

**AFTER RECORDING, RETURN TO  
McGEE & OXFORD  
105 NORTH MAIN STREET  
SUITE 3  
JASPER, GA 30143**

PICKENS COUNTY FILED FOR RECORD ON  
THE 20 DAY OF March 2007  
1:30 P.M. RECORDED THIS 20 DAY OF  
March 2007 BOOK NC/63 PAGE 791-  
794  
GAIL BROWN CSC

**SUPPLEMENTAL DECLARATION OF COVENANTS AND  
RESTRICTIONS WITH RESPECT TO  
ADDITIONAL PROPERTIES**

THIS SUPPLEMENTAL DECLARATION, made this 23<sup>rd</sup> day of Feb. 2007, by **BIG CANOE COMPANY, LLC**, a South Carolina limited liability company (hereinafter called the "Company"), and **BIG CANOE PROPERTY OWNERS ASSOCIATION, INC.** (hereinafter "Association"), and with the joinder and consent of **WATERFORD MOUNTAIN PROPERTIES, LP**, a Georgia Limited Partnership (hereinafter "WMP").

**WITNESSETH:**

**WHEREAS**, the Company as the owner of certain Land (the "Land") located in Dawson and Pickens Counties, Georgia, has caused certain covenants and restrictions to be established affecting the Land entitled General Declaration of Covenants and Restrictions of the Big Canoe Property Owners Association, Inc. and Big Canoe Corporation dated October 9, 1972, which is recorded in Deed Book 23, Pages 162-198, Pickens County, Georgia records, and in Deed Book 19, Pages 253-289, Dawson County, Georgia records, as amended and restated by the Amended and Restated General Declaration of Covenants and Restrictions of the Big Canoe Property Owners Association, Inc. and Big Canoe Company dated March 26, 1988, recorded in Deed Book 139, Pages 390-437, Pickens County, Georgia records, and recorded in Deed Book 111, Pages 281-328, Dawson County, Georgia records, as amended from time to time (the "General Declaration"); and

**WHEREAS**, Article II, Section 2, of the General Declaration provides for a methodology by which additional property may be brought within the plan and operation of the General Declaration by filing a Supplemental Declaration of Covenants and Restrictions with respect to the additional property which shall extend the operation and effect of the covenants and restrictions of the General Declaration to such additional property; and

**WHEREAS**, the Company, or its predecessors in title, also filed a certain Declaration of Rights, Restrictions, Affirmative Obligations, Conditions, etc., Running with Certain Lands of Big Canoe Corporation and known as the Class A Covenants dated October 9, 1972 for Single Family Detached Dwelling Areas ("Class A Covenants"). The Class A Covenants were originally filed in the Office of the Clerk of the Superior Court for Pickens County, Georgia in Deed Book 23, Page 198-208 and in the Office of the Clerk of the Superior Court for Dawson County, Georgia in Deed Book 19, Pages 290-300. For purposes of this Supplemental Declaration, the Class A Covenants, as amended, shall also be considered to be applicable against the Additional Property effective upon recording of this document.

**WHEREAS**, WMP is the owner of certain property described in Exhibit "I" attached hereto and made a part hereof (the "Additional Property") and desires that the Additional Property be subject to the General Declaration and to the Class A Covenants by recording of this Supplemental Declaration in Pickens County, Georgia; and

**WHEREAS**, Article II, Section 2, of the General Declaration provides further that the Supplemental Declaration may contain such complementary additions and modification of the covenants and restrictions contained in the General Declaration as may be necessary or convenient to reflect the different character, if any, of the added properties; and

**WHEREAS**, Company, Association and WMP have agreed as to a plan of annexation of the Additional Property; and

**WHEREAS**, this form of Supplemental Declaration and the plan of annexation of the Additional

Property has been approved by the requisite number of votes of the members of the Association.

**NOW, THEREFORE,** the Company and Association declare, and WMP joins in and consents, that,

1. Property Subjected to Declaration. Effective upon the recording of this Supplemental Declaration, the Additional Property described on Exhibit I is and shall be held, transferred, sold, conveyed, given, donated, leased, occupied, and used subject to the covenants, restrictions, conditions, easements, charges, assessments, affirmative obligations and liens of the General Declaration and the Class A Covenants.
2. Waterford Property. WMP, its successors and assigns, shall also have the right, without further approval of the members, to add all or any part of the property described in Exhibit II attached hereto and incorporated herein to the terms of the Amended and Restated Declaration and the Class A Covenants through the filing of additional Supplementary Declarations.
3. Common Property. In accordance with Article I, Section I of the Amended and Restated Declaration, WMP, its successors and assigns, reserve the right to deed to the Association portions of the Additional Property described in Exhibit I to be used as "Common Property" and such property shall be designated as such in any deed of conveyance to the Association.
4. WMP Consent. By execution of this Supplemental Declaration, WMP hereby joins in and consents to the Additional Property as described in Exhibit "I" being subjected to the covenants, restrictions, conditions, easements, charges, assessments, affirmative obligations and liens of the General Declaration and the Class A Covenants in accordance with the terms of this Supplemental Declaration.

**IN WITNESS WHEREOF,** the Company, Association, and WMP have caused this Supplemental Declaration to be executed and delivered under seal the day and year first above written pursuant to appropriate resolutions adopted on behalf of the Company, Association, and WMP.

Signed, sealed and delivered in the presence of:

*[Signature]*  
\_\_\_\_\_  
Unofficial Witness

Notary Public  
My Commission Expires: \_\_\_\_\_  
AFFIX NOTARY SEAL

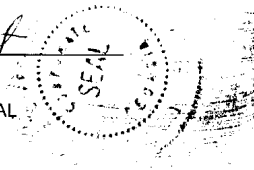
**BIG CANOE COMPANY, LLC**, a South Carolina limited liability company

By: Member, The Byrne Corporation of Georgia

By: *[Signature]* \_\_\_\_\_

Its: *Vice President* \_\_\_\_\_

AFFIX CORPORATE SEAL



Signed, sealed and delivered in the presence of:

*[Signature]*  
\_\_\_\_\_  
Unofficial Witness

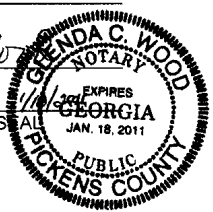
Notary Public  
My Commission Expires: \_\_\_\_\_  
AFFIX NOTARY SEAL

**BIG CANOE PROPERTY OWNERS ASSOCIATION, INC.**

By: *[Signature]* \_\_\_\_\_

Its: *General Manager* \_\_\_\_\_

AFFIX CORPORATE SEAL



Signed, sealed and delivered  
in the presence of:

\_\_\_\_\_  
Unofficial Witness  
*Glenda C. Wood*  
Notary Public  
My Commission Expires: 1/18/2011  
AFFI

**JOINER AND CONSENT**

**WATERFORD MOUNTAIN PROPERTIES, LP**  
a Georgia limited partnership

By: *Billie Ann Reie*  
Its: *Pres*

AFFIX NOTARY SEAL



**Exhibit "I"****Additional Property****TRACT TWO**

ALL THAT TRACT or parcel of land lying and being in Land Lots 21 and 56 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, being more particularly described as Tract Two, Phase One and Phase Two of Waterford, according to the plat of survey, prepared by Richard A. Gallagher, G.L.R.S. No. 1898, dated August 2, 2005 and recorded August 8, 2005 in Plat Book RR, Page 144, Pickens County, Georgia Records.

**TRACT THREE**

ALL THAT TRACT or parcel of land lying and being in Land Lots 17, 18, 21 and 22 of the 4<sup>th</sup> District, 2<sup>nd</sup> Section of Pickens County, Georgia, being more particularly described as Tract Three of Waterford, according to the plat of survey, prepared by Richard A. Gallagher, G.L.R.S. No. 1898, dated February 7, 2007 and recorded February 20, 2007 in Plat Book UU, Page 52, Pickens County, Georgia Records.