

RETURN RECORDED INSTRUMENT TO:
Steven M. Winter, Esq.
WEINSTOCK & SCAVO, P.C.
3405 Piedmont Road, NE
Suite 300
Atlanta, Georgia 30305

Cross Reference: Deed Book 34370
Page 240

STATE OF GEORGIA

COUNTY OF FULTON

ASSIGNMENT OF DECLARANT RIGHTS

THIS ASSIGNMENT OF DECLARANT RIGHTS (hereinafter "Assignment") is made and entered into as of the 27 day of July, 2005 by and between Cypress Development and Realty of Georgia, Inc., a Georgia corporation (hereinafter "Assignor") and Carlton Pointe, LLC, a Georgia limited liability company (hereinafter "Assignee").

WITNESSETH:

WHEREAS, on or about March 6, 2003, Assignor caused that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for Carlton Pointe Estates to be recorded at Deed Book 34370, Page 240, Fulton County Georgia records (hereinafter referred to as the "Declaration"), subjecting certain land lying and being in Land Lots 36 and 37 of the 7th District of Fulton County, Georgia, to said Declaration; and

WHEREAS, the Assignor is the Declarant as referenced in said Declaration; and

WHEREAS, as Declarant, the Assignor desires to transfer any and all rights as might be reserved to the Declarant within the Declaration to Assignee and the Assignee desires to accept the transfer thereof; and

NOW THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and the agreement of the Assignee hereinafter set forth, the Assignor hereby assigns and transfers to the Assignee all of its special rights as the Declarant as set forth in the Declaration. Assignee hereby agrees to and does accept this Assignment of Declarant Rights.

Executed the day and year first above written.

Signed, sealed and delivered in the presence of

[Signature]
Witness

Judith B. J. J. J.
Notary Public
My Commission Expires: 8-14-06

ASSIGNOR:

CYPRESS DEVELOPMENT AND REALTY OF GEORGIA, INC.,
a Georgia limited liability company

By: [Signature]
Print Name: Matthew C. Willey
Print Title: Vice President

[CORPORATE SEAL]

Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature]
Notary Public
My Commission Expires: _____
MY COMMISSION EXPIRES
AUGUST 25, 2007

ASSIGNEE:

CARLTON POINTE, LLC
a Georgia limited liability company

By: [Signature]
Print Name: Angela Edgar
Print Title: Member Manager

Edgar, Angela/Carlton Pointe/documents/assignment

Deed Book 40565 Pg 547
Juanita Hicks
Clerk of Superior Court
Fulton County, Georgia

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