



THE LAW OFFICE OF
CHAD KNOTT, LLC

August 24th, 2020

Vista View Estates Owner's Association Inc.
Attn: April Brooks
174 Henry Street
Cleveland, GA 30528

RE: Summary opinion on the restrictive covenants recorded of record in White County, Georgia as to Vista View Estates, and any amendments thereto.

Dear Mrs. April Brooks,

My firm has conducted an examination of the real estate records of White County, Georgia and below are my findings. This letter has been provided to you to inform you of the restrictive covenants placed of record and their amendments as it relates to the Vista View Estates development. It does not provide any legal opinion as to the current validity of the original covenants or any amendment thereto, nor does it provide any legal opinion as to the enforceability of the original covenants, or any amendment thereto.

ORIGINAL DECLARATION

The original developer of Vista View Estates, Vista View Development Corp. (hereinafter referred to as the "Developer"), placed the original Declaration of Covenants, Conditions, and Restrictions for Vista View Estates, dated August 25th, 1988, of record in White County, Georgia on September 12th, 1988, in deed book 159, pages 20-50, hereinafter referred to as the "Covenants". A copy of the Covenants are attached hereto as Exhibit "1". Exhibit "A" to the Covenants describes the property applicable to the Covenants. Exhibit "A" makes reference to a survey for Vista View Estates, a copy of which is attached to this letter as Exhibit "2".

FIRST AMENDMENT

On December 1st, 1989, the Developer executed the "First Amendment To Declaration of Covenants, Conditions, and Restrictions for Vista View Estates", and placed it of record on December 28th, 1989, in deed book 238, pages 75-76. The purpose of this first amendment was two-fold: 1) to make it clear that the property containing 31.26 acres, and as shown in plat book 26, page 220 is excepted from the Covenants, and 2) to provide that the "annual assessment for road maintenance is hereby fixed at \$150.00 per property owner". A copy of this first amendment is attached hereto as Exhibit "3". The survey referenced by this amendment is attached hereto as Exhibit "4".

SECOND AMENDMENT

On March 22nd, 1990, the Developer, along with the owner of lot #5, executed the “Second Amendment To Declaration of Covenants, Conditions, and Restrictions for Vista View Estates”, and placed it of record on March 22nd, 1990, in deed book 247, pages 281-282. The purpose of this second amendment was to amend Exhibit “A” of the Covenants so as to except therefrom the property containing 61.85 acres, and as shown in plat book 19, page 247. A copy of this second amendment is attached hereto as Exhibit “5”. The survey referenced by this amendment is attached hereto as Exhibit “6”.

THIRD AMENDMENT

On September 16th, 1994, the Developer executed the “First Amendment To Declaration of Covenants, Conditions, and Restrictions for Vista View Estates”, and placed it of record on September 16th, 1994, in deed book 407, pages 416-418. The purpose of this third (*even though titled as First Amendment in error*) amendment was three-fold: 1) to amend Article XI, Section 5 regarding pets and livestock, 2) to amend Article XI, Section 7 as to additional restrictions, and 3) to amend Article VII by adding Section(1a) , the same as was previously amended by the first amendment. A copy of this third amendment (*albeit incorrectly titled as a first amendment*) is attached hereto as Exhibit “7”.

FOURTH AMENDMENT

On August 30th, 2016, Jennifer Codemo-Thomas, President of the Vista View Estates Owners’ Association, Inc., executed the “Fourth Amendment To Declaration of Covenants, Conditions, and Restrictions for Vista View Estates”, and placed it of record on August 30th, 2016, in deed book 1612, pages 495-496. The purpose of this fourth amendment was two-fold: 1) to amend Article VII, Section 1 by adding a new paragraph (b) to provide for a \$500.00 impact fee, and 2) to amend Article XI, Section 7 by adding a new paragraph (b) to prevent the use of the residences as short term rentals. A copy of this fourth amendment is attached hereto as Exhibit “8”.

FIFTH AMENDMENT

On or about March 19th, 2018, Taylor Hall, President of the Vista View Estates Owners’ Association, Inc., executed the “Sixth Amendment To Declaration of Covenants, Conditions, and Restrictions for Vista View Estates”, and placed it of record on March 9th, 2018, in deed book 1670, pages 166-167. The purpose of this fifth (*even though titled as Sixth Amendment in error*) amendment was two-fold: 1) to amend Article VII, Section 1 by adding a new paragraph (b) to provide for a \$2,500.00 impact fee, and 2) to amend Article XI, Section 7 by adding a new paragraph (b) to prevent the use of the residences as short term rentals. A copy of this fifth amendment is attached hereto as Exhibit “9”.



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SIXTH AMENDMENT

On or about April 27th, 2018, Taylor Hall, President of the Vista View Estates Owners' Association, Inc., executed the "Seventh Amendment To Declaration of Covenants, Conditions, and Restrictions for Vista View Estates", and placed it of record on April 27th, 2018, in deed book 1676, pages 208-209. The purpose of this sixth (*even though titled as Seventh Amendment in error*) amendment was to amend Article III, Section 3 by adding a new paragraph (a) which addressed voting by owners instead of lots, and changing the annual assessment to \$350.00 per owner. A copy of this sixth amendment is attached hereto as Exhibit "10".

SEVENTH AMENDMENT

On or about November 27th, 2018, Bo Wiley, President of the Vista View Estates Owners' Association, Inc., executed the "Fifth Amendment To Declaration of Covenants, Conditions, and Restrictions for Vista View Estates", and placed it of record on November 27th, 2019, in deed book 1734, pages 699-700. The purpose of this seventh (*even though titled as Fifth Amendment in error*) amendment was to amend Article XI, Section 5 by amending said section and providing an additional paragraph. A copy of this seventh amendment is attached hereto as Exhibit "11".

In conclusion, the above original declaration and seven amendments are what can be collectively referred to as the Vista View Estates Covenants as recorded in White County, Georgia. As of the date of this letter, the clerk of court of White County, Georgia, had a good through date of August 20th, 2020. Therefore, the examination of the real estate records in said clerk's office is valid through August 20th, 2020.

Please let us know if you have any questions or if our office can be of any assistance.

Sincerely,

Chad Knott

Chadwick S. Knott
Attorney at law

Enclosures: Exhibits "1" through "11"

706.219.3227 | www.chadknott.com
670 East Kyle Street | Cleveland, Georgia 30528