



2012002640

AMEND/REST
2 PGS
Page 3656-3657

January 12, 2012 01 28 26 PM

Rec \$10 00 Cnty Tax \$0 00 State Tax \$0.00

FILED IN GREENVILLE COUNTY, SC

After Recording Return to:
Darla Grinstead McKenzie
Morris, Manning & Martin, L.L.P
990 Hammond Drive
Suite 300
Atlanta, Georgia 30328

Cross Reference:
Declaration recorded at
Deed Book 2330, Pages 390-431
Greenville County SC Records

**FIRST AMENDMENT
DECLARATION OF PROTECTIVE COVENANTS FOR
McRAE PARK SUBDIVISION
AND
FIRST AMENDMENT TO BYLAWS OF McRAE PARK HOMEOWNERS
ASSOCIATION, INC.**

This First Amendment to Declaration of Protective Covenants for McRae Park Subdivision is made and entered into this 30 day of December, 2011, by McRAE PARK VENTURES, LLC, a Georgia limited liability company (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, RSC Development, LLC, a South Carolina limited liability company ("RSC"), filed of record that certain Declaration of Protective Covenants for McRae Park Subdivision recorded at Deed Book 2330, Pages 390-431, Register of Deeds Office for Greenville County, SC (said declaration being herein referred to as the "Declaration"); and

WHEREAS, the rights of "Declarant" in and to the Declaration were assigned from RSC to Independence Bank at Deed Book 2387, Pages 4859, *et seq.*, Register of Deeds Office for Greenville County, SC, and assigned from Independence Bank to Declarant at Deed Book 2394, Pages 4155-4156, Register of Deeds Office for Greenville County, SC; and

WHEREAS, pursuant to Section 10.5 of the Declaration, the Declaration may be amended unilaterally by Declarant if such amendment does not materially adversely affect the substantive rights of any Lot Owners nor adversely affect title to any Lot without the consent of the affected Lot Owner; and

WHEREAS, Declarant desires to amend the Declaration; and

WHEREAS, such amendment to the Declaration does not materially adversely affect the substantive rights of any Lot Owners nor adversely affect title to any Lot; and

WHEREAS, pursuant to Article XII of the Bylaws attached as Exhibit "B" to the Declaration (the "Bylaws"), the Bylaws may be amended by the Declarant prior to the first annual meeting of the Members; and

WHEREAS, the first annual meeting of the Members has not yet occurred and the Declarant desired to amend the Bylaws.

NOW THEREFORE, Declarant does hereby amend the Declaration and the Bylaws as follows:

1. All references in the Declaration and in the Bylaws to "McRae Park Owners Association, Inc." are hereby deleted and corrected to read "McRae Park Homeowners Association, Inc."
2. The principal office of the Association, and the mailing address of the Board, has been changed to 1155 Hammond Drive, Suite E-5050, Atlanta, GA 30328.
3. All prior directors of the Association, and all prior members of the Architectural Review Committee, have been removed and the following persons have been appointed as the sole directors of the Association, and the sole members of the Architectural Review Committee, until the Association is formally turned over to the residents in accordance with the provisions of the Declaration and the first annual meeting is held, or until the earlier removal and replacement of such director or member by the Declarant: Patrick Madden, Lisa Wynn, Gerald Martin.
4. Unless specifically amended herein, all capitalized terms contained herein have the meaning ascribed to them in the Declaration and the Declaration shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed by its duly authorized officers on the day and year set forth below.

Lisa H. Wynn
 Witness
Patrick B. Madden
 Witness

McRAE PARK VENTURES, LLC,
A Georgia Limited Liability Company

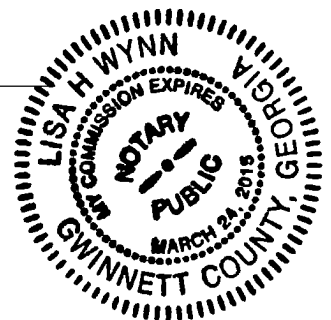
By: *Patrick B. Madden*
 Name: _____
 Title: Manager

STATE OF GEORGIA
COUNTY OF FULTON

I, Lisa H. Wynn, a Notary Public for said county and state, do hereby certify that Patrick B. Madden personally appeared before me this day and acknowledged that he is Manager of McRae Park Ventures, LLC, a Georgia limited liability company, and, being authorized to do so, executed the foregoing on behalf of said company.

Witness my hand and notary seal, this 30 day of December, 2011.

Lisa H. Wynn
 NOTARY PUBLIC
 [AFFIX SEAL]



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Timothy J. Manning