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Prepared by and return to: Jennifer Vardeman  
Hunter, Maclean, Exley & Dunn, P.C.  
P. O. Box 9848  
Savannah, Georgia 31412-0048

Please cross-reference to: Declaration of Condominium for Chatham  
Commercial Condominiums Savannah,  
Chatham County, Georgia dated January  
25, 2005 and recorded at Deed Book 282-X,  
Page 443, Chatham County Records

**FIRST AMENDMENT TO  
DECLARATION OF CONDOMINIUM FOR  
CHATHAM COMMERCIAL CONDOMINIUMS  
GARDEN CITY, CHATHAM COUNTY, GEORGIA**

This FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM FOR **Chatham Commercial Condominiums**, Garden City, Chatham County, Georgia, is made this \_\_9th\_\_ day of February, 2007 ("Effective Date"), by **1101 Chatham Parkway, LLC**, a Georgia limited liability company (hereinafter referred to as the "Declarant").

WHEREAS, Declarant was the original fee simple owner of all that certain tract or parcel of land (the "Property") described in Exhibit "A" attached hereto and made a part hereof and the improvements situated thereon;

WHEREAS, Declarant executed a Declaration of Condominium for Chatham Commercial Condominiums dated January 25, 2005 and recorded at Deed Book 282-X, page 443 Chatham County Records ("Declaration");

WHEREAS, pursuant to Article XII of the Declaration, Declarant reserved the right to expand Chatham Commercial Condominiums to include certain property shown as "Additional Property" on the plat referred to therein; and

WHEREAS, Declarant desires to expand the Chatham Commercial Condominiums to include the Additional Property described in Exhibit "B" attached hereto and made a part hereof and the improvements to be located thereon.

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

1. The Declaration shall include the Additional Property and improvements to be located on the Additional Property. The Additional Property is shown and described on that certain plat entitled "A Condominium Plat of Lot 3, Chatham Commercial Condominiums," prepared by Thomas & Hutton Engineering Co., dated January 19, 2007, and filed of record in the Office of the Clerk of Superior Court of Chatham County, Georgia, in Condominium Plat Book 2-C, page 325. The improvements to be located on the Additional Property are shown and described on those certain architectural drawings entitled Chatham Commercial Condominiums, prepared by Heitmann Associates Architects, LLC dated \_\_2-C\_\_, 2007, and filed of record in the Office of the Clerk of the Superior Court of Chatham County, Georgia in Condominium Plat Book \_\_\_\_, Folio\_330A\_\_. From and after the Effective Date, the Additional Property described herein and improvements located thereon shall for all purposes be deemed to be a part of Chatham Commercial Condominiums.

2. The Additional Property shall be subject to that certain Declaration of Access, Drainage, and Detention Easements recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Book 282-X, Page 433.

3. Exhibit "D" to the Declaration is deleted in its entirety and, in lieu thereof, Exhibit "D" attached hereto shall set forth the units, the allocation of interest in common expenses and liability for common expenses, and the number of votes per unit in the Association (as more particularly set forth in the Declaration).

4. The cover page and heading on page 1 of the Declaration refers to the Declaration as "Declaration of Condominium for Chatham Commercial Condominiums, Savannah, Chatham County, Georgia." The cover page and heading on page 1 is amended as follows: "Declaration of Condominium for Chatham Commercial Condominiums, Garden City, Chatham County, Georgia.

5. In all other respects, the terms and conditions of the Declaration of Condominium for Chatham Commercial Condominiums, Garden City, Chatham County, Georgia, shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has caused this First Amendment to Declaration to be duly executed by its duly authorized officers and its corporate seal to be affixed hereto on the day and year first above written.

1101 Chatham Parkway, LLC

By: \_\_\_\_\_  
Robert J. Duffy

Title: Managing Member

Signed, sealed and delivered  
This \_\_\_ day of \_\_\_\_\_,  
2009, in the presence of:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Notary Public

## EXHIBIT A

### Property Description

All that certain lot, tract or parcel of land situate, lying and being in Garden City, Chatham County, Georgia, in the 7<sup>th</sup> G. M. District of said County, containing 3.499 acres, and known as Lot 1 of Chatham Commercial Condominiums as shown and depicted on a map or plat prepared by Thomas & Hutton Engineering Co. dated August 26, 2004, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia in SMB 31-S, page 29; said lot being bounded on the north by property of Seaboard Coastline Railroad; on the east by Chatham Parkway right-of-way; and on the south and west by property of 1101 Chatham Parkway, LLC.

## EXHIBIT B

### ADDITIONAL PROPERTY

#### Property Description

All that certain lot, tract or parcel of land situate, lying and being in Garden City, Chatham County, Georgia, in the 7<sup>th</sup> G. M. District of said County, containing 4.073 acres, and known as Lot 3 of Chatham Commercial Condominiums as shown and depicted on a map or plat prepared by Thomas & Hutton Engineering Co. dated January 19, 2007 and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia in SMB \_2-C\_\_\_, page \_325\_\_\_; said lot being bounded on the north by property of Seaboard Coastline Railroad; on the east and south by property of 1101 Chatham Parkway, LLC; and on the west by wetland buffer.

EXHIBIT C

INTENTIONALLY OMITTED

EXHIBIT D

<u>Units</u>	<u>Allocation of Interest in Common Elements and Liability for Common Expenses</u>	<u>No. of Votes in Association</u>
A-1	4.166667	1
A-2	4.166667	1
A-3	4.166667	1
A-4	4.166667	1
A-5	4.166667	1
A-6	4.166667	1
B-1	4.166667	1
B-2	4.166667	1
B-3	4.166667	1
B-4	4.166667	1
B-5	4.166667	1
B-6	4.166667	1
E-1	4.166667	1
E-2	4.166667	1
E-3	4.166667	1
E-4	4.166667	1
E-5	4.166667	1
E-6	4.166667	1
F-1	4.166667	1
F-2	4.166667	1
F-3	4.166667	1
F-4	4.166667	1
F-5	4.166667	1
F-6	<u>4.166667</u>	<u>1</u>
	100.00008	24