'S COVE SUBDIVISION**

This SIXTH AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS
FOR KATE'S COVE SUBDIVISION (hereinafter the "Sixth Amendment") is made this 16th day
of November, 2005, by Edward A. Coleman and Darnett W. Coleman (hereinafter referred
to as the "Developer").

WITNESSETH

WHEREAS, on January 29, 1998, that certain Declaration of Protective Covenants-Kate's
Cove Subdivision, Phase I & II, was executed and recorded at Deed Book 458, page 522, in the
records of the Clerk of Superior Court for Effingham County, Georgia (hereinafter the "Protective
Covenants"), and on March 19, 1998, that certain First Amendment to Declaration of Protective
Covenants-Kate's Cove Subdivision, Phase I & II, was executed and recorded at Deed Book 468,
page 35, aforesaid records, and on April 20, 1998, that certain Second Amendment to Declaration of
Protective Covenants-Kate's Cove Subdivision, Phase I & II, was executed and recorded at Deed
Book 474, page 386, aforesaid records, and on November 19, 1999, that certain Third Amendment
to Declaration of Protective Covenants-Kate's Cove Subdivision, Phase I & II, was executed and
recorded at Deed Book 603, page 274, aforesaid records, and on May 10, 2002, that certain Third
Amendment to Declaration of Protective Covenants-Kate's Cove Subdivision, Phase I & II, was
executed and recorded at Deed Book 830, page 229, aforesaid records, and on December 23, 2003,
that certain Fifth Amendment to Declaration of Protective Covenants-Kate's Cove Subdivision,
Phase I & II, was executed and recorded at Deed Book 1065, page 262, aforesaid records; and,

WHEREAS, Harvest Properties, Inc., a Georgia corporation, transferred and conveyed unto
Edward A. Coleman and Darnett W. Coleman all of its interest in and to Kate's Cove Subdivision,
Phase I and II; the Protective Covenants, as amended, of and for Kate's Cove Subdivision, Phase I
and II; and all of its interest in and to the Kate's Cove Subdivision (Phase I and II) Architectural
Review Committee and the Kate's Cove Subdivision (Phases I and II) Homeowner's Association;
and,

WHEREAS, the Protective Covenants were amended by that certain aforementioned Fifth
Amendment to reflect said transfer and conveyance; and,

WHEREAS, Harvest Properties, Inc., by Limited Warranty Deed, executed on August 17,
2000, and recorded at Deed Book 665, page 312, aforesaid records, granted, bargained, sold, aliened,

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conveyed, and confirmed unto Roger C. Macomber, all the following described property, to wit:

"All that certain tract of parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing 118.05 acres, more or less. Said tract or parcel of land being more particularly shown on a survey of 170.70 acres, prepared by Warren E. Poythress, dated September 4, 1995, recorded in Plat Cabinet A, Slide 373-A, LESS AND EXCEPT, 52.65 acres, more particularly described by plat prepared by Warren E. Poythress, dated October 7, 1996, recorded in Plat Cabinet A, slide 372-F, in the records of the office of the Clerk of Superior Court of Effingham County, Georgia. For more particular description reference is made to the aforesaid plats which are incorporated herein by reference.

This being a portion of the same property conveyed by Harvest Properties, Inc. by Warranty Deed from Roger C. Macomber, dated November 8, 1996, recorded in Deed Book 4324, page 496, aforesaid records.

Subject, however, to the following restrictions, all of which shall run with and bind the property herein conveyed:

1. Declaration of Protective Covenants recorded in Deed Book 458, page 522, aforesaid records.
2. Lot size for any subdivision of the property herein conveyed shall be a minimum of one-half (1/2) acre per lot.
3. The property herein conveyed shall be used for residential purposes only.
4. The names "Kate's Cove" may be used for subdivision of the property herein conveyed."; and,

WHEREAS, Roger C. Macomber by Warranty Deed, executed on January 15, 2003, and recorded at Deed Book 916, page 347, aforesaid records, granted, bargained, sold, aliened, conveyed, and confirmed unto Edward A. Coleman and Darnett W. Coleman, all the following described property, to wit:

"All that certain lot, tract, or parcel of land lying and being in the 9th G.M. District of Effingham County, Georgia, containing 170.70 acres, more or less, as shown on that certain map or plat prepared by Warren E. Poythress, R.L.S. No. 1953, dated September 4, 1995, recorded in Plat Cabinet A, Slide 373 A in the Office of the Clerk of Superior Court of Effingham County, Georgia. For a more particular description reference is hereby made to the aforesaid plat, which is specifically incorporated herein and made a part hereof.

This being a portion of the same property conveyed by Deed of Gift from W.F. Macomber to Roger C. Macomber dated July 26, 1961, recorded in Deed Book 126,

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page 585, aforesaid records.

Less and Except: All that certain lot, tract or parcel of land lying and being in the 9th G.M. District of Effingham County, Georgia, containing 52.65 acres, more or less, as shown on that certain map or plat made by Warren E. Poythress, R.L.S. No. 1953, dated October 7, 1996, recorded in Plat Cabinet A, Slide 372F in the records of the the Clerk of Effingham County, Georgia. For a more particular description reference is made to aforesaid plat." and,

WHEREAS, aforesaid Warranty Deed recited that said conveyance was "Subject to Protective Covenants recorded in Deed Book 458, page 522, aforesaid records", i.e. that certain Declaration of Protective Covenants-Kate's Cove Subdivision, Phase I & II; and,

WHEREAS, Edward A. Coleman and Darnett W. Coleman by Indenture with full Warranty of Title, executed on March 10, 2005, and recorded at Deed Book 1244, page 616, aforesaid records, granted, bargained, sold, aliened, conveyed, and confirmed unto Coastal Properties Unlimited, Inc., all the following described property, to wit:

"ALL that certain tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Forty-Three and Seventy-One Hundredths (43.71) acres more or less, and being bounded on the North by lands now or formerly of Harvest Properties and by lands of Carroll Rahn; on the East by lands of William E. Seckinger; on the South by lands of Eddie and Darnett Coleman and on the West now or formerly of Harvest Properties, by the The Lake at Kate's Cove, by lands of Lyons and by a 60-foot wide road, which road leads to Cambridge Drive.

Express reference is hereby made to the plat of said lands made by Warren E. Poythress, R.L.S. # 1953, dated March 9, 2005, and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia in Plat Cabinet "C", Slide 75B1, for better determining the metes and bounds of said lands herein conveyed. SUBJECT, HOWEVER, to the easement shown on said plat which extends from the 60-foot wide road a distance of 205.26 feet then extending in a northerly direction a distance of approximately 635.26 feet as shown on said plat.

LESS AND EXCEPT, 1.34 acres of land as shown by plat thereof recorded in said Clerk's Office in Plat Cabinet "C", Slide 622 D1."

WHEREAS, aforesaid Warranty Deed recited that said conveyance was "subject to restrictive covenants and easements of record", i.e. including that certain Declaration of Protective Covenants-Kate's Cove Subdivision, Phase I & II; and,

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WHEREAS, Coastal Properties Unlimited, Inc., by Quit Claim Deed, executed on November 4, 2005, and recorded at Deed Book _____, page _____, aforesaid records, granted, bargained, sold, aliened, conveyed, and confirmed unto Cove Developments, LLC, all the following described property, to wit:

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"ALL that certain tract or parcel of land situate, lying and being in the 9th G.M. District of Effingham County, Georgia, containing Forty-Three and Seventy-One Hundredths (43.71) acres more or less, and being bounded on the North by lands now or formerly of Harvest Properties and by lands of Carroll Rahn; on the East by lands of William E. Seckinger; on the South by lands of Eddie and Darnett Coleman and on the West now or formerly of Harvest Properties, by the The Lake at Kate's Cove, by lands of Lyons and by a 60-foot wide road, which road leads to Cambridge Drive. Express reference is hereby made to the plat of said lands made by Warren E. Poythress, R.L.S. # 1953, dated March 9, 2005, and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia in Plat Cabinet "C", Slide 75B1, for better determining the metes and bounds of said lands herein conveyed, and to the plat of said lands made by Warren E. Poythress, R.L.S. # 1953, dated October 26, 2005, and recorded in the Office of the Clerk of the Superior Court of Effingham County, Georgia in Plat Cabinet Book C 98, Slide(s) B-1, and C-1, for better determining the metes and bounds of said lands herein conveyed.

SUBJECT, HOWEVER, to the easement shown on said plat which extends from the 60-foot wide road a distance of 205.26 feet then extending in a northerly direction a distance of approximately 635.26 feet as shown on said plat.

LESS AND EXCEPT, 1.34 acres of land as shown by plat thereof recorded in said Clerk's Office in Plat Cabinet "C", Slide 022 D1."

WHEREAS, aforesaid Warranty Deed recited that said conveyance was "subject to restrictive covenants and easements of record", i.e. including that certain Declaration of Protective Covenants-Kate's Cove Subdivision, Phase I & II; and,

WHEREAS, Edward A. Coleman and Darnett W. Coleman have retained a 1.34 acre tract, more or less, now known as Lot 10, as shown on that certain plat made by Warren E. Poythress, Registered Land Surveyor # 1953, recorded in Plat Cabinet Book C-022, Slide D-1 in the records of the Clerk of Superior Court of Effingham County, Georgia, and such lot continues to be subject to "Subject to Protective Covenants recorded in Deed Book 458, page 522, aforesaid records", i.e. that certain Declaration of Protective Covenants-Kate's Cove Subdivision, Phase I & II; and,

WHEREAS the Developer desires to amend the Protective Covenants as

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hereinafter set forth;

NOW THEREFORE, for and in consideration of Ten and No/100 Dollars (\$10.00), the action set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Developer hereby states as follows:

1. The Protective Covenants are hereby amended by adding the following as Section 11 (Inclusion of Phase III):

11. Inclusion of Phase III. Phase III, to be known as "The Bluff at Kate's Cove", shall be subject to the Protective Covenants set forth herein, and as amended. The Developer retains the right to set forth more restrictive provisions which shall apply only to Phase III. Phase III shall consist of any or all of the lands more specifically described to wit:

All that certain lot, tract or parcel of land situate, lying and being in the 9th G.M. District, Effingham County, Georgia, containing 43.71 acres, more or less, inclusive of Lots 1 through 48, and all detention ponds, as shown and more particularly described on that certain map or plat made by Warren E. Poythress, Registered Land Surveyor # 1953, dated October 26, 2005, recorded in Plat Cabinet Book C 98, Slide(s) B-1, and C-1, in the records of the Clerk of Superior Court of Effingham County, Georgia. For a more particular description reference is hereby made to the aforesaid plat, which is specifically incorporated herein and made a part hereof.

This being the same property conveyed by Quit Claim Deed from Coastal Properties Unlimited, Inc., to Cove Developments, LLC, dated November 3, 2005, recorded in Deed Book _____, page _____, aforesaid records; and a portion of the same property conveyed by Warranty Deed from Roger C. Macomber to Edward A. Coleman and Darnett W. Coleman, by Warranty Deed, dated January 15, 2003, and recorded at Deed Book 916, page 347, aforesaid records.

2. The Protective Covenants are hereby amended by adding the following to Section 2.1 (Land Use and Building Type): "As to Phase III, in addition to one (1) detached single-family dwelling permitted upon each lot, one (1) detached structure which is not a dwelling shall be permitted upon each lot, but each structure shall be of like construction, architectural design, and materials as the dwelling located on the same lot and shall be approved in advance by and subject to stipulations of the Architectural Review Committee."
3. The Protective Covenants are hereby amended by adding the following to Section 2.2 (Dwelling Quality, Size and Design), Subsection 2.2.1: "As to Phase III, the ground floor of a dwelling shall not be less than two thousand four hundred (2400) square feet of heated air-conditioned space for a one-story residence, and not less than two thousand four hundred (2400) for a two-story residence consisting of not less than twelve hundred (1200) square feet on the ground floor and not less than twelve hundred (1200) square feet on the second floor of a two-story residence, exclusive of garages and other unheated space."
4. The Protective Covenants are hereby amended by adding the following to Section 7.5 (Modification): "Developer reserves the right to create variances to the terms of this Declaration and to subject, but is under no obligation to do so, said proposed variances to review and approval by a majority of the Architectural Review Committee and a majority of a quorum of the members of the Homeowners' Association."
5. So long as Lot Number 1 in Phase III is used as an amenities lot, Lot Number 1 in Phase III is excepted from the Protective Covenants. If Lot Number 1 is used as a residential lot, then it shall be subject to the Protective Covenants.
6. The Protective Covenants are hereby amended by changing the name of the Developer as stated in the Declaration of Protective Covenants from Edward A. Coleman and Darnett W. Coleman to Cove Developments, LLC.
7. Except as otherwise modified, revised or supplemented herein, the Developer herein ratifies and confirms the Protective Covenants and incorporates the same by reference herein.

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IN WITNESS WHEREOF, the Developer has signed and sealed this Sixth Amendment,
effective the day and year first above written.

Edward A. Coleman
Edward A. Coleman

By: Darnett W. Coleman
Darnett W. Coleman

Signed, sealed and delivered in the presence of:

Alicia S. Morgan
Witness

Angela D. Mosley
Notary Public, State of Georgia



IN WITNESS WHEREOF, Cove Developments, LLC, accepts the foregoing transfer and
conveyance, and hereby submits its land property (Phase II) to the Protective Covenants
described herein, have hereunto set its hand and seal on the day and year first above written.

COVE DEVELOPMENTS, LLC

By: Edward A. Coleman
Edward A. Coleman, Member

By: Darnett W. Coleman
Darnett W. Coleman, Member

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