



REBECCA KEATON  
CLERK OF SUPERIOR COURT Cobb Cty. GA.

Deed Book **13128 Pg 369**  
Filed **01/06/2015 02:30 PM**  
**28-2015-000309**  
Patty Baker  
Clerk of Superior Court Cherokee Cty, GA

Return Recorded Document to:  
Charles D. Weiss, Esq.  
McKenna Long & Aldridge LLP  
303 Peachtree Street, NE, Suite 5300  
Atlanta, Georgia 30308

After recording return to:  
Calloway Title & Escrow, LLC  
**David W. Dudley** 2-29371,72  
4170 Ashford Dunwoody Rd. Ste. 285  
Atlanta, Georgia 30319 73

STATE OF GEORGIA

COUNTY OF CHEROKEE

**ASSIGNMENT OF DECLARANT'S RIGHTS**

**THIS ASSIGNMENT OF DECLARANT'S RIGHTS** (this "**Assignment**") is given this 31<sup>st</sup> day of December, 2014, by **CTL OF CHEROKEE, LLC**, a Georgia limited liability company ("**Assignor**") to **REO FUNDING SOLUTIONS III, LLC**, a Georgia limited liability company ("**Assignee**").

**WHEREAS**, Assignee has this day acquired all of Assignor's right, title, interest and estate in and to the real property lying or being in Cherokee County, Georgia, described on Exhibit A, attached hereto and incorporated herein (the "**Property**"); and

**WHEREAS**, the Property is encumbered by that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated July 7, 2006, and recorded in Deed Book 8830, Page 326 of the real estate records of Cherokee County, Georgia (the "**Records**"), as modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated October 4, 2006, and recorded in Deed Book 9144, Page 486 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated December 29, 2006 and recorded in Deed Book 9322, Page 208 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated February 2, 2007 and recorded in Deed Book 9376, Page 275 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated February 22, 2007 and recorded in Deed Book 9428, Page 293 of the Records, as

further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated June 21, 2007 and recorded in Deed Book 9685, Page 277 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated June 27, 2007 and recorded in Deed Book 9704, Page 165 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated August 3, 2007 and recorded in Deed Book 9758, Page 194 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated August 23, 2007 and recorded in Deed Book 9812, Page 104 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated September 25, 2007 and recorded in Deed Book 9879, Page 239 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated February 9, 2011 and recorded in Deed Book 11327, Page 413 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated July 30, 2012 and recorded in Deed Book 11925, Page 323 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated October 22, 2012 and recorded in Deed Book 12059, Page 177 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated December 20, 2012 and recorded in Deed Book 12175, Page 58 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated January 31, 2013 and recorded in Deed Book 12249, Page 84 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated December 16, 2013 and recorded in Deed Book 12698, Page 389 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated December 16, 2013 and recorded in Deed Book 12698, Page 94 of the Records, as further modified and supplemented by that certain Supplementary Declaration of Protective Covenants, Conditions, Restrictions and Easements for Centennial Lakes dated December 16, 2013 and recorded in Deed Book 12698, Page 400 of the Records,(said declaration, as so modified and supplemented, being hereinafter referred to as the "**Declaration**"); and

**WHEREAS**, Assignor is the Declarant under the Declaration, and the owner of all of the rights, title and interest of the Declarant under the Declaration; and

**WHEREAS**, in connection with the transfer of the Property, Assignor has agreed to assign to Assignee all of Assignor's rights, title and interest, as Declarant and otherwise, in, to and under the Declaration.

**NOW, THEREFORE**, and for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), the premises herein contained, and other good and valuable consideration,

the receipt and sufficiency of which are hereby acknowledged, Assignor has bargained, sold, assigned, transferred, granted and conveyed, and by these presents does hereby bargain, sell, assign, transfer, grant and convey all of Assignor's right, title and interest, as Declarant and otherwise, in, to and under the Declaration (collectively, the "**Declarant's Rights**"), to Assignee and its successors and assigns.

Assignor and Assignee acknowledge and agree that this Assignment is made subject to (but without the assumption of): (i) that certain Deed to Secure Debt and Security Agreement, dated as of April 15, 2005, from Assignor to First Cherokee State Bank, and recorded in Deed Book 7880, Page 444, of the Records, as assigned to Crescent Bank pursuant to that certain Assignment, dated March 7, 2007, and recorded in Deed Book 9451, Page 424 of the Records, as further assigned to Renasant Bank pursuant to that certain Assignment of Deed to Secure Debt and Related Loan Documents, dated as of July 23, 2010, and recorded in Deed Book 12437, Page 139 of the Records, and as further assigned to Southeast Loan Funding Solutions, LLC ("**Lender**"), pursuant to that certain Assignment and Assumption of Deed to Secure Debt and Other Loan Documents, dated as of June 7, 2013, and recorded in Deed Book 12437, Page 153 of the Records (said Deed to Secure Debt and Security Agreement, as assigned, and as modified from time to time, being hereinafter referred to as the "**Security Instrument**"), and (ii) all other documents and instruments secured by or executed and delivered in connection with the Security Instrument (the Security Instrument and all of such other documents and instruments as herein described are hereinafter referred to collectively as the "**Loan Documents**").

It is the intent of Assignor and Assignee that the Loan Documents, and the indebtedness and obligations evidenced and secured thereby, including without limitation, pursuant to the Security Instrument, shall not be deemed satisfied or extinguished by reason of the delivery of this Assignment, and that the Loan Documents, including, without limitation, the Security Instrument, shall remain in full force and effect after the delivery of this Assignment. It is the further intent of Assignor and Assignee that the interest in the Declarant's Rights created in Assignee pursuant to this Assignment shall not be merged with the interest of Lender as holder of the Loan Documents, including, without limitation, the Security Instrument, but that such interests shall remain separate and distinct, and that the liens created by the Security Instrument and certain of the other Loan Documents shall be and remain at all times valid and continuous liens. It is the further intent of Assignor and Assignee that this Assignment shall constitute an absolute conveyance and shall not be construed as a deed to secure debt, mortgage, trust instrument, deed of trust, or other security instrument of any kind. Assignor acknowledges that Assignor has no further interest (including rights of redemption) or claims in, to or under the Declarant's Rights.

**TO HAVE AND TO HOLD** the Declarant's Rights and every part thereof unto Assignee, its heirs, legal representatives, successors and assigns, to its own proper use, benefit and behoof, in as full and ample a manner as Assignor or its representatives, heirs, successors or assigns did hold and enjoy the same, and Assignor covenants and warrants to Assignee, its successors and assigns, that Assignor has made no assignment of the Declarant's Rights other than this Assignment, and that Assignor has done nothing to impair its right, title and interest in, to and under the Declarant's Rights and will warrant and defend such title against the lawful claims of all persons claiming by, through or under Assignor.

[NO FURTHER TEXT ON THIS PAGE]

IN WITNESS WHEREOF, Assignor has hereunto duly executed and delivered this Assignment under seal, as of the day and year first above written.

**ASSIGNOR:**

Signed, sealed and delivered in the presence of:

**CTL OF CHEROKEE, LLC**, a Georgia limited liability company

Abund M. Justice  
Unofficial Witness

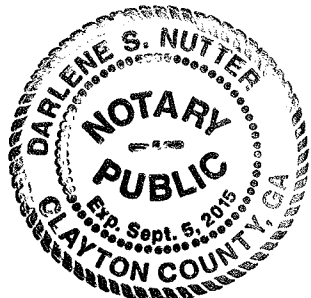
By: [Signature]  
Name: Donald A. Hausfeld  
Title: Manager

Darlene S. Nutter  
Notary Public

[COMPANY SEAL]

Commission Expires:

(NOTARY SEAL)



ORIGINAL APPEARANCE  
OF DOCUMENTEXHIBIT "A"LEGAL DESCRIPTION

PARCEL 1A - #1

## TRACT 1:

A parcel of land situated in Land Lots 1200, 1201, 1248, 1249, 1250, and 1271, 21st. District, 2nd. Section, Cherokee County, Georgia, and Land Lot 1270, 21st. District, 2nd. Section, Cobb County, Georgia, the bearings of which are based on Magnetic North (Reference Plat) and being more particularly described as follows: *\* 2071*

Begin at the northwest corner of land lot 1251; thence following the west line of said land lot, S01°35'31"E for a distance of 802.74 feet; thence continuing along the west line of said land lot S02°33'12"W for a distance of 507.46 feet to the northwest corner of land lot 1270 and the common corner of Cherokee County and Cobb County; thence following said county line S89°51'02"E for a distance of 90.02 feet to the northwesterly right-of-way of Woodstock Road (Variable R/W); thence following said right-of-way in a southwesterly direction for a distance of 214.54 feet to the intersection of said right-of-way with the west line of land lot 1270 and the common corner of Cherokee County and Cobb County; thence continuing along said right-of-way in a southwesterly direction into land lot 1271 for a distance of 605.76 feet to the intersection of said right-of-way with the northerly right-of-way of Interstate 75 (Variable R/W); thence following said right-of-way in northwesterly, west and southwesterly direction into land lots 1250, 1249 and 1248 for a distance of 3734.48 feet to the intersection of said right-of-way with the northeasterly right-of-way of North Hill Road (Variable R/W); thence following said right-of-way in a northwesterly direction for a distance of 155.23 feet to the intersection of said right-of-way with the west line of land lot 1248; thence following the west line of said land lot, N00°42'08"E for a distance of 681.12 feet; thence N01°20'30"E for a distance of 158.81 feet; thence N00°39'05"E for a distance of 394.62 feet; thence N00°37'35"E for a distance of 78.75 feet; thence N00°01'26"E for a distance of 45.21 feet to the intersection of said land lot line with the southeasterly right-of-way of Priest Road (Variable R/W); thence following said right-of-way in a northeasterly direction into land lot 1201 for a distance of 581.57 feet; thence leaving said right-of-way S48°41'36"E into land lot 1248 for a distance of 477.48 feet plus or minus to the intersection of said line with the center of a branch; thence following the meanderings of said branch in a northeast direction into land lot 1201 for a distance of 203 feet plus or minus; thence S33°54'46"E into land lot 1248 for a distance of 202.94 feet; thence N75°43'00"E for a distance of 173.34 feet to the northwest corner of land lot 1249; thence following the north line of said land lot, S88°53'00"E for a distance of 323.68 feet; thence leaving said land lot line N01°15'41"E into land lot 1200 for a distance of 149.01 feet; thence S88°40'17"E for a distance of 180.98 feet; thence S88°40'17"E for a distance of 115.95 feet; thence S06°12'51"W for a distance of 149.76 feet to the intersection of said line with the north line of land lot 1249; thence following the north line of said land lot, S89°34'45"E for a distance of 418.10 feet; thence S89°51'26"E for a distance of 300.06 feet to the northwest corner of land lot 1250; thence following the north line of said land lot, S89°51'26"E for a distance of 250.18 feet plus or minus to the intersection of said land lot line with the center of a branch; thence leaving said land lot line and following the meanderings of said branch in a southeast and northeast direction for a distance of 977 feet plus or minus; thence N90°00'00"E for a distance of 209.23 feet plus or minus to the POINT OF BEGINNING.

Said tract containing 121.22 acres as shown on a Closing Exhibit Drawing for CTL of Cherokee, LLC and DAF Investments, L.L.P., as prepared by Ross Consulting Engineers, P.C., dated: April 7, 2005.

**ORIGINAL APPEARANCE  
OF DOCUMENT**

**EXHIBIT "A"  
PARCEL 1A -# 3**

A parcel of land situated in Land Lot 1199, 21st District, 2nd. Section, Cherokee County, Georgia, the bearings of which are based on Magnetic North ( Reference Plat ), and being more particularly described as follows:

Begin at the northeast corner of land lot 1199, thence following the east line of said land lot S01°00'38"W for a distance of 769.63 feet; thence leaving said land lot line S68°31'43"W for a distance of 258.17 feet; thence S00°00'00"E for a distance of 146.33 feet; thence S90°00'00"W for a distance of 656.18 feet plus or minus to the intersection of said line with the center of a branch; thence following the meanderings of said branch in a northeast and northwest direction for a distance of 1197 feet plus or minus to the intersection of said branch with the north line of land lot 1199; thence leaving said branch and following the north line of said land lot N86°33'50"E for a distance of 473.68 feet plus or minus; thence following the north line of said land lot along the south line of Timberlake North Subdivision, N86°33'50"E for a distance of 691.63 feet to the POINT OF BEGINNING.

Said tract containing 19.66 acres plus or minus as shown on a Closing Exhibit Drawing for CTL of Cherokee, LLC and DAI Investments, LLP, as prepared by Ross Consulting Engineers, P.C., dated: April 7, 2005.

**EXHIBIT "A"  
PARCEL 1B**

A parcel of land situated in Land Lot 1251, 21st District, 2nd. Section, Cherokee County, Georgia, the bearings of which are based on Magnetic North ( Reference Plat ) and being more particularly described as follows:

Commence at the northwest corner of land lot 1251; thence following the west line of said land lot, S01°35'31"E for a distance of 322.97 feet to the POINT OF BEGINNING; thence leaving said land lot line, S59°33'19"E for a distance of 790.72 feet to the northwesterly right-of-way of Woodstock Road (Variable R/W); thence following said right-of-way in a southwesterly direction for a distance of 455.10 feet; thence leaving said right-of-way, N58°37'28"W for a distance of 358.19 feet to the west line of said land lot; thence following the west line of said land lot, N01°35'31"W for a distance of 479.77 feet to the POINT OF BEGINNING.

Said tract containing 5.44 acres as shown on a Closing Exhibit Drawing for CTL of Cherokee, LLC and DAI Investments, LLP, as prepared by Ross Consulting Engineers, P.C., dated: April 7, 2005.

**ORIGINAL APPEARANCE  
OF DOCUMENT**

**EXHIBIT "A"  
PARCEL 1C**

A parcel of land situated in Land Lots 1197 and 1198, 21st District, 2nd. Section, Cherokee County, Georgia, the bearings of which are based on Magnetic North ( Reference Plat ) and being more particularly described as follows:

Begin at the northwest corner of land lot 1198; thence following the north line of said land lot along the south line of Timberlake North Subdivision, N88°49'30"E for a distance of 78.22 feet; thence continuing along said land lot line and subdivision line, S88°08'32"E for a distance of 1,309.52 feet to the northwest corner of land lot 1197; thence following the north line of said land lot along the south line of Oglethorpe Power Company Property, S88°04'33"E for a distance of 330.29 feet; thence leaving north line of said land lot S63°05'45"E for a distance of 270.84 feet to the northwesterly right-of-way of Woodstock Road ( Variable R/W ); thence following said right-of-way 635.26 feet; thence leaving said right-of-way and continuing into land lot 1198, S89°58'50"W for a distance of 615.03 feet; thence S89°17'33"W for a distance of 37.43 feet; thence N00°42'27"W for a distance of 283.79 feet; thence N90°00'00"W for a distance of 913.67 feet; thence S00°00'00"W for a distance of 295.09 feet; thence S89°17'33"W for a distance of 133.31 feet to the intersection of said line with the west line of land lot 1198; thence following the west line of said land lot, N01°00'38"E for a distance of 759.63 feet to the POINT OF BEGINNING.

Said tract containing 24.13 acres as shown on a Closing Exhibit Drawing for CIL of Cherokee, LLC and DAH Investments, LLLP, as prepared by Ross Consulting Engineers, P.C., dated April 7, 2005.



ORIGINAL APPEARANCE  
OF DOCUMENT

EXHIBIT "A"  
PARCEL 1D

A parcel of land situated in Land Lots 1127, 1128, 1177 and 1178, 21st District, 2nd. Section, Cherokee County, Georgia, the bearings of which are based on Magnetic North ( Reference Plat ) and being more particularly described as follows:

Begin at the northeast corner of land lot 1178, thence following the east line of said land lot along the west line of Timberlake North Subdivision,  $S00^{\circ}49'04''W$  for a distance of 685.46 feet; thence continuing along said land lot line,  $S00^{\circ}49'04''W$  for a distance of 24.16 feet; thence leaving said land lot line and following the north line of said subdivision  $S88^{\circ}35'43''W$  for a distance of 630.30 feet; thence following along the west line of said subdivision,  $S00^{\circ}52'04''W$  for a distance of 347.26 feet; thence leaving said subdivision line  $S88^{\circ}32'30''W$  for a distance of 139.56 feet; thence  $S00^{\circ}48'11''W$  for a distance of 313.16 feet to the intersection of said line with the south line of land lot 1178; thence following the south line of said land lot,  $S89^{\circ}39'50''W$  for a distance of 473.68 feet plus or minus to the intersection of said line with the center of a branch; thence following said branch in a northwest, northeast and northwest direction into land lot 1177 and back into land lot 1178 for a distance of 1199 feet plus or minus; thence leaving said branch  $N02^{\circ}43'02''W$  into land lot 1177 for a distance of 262.12 feet to the intersection of said line with the easterly right-of-way of Priest Road (Variable R/W); thence following said right-of-way in a northeast direction into land lot 1128 for a distance of 1186.87 feet; thence leaving said right-of-way  $S63^{\circ}20'16''E$  into land lot 1127 for a distance of 468.84 feet; thence  $S71^{\circ}32'06''E$  for a distance of 413.06 feet plus or minus to the intersection of said line with the center of a ditch; thence following said ditch in a northeast direction for a distance of 215.72 feet plus or minus; thence leaving said ditch  $S89^{\circ}11'40''E$  for a distance of 502.07 feet plus or minus to the intersection of said line with the east line of land lot 1127; thence following the east line of said land lot along the west line of Timberlake North Subdivision,  $S00^{\circ}48'20''W$  for a distance of 604.37 feet to the POINT OF BEGINNING.

Said tract containing 52.19 acres plus or minus as shown on a Closing Exhibit Drawing for CTL of Cherokee, LLC and DAH Investments, LLLP, as prepared by Ross Consulting Engineers, P.C., dated: April 7, 2005.

Also, included is a 12 foot driveway easement 70 feet north of the intersection of the south line of land lot 1128 with the easterly right-of-way of Priest Road (Variable R/W).

Less and except from the above described Tract 1 property the tracts of land which were conveyed in the following instruments, recorded in the aforesaid Records:

- a) Deed Book 9569, Page 14 (As to Lot 1:Pod 1 & Lot 276:Pod 4A)
- b) Deed Book 8959, Page 352 (As to Lots 2-51:Pod 1)
- c) Deed Book 9679, Page 304 (As to Outparcel 1:Pod 1)
- d) Deed Book 9679, Page 307 (As to Outparcel 2:Pod 1)
- e) Deed Book 9679, Page 301 (As to Outparcel 3:Pod 1)
- f) Deed Book 12175, Page 51 (As to various Open Spaces/Areas)
- g) Deed Book 11722, Page 181 (As to Lots 52-53:Pod 2 & Lots 110-111:Pod 7A)
- h) Deed Book 10708, Page 283 (As to Lot 54:Pod 2)
- i) Deed Book 9598, Page 441 (As to Lots 55-56,116:Pod 2)
- j) Deed Book 12465, Page 317 (As to Lot 63, Pod 2)
- k) Deed Book 9441, Page 20 (As to Lots 57-59,61:Pod 2)
- l) Deed Book 9527, Page 21 (As to Lots 60,115:Pod 2 & Lot 134:Pod 10)
- m) Deed Book 9508, Page 244 (As to Lot 62:Pod 2)
  
- n) Deed Book 9640, Page 336 (As to Lots 65,114,117,118:Pod 2)
- o) Deed Book 11985, Page 95 (As to Lots 113,122:Pod 2 & Lots 109,112:Pod 7A)
- p) Deed Book 9708, Page 22 (As to Lots 119-121:Pod 2 & Lot 135:Pod 10)
- q) Deed Book 10500, Page 37 (As to Lot 156:Pod 3 & 395,431-432:Pod 9)
- r) Deed Book 9322, Page 31 (As to Lots 157-160:Pod 3)
- s) Deed Book 8996, Page 45 (As to Lots 161-174,176-186:Pod 3)
- t) Deed Book 9308, Page 51 (As to Lots 175,187:Pod 3 & 190-196,224-239:Pod 5)
- u) Deed Book 11393, Page 205 (As to Common Area:Pod 3 & Open Space:Pod 9)
- v) Deed Book 9495, Page 266 (As to Lots 240,243-244,265-266,282-284:Pod 4A)
- w) Deed Book 9508, Page 245 (As to Lots 241-242,245,264,273-275,282-284:Pod 4A)
- x) Deed Book 9441, Page 19 (As to Lots 246-249,262-263,267-268:Pod 4A)
- y) Deed Book 10578, Page 150 (As to Lot 269:Pod 4A)
- z) Deed Book 9246, Page 368 (As to Lots 270-272,277-281:Pod 4A)
- aa) Deed Book 11454, Page 112 (As to Lots 250-251:Pod 4B & Lots 491-494:Pod 12A & Lots 484-485:Pod 15)
- bb) Deed Book 11566, Page 334 (As to Lot 252:Pod 4B & Lot 200:Pod 5 & Lots 495-496,531:Pod 12A)
- cc) Deed Book 11627, Page 477 (As to Lot 253:Pod 4B)
- dd) Deed Book 11776, Page 366 (As to Lots 254-255:Pod 4B & Lots 497-500,526-527:Pod 12A & Lots 348-351:Pod 16A)
- ee) Deed Book 12447, Page 2 (As to Lots 256,259-261:Pod 4B & Lots 206-210:Pod 5 & Lots 294,367-375,378-385:Pod 8B & Lots 523-524:Pod 12A & Lots 501-507,512,514-520:Pod 12B)
- ff) Deed Book 12037, Page 184 (As to Lot 257:Pod 4B & Lot 205:Pod 5 & Lots 292-293:Pod 8B & Lots 521-522,525:Pod 12A & Lots 288-289,291:Pod 16A)
- gg) Deed Book 10491, Page 379 (As to Lot 258:Pod 4B)
- hh) Deed Book 9900, Page 223 (As to Lots 188-189:Pod 5 & Lots 398-399:Pod 9)
- ii) Deed Book 9583, Page 175 (As to Lots 197-198:Pod 5 & Lots 404-405:Pod 9)
- jj) Deed Book 9475, Page 332 (As to Lots 199,214,218-219:Pod 5)
- kk) Deed Book 11930, Page 452 (As to Lots 201-202:Pod 5 & Lots 490,528-529:Pod 12A & Lots 286-287,290,352-353,376:Pod 16A)
- ll) Deed Book 9773, Page 444 (As to Lots 203-204:Pod 5 & Lots 393-394:Pod 9)
- mm) Deed Book 9828, Page 141 (As to Lots 211-212:Pod 5 & Lots 423-424:Pod 9)
- nn) Deed Book 9647, Page 56 (As to Lots 213,215:Pod 5 & Lots 406-407:Pod 9)
- oo) Deed Book 9729, Page 218 (As to Lots 216-217:Pod 5 & Lots 425-426:Pod 9)
- pp) Deed Book 9376, Page 492 (As to Lots 220-223:Pod 5)
- qq) Deed Book 9469, Page 283 (As to Lots 532-547,621-626,668-672:Pod 6)
- rr) Deed Book 11212, Page 1 (As to Lots 606-620,661-667:Pod 6 & Proposed Pods 18A/18B)
- ss) Deed Book 11311, Page 275 (As to Open Spaces:Pods 6&11)
- tt) Deed Book 12158, Page 139 (As to Lots 66-68,108:Pod 7A)
- uu) Deed Book 12568, Page 57 (As to Lots 69-72:Pod 7A)
- vv) Deed Book 9858, Page 272 (As to Lots 76,78-79:Pod 7A)
- ww) Deed Book 9909, Page 422 (As to Lot 77:Pod 7A)
- xx) Deed Book 12527, Page 237 (As to Lot 104:Pod 7A)

- yy) Deed Book 12258, Page 235 (As to Lot 377:Pod 8B & Lots 508-511,513:Pod 12B)
- zz) Deed Book 10729, Page 454 (As to Lots 396-397:Pod 9)
- aaa) Deed:Book 9388, Page 469 (As to Lots 400-403:Pod 9)
- bbb) Deed:Book 9484, Page 172 (As to Lots 427-430:Pod 9)
- ccc) Deed Book 9133, Page 125 ((ONLY) As to Lots 124-132,138-143,145-152:Pod 10)
- ddd) Deed:Book 10429, Page 261 (As to Lot 133:Pod 10)
- eee) Deed:Book 10826, Page 406 (As to Lot 136:Pod 10)
- fff) Deed Book 10097, Page 295 (As to Lot 153:Pod 10)
- ggg) Deed Book 9730, Page 261 (As to Lots 548-555,627-632:Pod 11)
- hhh) Deed Book 11310, Page 402 (As to Lots 488-489,530:Pod 12A)
- iii) Deed Book 9707, Page 416 (As to Lots 459-463,487:Pod 15)
- jjj) Deed Book 11033, Page 102 (As to Lots 464-466,477-483:Pod 15)
- kkk) Deed:Book 11172, Page 44 (As to Lots 467-468,473-476:Pod 15)
- lll) Deed Book 11599, Page 486 (As to Lots 469-472,486:Pod 15)
- mmm) Deed:Book 11426, Page 288 (As to Proposed Pods 13 & 20)
- nnn) Deed:Book 12754, Page 244 (As to Lot 107:Pod 7A)
- ooo) Deed:Book 12759, Page 453 (As to Lot 64:Pod 2 & Lots 73,105:Pod 7A)
- ppp) Deed:Book 12808, Page 182 (As to Lot 75:Pod 7A)
- qqq) Deed:Book 12857, Page 10 (Lots 154,155:Pod 3 & Lots 295-307, 386-392:Pod 8A & Lots 408-413, 416-422:Pod 9)
- rrr) Deed Book 12942, Page 440 (As to Lots 74,103,106:Pod 7A & Lots 308,310:Pod 8A)
- sss) Deed Book 12967, Page 224 (As to Lot 309:Pod 8A)
- ttt) Deed Book 13042, Page 155 (As to Lots 311,312,366:Pod 8A & Lots 345-347,354-355:Pod 16B)

Further less and except from the above described property any portion of the subject property which lies within the bounds of a publicly dedicated right-of-way.

TRACT 2:

ALL THAT TRACT or parcel of land lying and being in Land Lots 1178 and 1199 of the 21st District, 2nd Section of Cherokee County, Georgia, being Lot 144, Centennial Lakes, POD 10, as more particularly depicted on a plat recorded in Plat Book 99, Pages 109 through and including 112, Records of Cherokee County, Georgia, which plat is incorporated herein by reference hereto.

AND

ALL THAT TRACT or parcel of land lying and being in Land Lot 1199 of the 21st District, 2nd Section of Cherokee County, Georgia, being Lot 123, Centennial Lakes, POD 10, as more particularly depicted on a plat recorded in Plat Book 99, Pages 109 through and including 112, Records of Cherokee County, Georgia, which plat is incorporated herein by reference hereto.

AND

A parcel of land situated and lying in land lots 1127 and 1128, 21<sup>st</sup> District, 2<sup>nd</sup> Section, Cherokee County, Georgia and being more particularly described as follows:

Begin at the southeast corner of land lot 1128; thence following the south line of said land lot, N89 40'48"W for a distance of 69.33 feet plus or minus; thence leaving said land lot line, N24 26'12"E for a distance of 99.58 feet; thence S89 24'54"E into land lot 1127 for a distance of 206.86 feet; thence S24 17'03"W for a distance of 98.42 feet to the intersection of said line with the south line of land lot 1127; thence following the south line of said land lot, N89 40'48"W for a distance of 138.24 feet plus or minus to the point of beginning.

Said tract containing 0.43 acres plus or minus

**TRACT 3:**

A tract of land situated in Land Lot 1127, 21st District, 2nd Section, Cherokee County, Georgia, the bearings of which are based on the State Plane Grid System (Georgia West Zone) and being more particularly described as follows:

Commence at a nail marking the intersection of the southerly right-of-way line of Highway 92 (variable right-of-way) with the easterly line of Land Lot 1127 and run  $S00^{\circ}49'30''W$  along said easterly line for a distance of 241.30 feet to the Point of Beginning of the tract herein described; thence continue along said line  $S00^{\circ}49'30''W$  for a distance of 8.70 feet; thence leaving said line,  $N89^{\circ}10'30''W$  for a distance of 502.24 feet to the intersection of said line with the centerline of a ditch; thence  $N03^{\circ}45'24''E$  along said ditch for a distance of 1.47 feet; thence leaving said ditch,  $N90^{\circ}00'00''E$  for a distance of 502.22 feet to the easterly line of said land lot and the Point of Beginning of said tract.

Containing 0.06 acres as depicted on a Exhibit Drawing (Job 05025) prepared by Ross Consulting Engineers, P.C., dated, 04/07/2005 unto which reference is hereby made.

ORIGINAL APPEARANCE  
OF DOCUMENT

## TRACT 4:

A tract of land situated in Land Lot 1188, 21st District, 2nd Section, Cherokee County, Georgia, the bearings of which are based on the State Plane Grid System (Georgia West Zone) and being more particularly described as follows:

Commence at a rebar marking the southwest corner of Land Lot 1188 and run N74°45'41"E for a distance of 1,052.47 feet to the Point of Beginning of the tract herein described; thence N00°00'00"E for a distance of 135.25 feet; thence N58°31'13"E for a distance of 58.53 feet; thence S24°06'25"W for a distance of 28.43 feet; thence S06°59'06"W for a distance of 88.40 feet; thence S08°31'00"E for a distance of 50.00 feet; thence southwesterly 35.32 feet along the arc of curve, concave to the northwest, having a central angle of 07°38'14", a radius of 265.00 feet, a chord bearing and distance of S85°18'01"W and 35.30 feet to the Point of Beginning of said tract.

Containing 0.11 acres as depicted on a Specific Purpose Survey (Job 05025) prepared by Ross Consulting Engineers, P.C., dated, 02/27/2007 unto which reference is hereby made.

ORIGINAL APPEARANCE  
OF DOCUMENT

**PARCEL 2A**

A parcel of land situated in Land Lot 1127, 21st. District, 2nd. Section, Cherokee County, Georgia, the bearings of which are based on Magnetic North ( Reference Plat ) and being more particularly described as follows:

**Commence** at the southeast corner of land lot 1127; thence following the east line of said land lot along the west line of Timberlake North Subdivision, N00°48'20"E for a distance of 604.37 feet to the **POINT OF BEGINNING**; thence leaving said land lot line and subdivision line, N89°11'40"W for a distance of 502.07 feet plus or minus to the intersection of said line with the center of a ditch; thence following said ditch in a northeast direction for a distance of 505.59 feet plus or minus to the intersection of said ditch with the southerly right-of-way of State Route 92 (Variable R/W); thence following said right-of-way in a southeast direction for the following courses and distances (S61°33'51"E for a distance of 97.49 feet; thence S28°26'09"W for a distance of 19.69 feet; thence S61°09'08"E for a distance of 36.32 feet; thence N29°15'35"E for a distance of 19.69 feet; thence following a curve southeasterly 343.19 feet along the arc of a curve, concave to the southwest, having a central angle of 07°43'24", a radius of 2545.93 feet, and a chord bearing and distance of S56°52'42"E and 342.93 feet) to the intersection of said right-of-way with the east line of land lot 1127; thence following the east line of said land lot along the west line of Timberlake North Subdivision, S00°48'20"W for a distance of 250.00 feet to the **POINT OF BEGINNING**.

Said tract containing 4.09 acres plus or minus as shown on a Closing Exhibit Drawing for CTL of Cherokee, LLC and DAH Investments, LLLP, as prepared by Ross Consulting Engineers, P.C., dated: April 7, 2005.

**PARCEL 2B**

A parcel of land situated in Land Lot 1177 and 1178, 21st. District, 2nd. Section, Cherokee County, Georgia, the bearings of which are based on Magnetic North ( Reference Plat ) and being more particularly described as follows:

**Begin** at the southeast corner of land lot 1177; thence following the south line of said land lot, N86°56'51"W for a distance of 420.05 feet to the intersection of said land lot line with the easterly right-of-way of Priest Road (Variable R/W); thence following the easterly right-of-way of said road in a northeast and north direction for a distance of 1065.81 feet; thence leaving said right-of-way S82°43'02"E into land lot 1178 for a distance of 262.12 feet plus or minus to the intersection of said line with the center of a branch; thence following the meanderings of said branch in a southeast, southwest and southeast direction into land lot 1177 and back into land lot 1178 for a distance of 1199 feet plus or minus to the intersection of said branch with the south line of land lot 1178; thence following the south line of said land lot S88°33'50"W for a distance of 83.40 feet plus or minus to the **POINT OF BEGINNING**.

Said tract containing 7.68 acres plus or minus as shown on a Closing Exhibit Drawing for CTL of Cherokee, LLC and DAH Investments, LLLP, as prepared by Ross Consulting Engineers, P.C., dated: April 7, 2005.

**PARCEL 2C**

A parcel of land situated in Land Lot 1177, 21st. District, 2nd. Section, Cherokee County, Georgia, the bearings of which are based on Magnetic North ( Reference Plat ) and being more particularly described as follows:

**Begin** at the southwest corner of land lot 1177; thence following the west line of said land lot along the east line of Emerald Forest Subdivision, N02°07'51"E for a distance of 679.84 feet; thence N02°12'47"E for a distance of 255.55 feet; thence N02°08'43"E for a distance of 423.16 feet to the northwest corner of land lot 1177; thence leaving said subdivision and following the north line of said land lot, S87°54'18"E for a distance of 591.92 feet; thence S87°49'26"E for a distance of 51.92 feet; thence S87°52'38"E for a distance of 222.78 feet; thence S87°45'17"E for a distance of 191.11 feet to the intersection of said line with the westerly right-of-way of Priest Road (Variable R/W); thence following said right-of-way in a southwest direction for a distance of 388.24 feet; thence leaving said right-of-way N87°30'33"W for a distance of 315.39 feet; thence S02°09'41"W for a distance of 299.68 feet; thence S87°30'32"E for a distance of 320.77 feet to the intersection of said line with the westerly right-of-way of Priest Road (Variable R/W) ; thence following said right-of-way in a southwest direction for a distance of 721.17 feet to the intersection of said right-of-way with the south line of land lot 1177; thence leaving said right-of-way N87°11'17"W along the south line of said land lot for a distance of 194.31 feet; thence N87°04'08"W for a distance of 450.92 feet; thence N87°01'11"W for a distance of 211.56 feet to the **POINT OF BEGINNING**.

Said tract containing 29.34 acres as shown on a Closing Exhibit Drawing for CTL of Cherokee, LLC and DAH Investments, LLLP, as prepared by Ross Consulting Engineers, P.C., dated: April 7, 2005.

**PARCEL 2D**

A parcel of land situated in Land Lot 1198, 21st. District, 2nd. Section, Cherokee County, Georgia, the bearings of which are based on Magnetic North ( Reference Plat ) and being more particularly described as follows:

**Commence** at the southwest corner of land lot 1198; thence following the west line of said land lot, N01°00'38"E for a distance of 617.81 feet; thence leaving said land lot line N89°17'33"E for a distance of 133.31 feet to the **POINT OF BEGINNING**; thence N00°00'00"E for a distance of 295.09 feet; thence S90°00'00"E for a distance of 913.67 feet; thence S00°42'27"E for a distance of 283.79 feet; thence S89°17'33"W for a distance of 917.26 feet to the **POINT OF BEGINNING**.

Said tract containing 6.08 acres as shown on a Closing Exhibit Drawing for CTL of Cherokee, LLC and DAH Investments, LLLP, as prepared by Ross Consulting Engineers, P.C., dated: April 7, 2005.



**PARCEL 2E**

A parcel of land situated in Land Lot 1198, 21st. District, 2nd. Section, Cherokee County, Georgia, the bearings of which are based on Magnetic North ( Reference Plat ) and being more particularly described as follows:

**Begin** at the southwest corner of land lot 1198; thence following the west line of said land lot N01°00'38"E for a distance of 617.81 feet; thence leaving said land lot line N89°17'33"E for a distance of 1,025.80 feet; thence S22°04'09"W for a distance of 314.01 feet; thence S08°58'27"W for a distance of 100.50 feet; thence S87°37'51"E for a distance of 622.44 feet to the northwesterly right-of-way of Woodstock Road ( Variable R/W ); thence following said right-of-way in a southwesterly direction 148.85 feet; thence leaving said right-of-way, N81°15'24"W for a distance of 225.58 feet; thence S57°25'20"W for a distance of 199.50 feet; thence S81°21'59"E for a distance of 224.88 feet to the northwesterly right-of-way of Woodstock Road ( Variable R/W ); thence following said right-of-way in a southwesterly direction 70.64 feet to the intersection of said right-of-way with the south line of land lot 1198; thence leaving said right-of-way and following said land lot, N86°41'02"W for a distance of 744.90 feet; thence S88°26'44"W for a distance of 468.56 feet to the **POINT OF BEGINNING**.

Said tract containing 15.79 acres as shown on a Closing Exhibit Drawing for CTL of Cherokee, LLP and DAH Investments, LLLP, as prepared by Ross Consulting Engineers, P.C., dated: April 7, 2005.

**PARCEL 2F**

A parcel of land situated in Land Lot 1199 and 1250, 21st. District, 2nd. Section, Cherokee County, Georgia, the bearings of which are based on Magnetic North ( Reference Plat ) and being more particularly described as follows:

**Begin** at the southeast corner of land lot 1199; thence S90°00'00"W into land lot 1250 for a distance of 209.23 feet; thence N00°00'00"E into land lot 1199 for a distance of 485.81 feet; thence N58°31'13"E for a distance of 258.17 feet to the intersection of said line with the east line of said land lot; thence following said land lot line S01°00'38"W for a distance of 617.81 feet to the **POINT OF BEGINNING**.

Said tract containing 2.68 acres as shown on a Closing Exhibit Drawing for CTL of Cherokee, LLP and DAH Investments, LLLP, as prepared by Ross Consulting Engineers, P.C., dated: April 7, 2005.

Less and except from the above described property the tracts of land, which were conveyed in the following instruments, recorded in the aforesaid Records:

- a)• Deed Book 8850, Page 36 (As to 0.06 acres) (Being a Portion of Parcel 2A)
- c)• Deed Book 9559, Page 379 (As to 0.11 acres) (Being a Portion of Parcel 2F)
- e) Deed Book 11199, Page 90 (As to 7.02 acres, 1.81 acres) (Being a Portion of 2D & 2E)

Further less and except from the above described property any portion of the subject property which lies within the bounds of a publicly dedicated right-of-way.