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Note: Please cross-reference
Book 291-V, Page 210

AFTER RECORDING RETURN TO:

Ron Talley
Hunter, Maclean, Exley & Dunn, P. C.
200 East Saint Julian Street
Savannah, Georgia 31401

**AMENDMENT TO
RESTRICTIVE COVENANTS AND NOTICE**

THIS AMENDMENT is made this 17th day of August, 2010, by **RANDOLPH STREET DEVELOPMENT, LLC**, a Georgia limited liability company (hereinafter referred to as "Declarant").

WITNESSETH

WHEREAS, Declarant is the owner of that certain property ("the Type 5 Property") as generally depicted on the drawing attached as **Exhibit A**, and specifically described on the attached **Exhibit B**; and

WHEREAS, the Type 5 Property was the subject of a "Declaration of Restrictive Covenants and Notice," dated 19 July 2005, and recorded at Book 291-V, Page 210 of the records of Chatham County, Georgia ("the 2005 Restrictive Covenants"); and

WHEREAS, Declarant desires to modify and amend said 2005 Restrictive Covenants as set forth herein:

NOW, THEREFORE, Declarant does hereby modify and amend said 2005 Restrictive Covenants as follows:

1. Paragraph 3(b) of said 2005 Restrictive Covenants is hereby deleted in its entirety and replaced with the following:

"(b) prohibits the removal, destruction, or alteration of the Engineering Controls on the Type 5 Property in such a way as to make any of the underlying MGP materials accessible, unless (1) such controls are restored or replaced in a manner so as to constitute a Functionally Equivalent Engineering Controls; (2) notice of such restoration or replacement and a description of the handling and/or disposition of all uncovered MGP materials, are provided to Atlanta Gas Light Company ("AGLC") promptly upon completion of such work; and (3) a copy of the drawing signed and stamped by a Professional Engineer, as required by the definition of a "Functionally Equivalent Engineering Control," and copies of any documentation reflecting the handling and/or disposition of MGP materials are provided to AGLC promptly after their production";

2. A new paragraph 3(h) is added as follows:

"(h) agrees to provide access to AGLC, its employees, agents, and contractors, at reasonable times and subject to AGLC providing reasonable prior written notice of such request for access, to all areas where Functionally Equivalent Engineering Controls were installed."

3. A new paragraph 8(e) is added as follows:

"(e) Notice to AGLC. Where this instrument requires notice to Atlanta Gas Light Company, notice shall be given by sending the required document(s), certified mail, return receipt requested, to: Atlanta Gas Light Company, ATTN: Director, Environment and Sustainability, 10 Peachtree Place, Atlanta, GA 30309."

IN WITNESS WHEREOF, Declarant has signed and sealed this Amendment to Restrictive Covenants and Notice, all the day, month, and year first above written.

Signed, sealed, and delivered in the present of:

DECLARANT:

RANDOLPH STREET DEVELOPMENT,
LLC, a Georgia limited liability company

By:

Charles H. Morris
Charles H. Morris, Its President

Jackie D. Haynes
Unofficial Witness

Ashleen N. Kurayuk
Notary Public

(Notary Seal)

My Commission Expires: May 6, 2013

Exhibit A

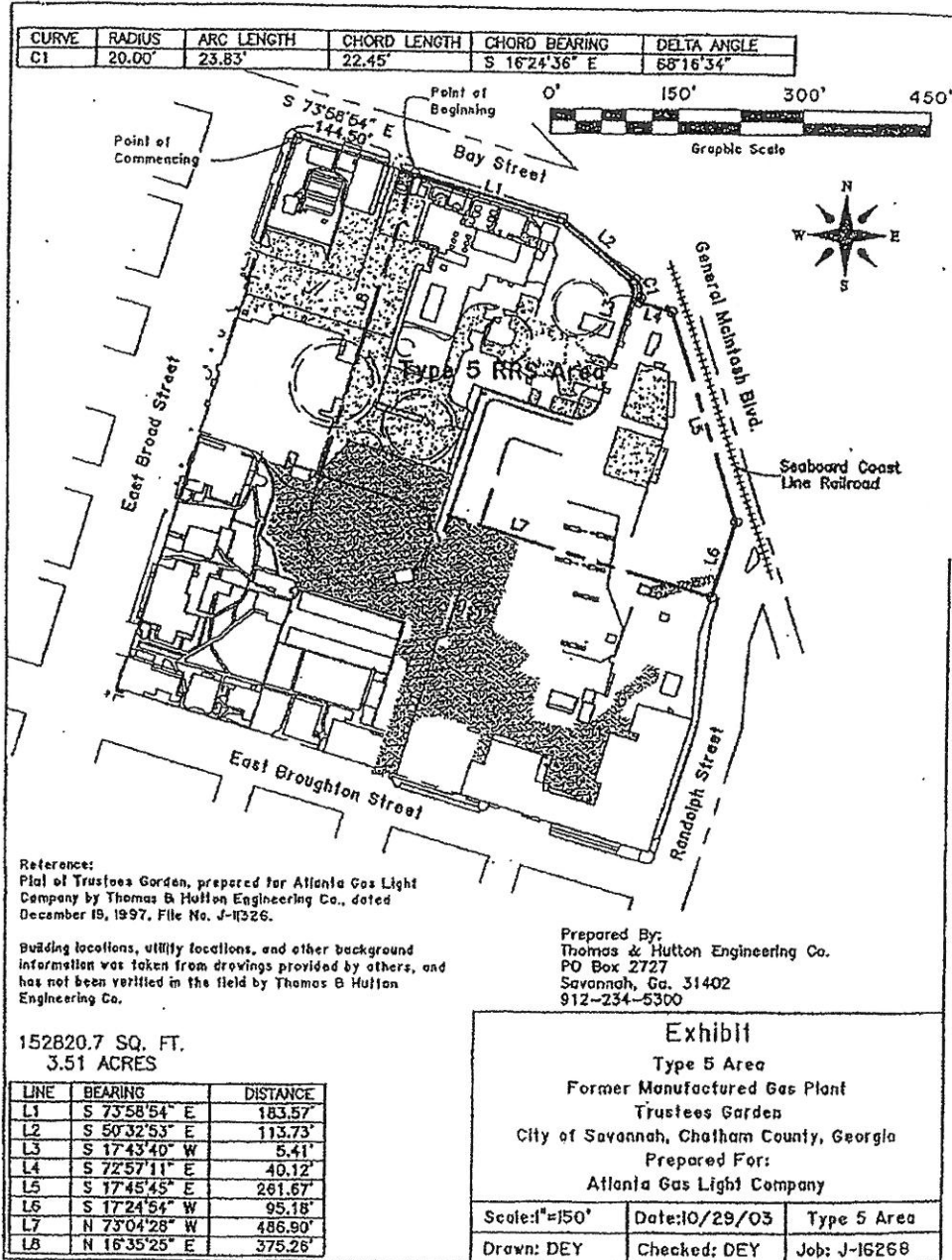


Exhibit B

Legal Description
Type 5 Risk Reduction Standards Area
Trustees Garden

That certain area, being a portion of the Trustees Garden, lands of the Atlanta Gas Light Company, lying and being in the 2nd Georgia Militia District, City of Savannah, Chatham County, Georgia, being more particularly described as follows:

Commence at the intersection of the southerly right of way line of Bay Street, and the easterly right of way line of East Broad Street; thence proceed easterly along the southerly right of way line of Bay Street S 73°58'54" E, a distance of 144.50 feet to the POINT OF BEGINNING; thence continue along the southerly right of way line of Bay Street the following courses and distances: S 73°58'54" E a distance of 183.57 feet to a point; thence S 50°32'53" E a distance of 113.73 feet to a point; thence with a curve turning to the right, said curve having a radius of 20.00 feet, a central angle of 68°16'34", a chord length of 22.45 feet bearing S 16°24'36" E, thence along the arc of said curve 23.83 feet to a point; thence S 17°43'40" W a distance of 5.41 feet to a point; thence S 72°57'11" E a distance of 40.12 feet to a point at the intersection of the southerly right of way line of Bay Street and the westerly right of way line of the Seaboard Coast Line Railroad; thence along said Railroad right of way line, S 17°45'45" E a distance of 261.67 feet to a point at the intersection of the westerly right of way line of the Seaboard Coast Line Railroad and the westerly right of way line of Randolph Street; thence along the westerly right of way line of Randolph Street, S 17°24'54" W a distance of 95.18 feet to a point; thence leave the westerly right of way line of Randolph Street and run N 73°04'28" W a distance of 486.90 feet to a point; thence N 16°35'25" E a distance of 375.26 feet to the POINT OF BEGINNING; said area containing 152,820.7 square feet, or 3.51 acres more or less.