

Penalty: \$0.00
Interest: \$0.00

Participants: 6407220327

-----[SPACE ABOVE RESERVED FOR RECORDING DATA]-----

Return to:

NowackHoward, LLC
3500 Lenox Road
One Alliance Center, Suite 1650
Atlanta, GA 30326
Attention: Shelby Bricka Perdue, Esq.

Cross-Reference to Declaration: Book 88M, Page 773

**SUPPLEMENTAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
CRESSWIND AT TWIN LAKES
PHASE 4**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CRESSWIND AT TWIN LAKES (hereinafter referred to as the "Supplemental Declaration") is made on this 11 day of July, 2023 by KH Twin Lakes, LLC, a Florida limited liability company (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant prepared and filed of record that certain Declaration of Covenants, Conditions and Restrictions for Cresswind at Twin Lakes in Deed Book 88M, Page 773, et seq., Jackson County, Georgia records ("Declaration"); and

WHEREAS, Article 2, Section 2 of the Declaration provides that Declarant shall have the unilateral right at any time, until thirty (30) years after the recording of the Declaration, to subject all or a portion of the property described in the Declaration as "Additional Property" to the terms of the Declaration by filing a Supplemental Declaration describing the property being annexed; and

WHEREAS, Declarant is the owner of the real property described on Exhibit "A," attached hereto and incorporated herein (the "Additional Tract"); and

WHEREAS, Declarant desires to subject the Additional Tract to the provisions of the Declaration as authorized by Article 2, Section 2 of the Declaration; and

WHEREAS, the Additional Tract is a part of the Additional Property described in Exhibit "B" to the Declaration; and

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby subjects the real property described on Exhibit "A" attached hereto to the provisions of the Declaration and of this Supplemental Declaration. Such property shall be sold, transferred, used, conveyed, occupied, and mortgaged or otherwise encumbered pursuant to the provisions of the Declaration and this Supplemental Declaration, both of which shall run with the title to such property and shall be binding upon all persons having any right, title, or any interest in such property, their respective heirs, legal representatives, successors,

successors-in-title, and assigns. The provisions of this Supplemental Declaration shall be binding upon the Cresswind at Twin Lakes Community Association, Inc., in accordance with the terms of the Declaration.

**ARTICLE 1
DEFINITIONS**

The definitions set forth in Article 1 of the Declaration are incorporated herein by reference.

**ARTICLE 2
DECLARATION**

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

[EXECUTION PAGE FOLLOWS]

EXHIBIT "A"

Legal Description of Land Being Submitted

TWIN LAKES PHASE 4

ALL THOSE LOTS, TRACTS, OR PARCELS OF LAND, known as Cresswind at Twin Lakes Phase 4 located in G.M.D. 1407, City of Hoschton, Jackson County, Georgia, as shown on the subdivision plat prepared by Rochester & Associates, Inc. recorded on May 18, 2023 in Plat Book 86, Pages 95-105 located in the office of the Clerk of Superior Court of Jackson County, Georgia.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Supplemental Declaration the day and year first above written.

DECLARANT: **KH TWIN LAKES, LLC,**
a Florida limited liability company

By: *Jennifer Landers*

Name: Jennifer Landers

Title: authorized Signatory

Attest: _____

Name: _____

Title: _____ (SEAL)

Signed, sealed and delivered before me this 11
day of July, 2023, in the
presence of:

Whitney Stone

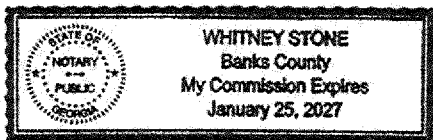
Witness

Whitney Stone

Notary Public

My Commission Expires: 01.25.2027

[NOTARY SEAL]



CONSENT OF LENDER

The undersigned, THIRD COAST BANK SSB, a Texas state savings bank ("Lender"), is the holder of that certain Deed to Secure Debt and Security Agreement in favor of Third Coast Bank, a Texas savings bank, dated February 6, 2023, recorded February 9, 2023, in Deed Book 1051, Page 441, Jackson County Records, Georgia, (the "Security Deed"), which Security Deed encumbers portions of the property described in Exhibit "A" attached to the foregoing Supplemental Declaration of Covenants, Conditions and Restrictions for Cresswind at Twin Lakes ("Declaration"). Lender hereby consents to the foregoing Declaration and agrees, for itself and its successors in title and assigns with respect to the Security Deed (including, but not limited to any purchaser at foreclosure), that the Declaration will in no way be terminated, disturbed or otherwise impaired by virtue of foreclosure or other exercise of rights or remedies with respect to the Security Deed.

Lender makes no warranty or any representation of any kind or nature concerning the Declaration, any of its terms or provisions, or the legal sufficiency thereof, and disavows any such warranty or representation as well as any participation in the development of the project described in the Declaration, and does not hereby assume and shall not hereby be responsible for any of the obligations or liabilities of the makers of the Declaration. None of the representations contained in the Declaration or other documents shall be deemed to have been made by Lender, nor shall they be construed to create any obligations on Lender to any person relying thereon. Nothing contained herein shall affect or impair the rights and remedies of Lender as set forth in the Security Deed or in the Declaration.

IN WITNESS WHEREOF, Lender has caused this Consent to be executed effective as of the 24th day of July, 2023.

LENDER:

THIRD COAST BANK SSB, a Texas state savings bank

By: Tiffany Weber

Name: Tiffany Weber
Bank Officer

Title: _____ (SEAL)

Signed, sealed and delivered
In the presence of:

Marinika Green
Unofficial Witness

Leslie K Thompson
Notary Public

My commission expires: 11/1/25

[NOTARY SEAL]



EXHIBIT "A"

Legal Description of Land Being Conveyed

TWIN LAKES PHASE 4

ALL THOSE TRACTS OR PARCELS OF LAND lying and being in G.M.D. 1407, City of Hoschton, Jackson County, Georgia, and being more accurately described as that certain real property identified as HOA Areas #15, 16, 17, 18, 18A, 19, 20, 21, 22, 23 and 23A, CW Ponds #10, 11, 12 and 13, and Wet Pond #2 as shown on the subdivision plat prepared by Rochester & Associates, Inc. for Cresswind at Twin Lakes Phase 4 recorded on May 18, 2023 in Plat Book 86, Pages 95-105 located in the office of the Clerk of Superior Court of Jackson County, Georgia.