

After recording return to:  
Robert G. Holt, Esq.  
Holt Ney Zatzoff & Wasserman, LLP  
100 Galleria Parkway, Suite 600  
Atlanta, Georgia 30339

Re: Book Z-24, Page 478,  
Rabun County, Georgia records;  
Book C-27, Page 47, aforesaid  
records.

**SECOND AMENDMENT  
TO  
ROAD MAINTENANCE DECLARATION**

**THIS SECOND AMENDMENT TO ROAD MAINTENANCE DECLARATION** ("Amendment") is made as of this 9<sup>th</sup> day of May, 2005, by **SURREY PROPERTIES LLC** (hereinafter referred to as "Declarant"), a Georgia limited liability company;

**WITNESSETH:**

WHEREAS, Declarant has subjected certain property located in Rabun County, Georgia to that certain Road Maintenance Declaration dated as of November 4, 2002 and recorded at Book Z-24, Page 478, Rabun County, Georgia records, as amended by First Amendment to Road Maintenance Declaration, dated October 4, 2004, filed October 13, 2004, recorded in Deed Book C-27, Page 47, aforesaid records (the "Declaration"); and

WHEREAS, Declarant desires to amend the Declaration for certain purposes as hereinafter set forth.

NOW THEREFORE, Declarant, intending to be legally bound, hereby agrees and covenants that the Declaration shall be amended as follows:

1. **Exhibit "A"** of the Declaration is deleted in its entirety and the attached **Exhibit "A"** is substituted in lieu thereof.

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2. Exhibit "B" of the Declaration is deleted in its entirety and the attached Exhibit "B" is substituted in lieu thereof.

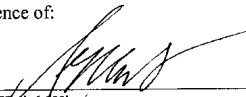
3. Except as herein amended, the terms and provisions of the Declaration shall remain in full force and effect. This Amendment shall be binding upon and shall inure to the benefit of Declarant and its respective successors, personal representatives and assigns. This Amendment shall be governed by, construed and interpreted pursuant to the laws of the State of Georgia.

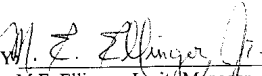
IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed in its name by its duly authorized officers, and its seal affixed, as of the day and year first above written.

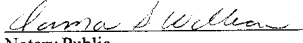
**DECLARANT:**

Signed, sealed and delivered in the presence of:

**SURREY PROPERTIES LLC,**  
a Georgia limited liability company

  
\_\_\_\_\_  
Unofficial Witness

BY  (SEAL)  
\_\_\_\_\_  
M.E. Ellinger, Jr., its Manager

  
\_\_\_\_\_  
Notary Public  
Commission expires:

(NOTARY SEAL)



**EXHIBIT "A"**  
(Page 1 of 3)

**CONDOMINIUM LOTS NOW OR FORMERLY OWNED BY**  
**SURREY PROPERTIES LLC**

**4.33 ACRE TRACT:**

**ALL THOSE TRACTS OR PARCELS OF LAND** lying and being in Land Lot 1 of the Fourth Land District of Rabun County, Georgia and being more particularly described as follows:

Tracts 4 and 5 as described on that certain Plat of LongView Condominium prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., dated May 1, 2002, last revised July 7, 2004, filed July 8, 2004, recorded in Condominium Book 2, page 137, Rabun County, Georgia records.

**2.90 ACRE TRACT:**

**ALL THAT TRACT OR PARCEL OF LAND** lying and being in Land Lot 1 of the Fourth Land District of Rabun County, Georgia and being more particularly described as follows:

Tract 6 as described on that certain Plat of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., dated August 13, 2004, last revised August 20, 2004, filed September 14, 2004, recorded in Plat Book 53, page 99, Rabun County, Georgia records; as amended and described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated July 4, 2002, last revised March 7, 2005, filed March 16, 2005, recorded in Condominium Plat Book 2, Page 148, aforesaid records.

**EXHIBIT "A"**

(Page 2 of 3)

**SINGLE-FAMILY LOTS NOW OR FORMERLY OWNED  
BY SURREY PROPERTIES LLC**

**Tracts 1, 2 and 3** lying and being in Land Lot 1 of the Fourth Land District of Rabun County, Georgia and being more particularly described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, filed June 9, 2004, recorded in Plat Book 51, Page 274, Rabun County, Georgia records.

**Lot A** lying and being in Land Lot 1 of the Fourth Land District of Rabun County, Georgia and being more particularly described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, filed June 9, 2004, recorded in Plat Book 51, Page 274, aforesaid records; as amended and described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, last revised March 10, 2005, filed March 16, 2005, recorded in Plat Book 54, Page 62, aforesaid records.

**Lot B** lying and being in Land Lot 1 of the Fourth Land District of Rabun County, Georgia and being more particularly described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, last revised March 10, 2005, filed March 16, 2005, recorded in Plat Book 54, Page 62, aforesaid records.

**Lots C, D, E, F, H, I, J, K and L** lying and being in Land Lot 1 of the Fourth Land District of Rabun County, Georgia and being more particularly described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, last revised June 4, 2004, filed June 9, 2004, recorded in Plat Book 51, Page 273, aforesaid records; as amended and described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, last revised March 10, 2005, filed March 16, 2005, recorded in Plat Book 54, Page 62, aforesaid records.

**EXHIBIT "A"**  
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**Lot M** lying and being in Land Lot 1 of the Fourth Land District of Rabun County, Georgia and being more particularly described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated August 10, 2004, last revised March 7, 2005, filed March 16, 2005, recorded in Plat Book 54, Page 63, aforesaid records.

**Lots N, P, Q and R** lying and being in Land Lot 1 of the Fourth Land District of Rabun County, Georgia and being more particularly described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated August 10, 2004, last revised August 20, 2004, filed September 14, 2004, recorded in Plat Book 53, Page 98, aforesaid records; as amended and described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated August 10, 2004, last revised March 7, 2005, filed March 16, 2005, recorded in Plat Book 54, Page 63, aforesaid records.

**EXHIBIT "B"**

(Page 1 of 2)

**Banister Drive:**

- (a) as shown on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, filed June 9, 2004, recorded in Plat Book 51, Page 274, Rabun County, Georgia records; and
- (b) as shown on that certain Plat of LongView Condominium prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., dated May 1, 2002, last revised July 7, 2004, filed July 8, 2004, recorded in Condominium Book 2, page 137, Rabun County, Georgia records; and
- (c) as described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated July 4, 2002, last revised March 7, 2005, filed March 16, 2005, recorded in Condominium Plat Book 2, Page 148, aforesaid records.

**Eastview Lane:**

- (a) as shown on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, last revised June 4, 2004, filed June 9, 2004, recorded in Plat Book 51, Page 273, aforesaid records; as amended and described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, last revised March 10, 2005, filed March 16, 2005, recorded in Plat Book 54, Page 62, aforesaid records; and
- (b) as shown on that certain Plat of LongView Condominium prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., dated May 1, 2002, last revised July 7, 2004, filed July 8, 2004, recorded in Condominium Book 2, page 137, Rabun County, Georgia records; and
- (c) as shown on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated August 10, 2004, last revised August 20, 2004, filed September 14, 2004, recorded in Plat Book 53, Page 98, aforesaid records; as amended and described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated August 10, 2004, last revised March 7, 2005, filed March 16, 2005, recorded in Plat Book 54, Page 63, aforesaid records; and

**EXHIBIT "B"**

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**Eastview Lane** (continued):

- (d) as described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated July 4, 2002, last revised March 7, 2005, filed March 16, 2005, recorded in Condominium Plat Book 2, Page 148, aforesaid records.

**Henderson Way:**

- (a) as described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, last revised June 4, 2004, filed June 9, 2004, recorded in Plat Book 51, Page 273, aforesaid records; as amended and described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, last revised March 10, 2005, filed March 16, 2005, recorded in Plat Book 54, Page 62, aforesaid records; and
- (b) as described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated July 4, 2002, last revised March 7, 2005, filed March 16, 2005, recorded in Condominium Plat Book 2, Page 148, aforesaid records.

**Surrey Lane:**

Only that portion of **Surrey Lane** that fronts the southerly property line of Lots K and L between Eastview Lane and Butler Lane, as described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, last revised June 4, 2004, filed June 9, 2004, recorded in Plat Book 51, Page 273, aforesaid records; as amended and described on that certain Survey of LongView prepared for Surrey Properties LLC, by Appalachian Surveying Company, Inc., bearing the seal and certification of William F. Rolader, Georgia Registered Land Surveyor No. 2042, dated December 15, 2003, last revised March 10, 2005, filed March 16, 2005, recorded in Plat Book 54, Page 62, aforesaid records.

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RECORDED THIS THE 25TH DAY OF MAY 2005

*Hayes E. Henry - Clerk*  
CLERK S.C.