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CLERK'S COVER SHEET

Law offices of:

Oliver Maner & Gray LLP
c/o James P. Gerard
Post Office Box 10186
Savannah, GA 31412

DECLARANT: Georgetown Community Services Association, Inc.

DATE OF INSTRUMENT: October 18, 2006

TYPE OF INSTRUMENT:

- () Warranty Deed
- () Deed to Secure Debt
- () Cancellation
- () Assignment
- (X) Other: **DECLARATION OF EASEMENT**

Note: This cover page is for recording purposes only and does not modify or amend the terms of the attached instrument.

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

DECLARATION OF EASEMENT

THIS DECLARATION (“Declaration”) is made as of the 18th day of October, 2006, by GEORGETOWN COMMUNITY SERVICES ASSOCIATION, INC., a non-profit corporation organized and existing under the laws of the State of Georgia (the “CSA” or “Declarant”).

WHEREAS, Declarant has been delegated authority to own, maintain, and administer the community properties and facilities subject to the jurisdiction of that certain Fourth Amendment to Declaration of Covenants and Restrictions for Georgetown dated June 7, 1974, filed for record and recorded on January 5, 1976, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Record Book 106-E, Folio 521 (the “Declaration”); and,

WHEREAS, the community properties and facilities which the CSA owns, maintains, and administers are of two types, one type being a general common area which is dedicated to the common use and enjoyment of all Members of the CSA as defined in Article I, Section 13 of the Declaration, and the second type being a parcel common area which is dedicated to the common use and enjoyment of only those Members of the CSA who own and/or occupy lots of the specific subdivision subject to the Declaration where the parcel common area is located; and,

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WHEREAS, the CSA maintains a general common area through a general assessment levied upon all of the CSA's Members, and maintains a parcel common area through parcel assessments levied upon CSA Members owning lots within the subdivision where the parcel common area is located; and,

WHEREAS, the CSA wishes to create in favor of all its Members an easement granting the right to use and enjoy all of the lagoon areas in the following subdivisions which are currently designated as parcel common areas:

- (1) Baron's Place Subdivision as shown on a subdivision map recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 14-S, Page 48, and subject to the Declaration by virtue of that certain Supplementary Declaration of Covenants and Restrictions for Baron's Place Subdivision, dated October 11, 1994, as filed for record and recorded on the same date in the aforesaid Clerk's Office in Deed Record Book 169-P, Folio 28;
- (2) Eagle's Landing Subdivision, Phase II (a/k/a Heron Crest Subdivision, Phase V) as shown on a subdivision map recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 18-S, Page 97, and subject to the Declaration by virtue of that certain Supplementary Declaration dated April 1, 1999, filed for record and recorded on September 9, 1999, in the aforesaid Clerk's Office in Deed Record Book 206-N, Folio 503;
- (3) Heron Crest Subdivision, Phase III, as shown on a subdivision map recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 17-S, Page 48, and subject to the Declaration by virtue of that certain Supplementary Declaration dated June 5, 1997, filed for record and recorded on July 24, 1997, in the aforesaid Clerk's Office in Deed Record Book 186-V, Folio 416;
- (4) King's Grant Addition VIII, as shown on a subdivision map recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 7-S, Page 56, and subject to the Declaration by virtue of that certain Supplementary Declaration dated March 11, 1987, filed for record and recorded on March 13, 1987, in the aforesaid Clerk's Office in Deed Record Book 133-R, Folio 659;

- (5) Lion's Gate Subdivision, Phase III-B, as shown on a subdivision map recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 16-S, Page 8, and subject to the Declaration by virtue of that certain Supplementary Declaration dated August 15, 1996, filed for record and recorded on August 30, 1996, in the aforesaid Clerk's Office in Deed Record Book 180-U, Folio 1;
- (6) Lion's Gate Subdivision, Phase III-C, as shown on a subdivision map recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 17-S, Page 1, and subject to the Declaration by virtue of that certain Supplementary Declaration dated June 4, 1997, filed for record and recorded on June 6, 1997, in the aforesaid Clerk's Office in Deed Record Book 185-X, Folio 638;
- (7) Summerfield at Eagles Landing Subdivision as shown on a subdivision map recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 20-S, Page 1, and subject to the Declaration by virtue of that certain Supplementary Declaration dated December 16, 1999, filed for record and recorded on December 27, 1999, in the aforesaid Clerk's Office in Deed Record Book 208-Y, Folio 164;
- (8) Saint Ives Subdivision, as shown on a plat recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book 14-P, Page 24, and subject to the Declaration by virtue of that certain Supplementary Declaration dated August 5, 1994, filed for record and recorded on December 7, 1994, in the aforesaid Clerk's Office in Deed Record Book 170-K, Folio 551, as amended by an instrument dated June 20, 1995, filed for record and recorded in the aforesaid Clerk's Office in Deed Record Book 171-A, Folio 655;
- (9) Wexford Subdivision, Phase I-A, as shown on a subdivision map recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 14-S, Page 96, and subject to the Declaration by virtue of that certain Supplementary Declaration dated May 31, 1995, filed for record and recorded on June 6, 1995, in the aforesaid Clerk's Office in Deed Record Book 172-Z, Folio 499;
- (10) Wexford Subdivision, Phase II, as shown on a subdivision map recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 16-S, Page 9, and subject to the Declaration by virtue of that certain Supplementary Declaration dated June 28, 1996, filed for

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record and recorded on August 27, 1996, in the aforesaid Clerk's Office in Deed Record Book 180-R, Folio 200;

- (11) Knightsbridge Subdivision, Phase III, as shown on a subdivision map recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 13-S, Page 3, and subject to the Declaration by virtue of that certain Supplementary Declaration dated December 22, 1992, filed for record and recorded on the same date in the aforesaid Clerk's Office in Deed Record Book 157-R, Folio 655; and,
- (12) Magnolia Woods Subdivision, as shown on a subdivision map recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Subdivision Map Book 18-S, Page 74, and subject to the Declaration by virtue of that certain Supplementary Declaration dated April 30, 1999, filed for record and recorded on May 18, 1999, in the aforesaid Clerk's Office in Deed Record Book 203-H, Folio 642; and,

WHEREAS, on September 12, 2006, the owners of lots in each of the above-listed subdivisions held a specially-called meeting at the Georgetown Clubhouse located at 1234 King George Boulevard in Savannah, Georgia, for the sole purpose of voting on whether to authorize the CSA to convey to all of the Members of the CSA the right to use and enjoy the lagoon areas located in each subdivision as general common areas funded by the CSA's general assessment, or to continue designating the lagoons in each subdivision as parcel common areas funded by parcel assessments; and,

WHEREAS, at each meeting, two-thirds of the votes cast on the above-mentioned issue, by proxy or in person, by the owners of lots in each subdivision approved the conversion of the lagoon areas from parcel common areas to general common areas;

NOW, THEREFORE, the CSA hereby declares that it creates a permanent non-revocable and non-exclusive easement in favor of all of its Members with respect to the lagoon areas in the following subdivisions in addition to a permanent, non-revocable, non-exclusive easement right of access, ingress, and egress to the lagoon areas as shown on the

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recorded subdivision maps for the subdivisions:

1. (a) Baron's Place Subdivision (g) Summerfield at Eagles Landing Subdivision
- (b) Eagle's Landing Subdivision, Ph. II (h) Saint Ives Subdivision
- (c) Heron Crest Subdivision, Ph. III (i) Wexford Subdivision, Phase I-A
- (d) King's Grant Addition VIII (j) Wexford Subdivision, Phase II
- (e) Lion's Gate Subdivision, Ph. III-B (k) Knightsbridge Subdivision, Phase III
- (f) Lions Gate Subdivision, Phase III-C (l) Magnolia Woods Subdivision

2. As a result of the conversion to general common areas, the lagoon areas in the above-listed subdivisions shall now be funded by general assessments paid by all owners of property within the jurisdiction of the Declaration and will no longer be funded by parcel assessments.

3. This Declaration shall be given reasonable construction so that the intentions of the CSA to convey to its Members easement rights to the lagoon areas in the above-listed subdivisions are carried out and fulfilled.

4. The easement rights granted in this Declaration shall be covenants running with the lagoon areas in the above-listed subdivisions and shall inure to the benefit of and be binding upon the owners of properties subject to the jurisdiction of the Declaration, as well as their heirs, personal representatives, executors, successors and assigns.

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IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed by its duly authorized officers, the day and year first above written.

GEORGETOWN COMMUNITY SERVICES ASSOCIATION, INC.

By: William Campolongo
William Campolongo, President

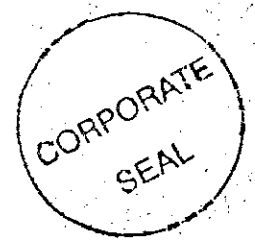
Attest: Kenneth Craven
Kenneth Craven, Secretary

(SEAL)

Signed, sealed, and delivered on this 18th day of October, 2006, in the presence of:

Karen M. Moran
Witness

[Signature]
Notary Public



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