

*Rebecca J Walden*  
REBECCA WALDEN  
CLERK OF SUPERIOR COURT  
Glynn COUNTY

Real Estate Transfer Tax  
Paid : \$ 0.00  
PT-61 063-2026-000214

STATE OF GEORGIA  
COUNTY OF GLYNN

PORTIONS OF PARCEL 04-00222

**LIMITED WARRANTY DEED**  
**CONVEYING COMMON AREAS**

THIS CONVEYANCE, made and entered into on this the 21st day of January, 2026, by and between, CANOPY DEVELOPMENT SSI, LLC, a Georgia limited liability company, hereinafter referred to as "*Grantor*", THE CANOPY PROPERTY OWNER'S ASSOCIATION, INC., a Georgia non-profit corporation, hereinafter referred to as "*Grantee*" or "*Association*" and GLYNN COUNTY, a political subdivision of the State of Georgia (hereinafter referred to as "Glynn County"); (the words "*Grantor*" and "*Grantee*" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH:**

WHEREAS, the Grantor as the "*Declarant*" did execute, acknowledge and cause to be recorded simultaneously herewith in the Records of Glynn County, Georgia, that certain Declaration of Covenants, Conditions, Restrictions, and Easements for "The Canopy" Subdivision (A Conservation Subdivision Pursuant to Section 626 of the Glynn County, Georgia Ordinances), as the same has been or hereafter will be supplemented, modified and amended, being hereinafter referred to as the "*Declaration*"; and

WHEREAS, Grantor, as Declarant, and by the recording of the Declaration, is establishing The Canopy Subdivision as a Conservation Overlay Subdivision pursuant to the terms of Section 626 of the Glynn County Ordinance (herein the "Ordinance"). A copy of the Ordinance is attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, *Grantor* herein desires to convey certain property to the *Grantee* as *Common Area* as that term is defined in the *Declaration*; and

WHEREAS, the Common Areas conveyed hereunder are as shown on that final plat of The Canopy Subdivision, prepared by Jackson Surveying, Inc., certified by David E. Dowdy, Professional Land Surveyor No. 3395, dated December 29, 2025, as recorded in Plat Book 37, Page 424, in the Office of the Clerk of Superior Court of Glynn County, Georgia as **CANOPY LANE (40' right-of-way, private), CONSERVATION AREA 1, CONSERVATION AREA 2, AND CONSERVATION AREA 3**; and

WHEREAS, Canopy Lane will be an impervious surface and will only be used as a right-of-way of ingress and egress for the Subdivision; and

WHEREAS, Conservation Area 1, Conservation Area 2 and Conservation Area 3 (herein the "Conservation Areas") are being conveyed hereunder subject to the Ordinance.

**NOW, THEREFORE**, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid at or before the sealing and delivery of these presents, the receipt of which whereof is hereby acknowledged, and in compliance with the Declaration and the Ordinance, *Grantor* has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell and convey unto *Grantee*, subject to the rights of Glynn County as stated herein, the following described real property, to-wit:

**ALL THOSE TRACTS, LOTS OR PARCELS OF LAND** situate, lying and being in the 25<sup>th</sup> G.M.D., St. Simons Island, Glynn County, Georgia, being shown and delineated on that certain plat entitled "FINAL PLAT OF THE CANOPY SUBDIVISION, ST. SIMONS IALND", prepared by Jackson Surveying, Inc., certified by David E. Dowdy, Professional Land Surveyor No. 3395, dated December 29, 2025, as recorded in Plat Book 37, Page 424, in the Office of the Clerk of Superior Court of Glynn County, Georgia (herein the "Final Plat") as **CANOPY LANE (40' right-of-way, private), CONSERVATION AREA 1, CONSERVATION AREA 2, AND CONSERVATION AREA 3**.

REFERENCE is hereby made to said plat and to the record thereof for all further purposes of

description and location.

**THIS PROPERTY IS CONVEYED** subject to all of the terms, provisions, easements, covenants and restrictions set forth in the Declaration and in the Ordinance, as if fully recited herein, and as incorporated herein by this reference. Additionally, Conservation Area 1, Conservation Area 2 and Conservation Area 3 are further conveyed subject to the Ordinance.

**TO HAVE AND TO HOLD** said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining to the only proper use, benefit and behoof of *Grantee* in fee simple.

**AND THE SAID GRANTOR** will warrant and forever defend unto the said *Grantee*, as hereinabove provided, the right and title to the property hereby conveyed against the lawful claims of all persons claiming by, through or under said *Grantor* or all persons whomsoever, and said *Grantor* will warrant and forever defend the same by virtue of these presents.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the said Grantor and Grantee have signed, sealed and delivered these presents on this the day and year first above written.

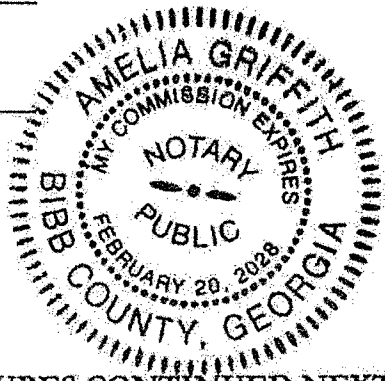
CANOPY DEVELOPMENT SSI, LLC

By: [Signature] (SEAL)  
Name: Michael T. ...  
Title: President

Signed, sealed and delivered in the presence of:

[Signature]  
Unofficial Witness

[Signature]  
Notary Public



[SIGNATURES CONTINUED NEXT PAGE]

IN WITNESS WHEREOF, the said Grantor and Grantee have signed, sealed and delivered these presents on this the day and year first above written.

**ACCEPTED BY:**

**THE CANOPY PROPERTY OWNER'S ASSOCIATION, INC.**

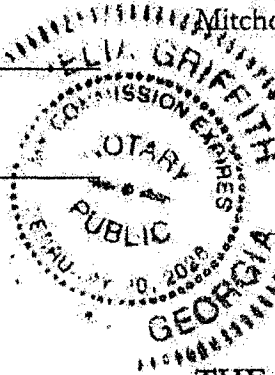
Signed, sealed and delivered in the presence of:

BY: [Signature] (SEAL)

Mitchell Turner, President

[Signature: Jonathan Yates]  
Unofficial Witness

[Signature]  
Notary Public



**THE CANOPY PROPERTY OWNER'S ASSOCIATION, INC.**

Signed, sealed and delivered in the presence of:

ATTEST: [Signature] (SEAL)  
Sonny Livingston, Secretary

*See counter part page - next*

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

\_\_\_\_\_  
Notary Public

**[END OF SIGNATURES]**

IN WITNESS WHEREOF, the said Grantor and Grantee have signed, sealed and delivered these presents on this the day and year first above written.

**ACCEPTED BY:**

**THE CANOPY PROPERTY  
OWNER'S ASSOCIATION, INC.**

Signed, sealed and delivered  
in the presence of:

**BY:** \_\_\_\_\_ (SEAL)  
Mitchell Turner, President

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

\_\_\_\_\_  
Notary Public

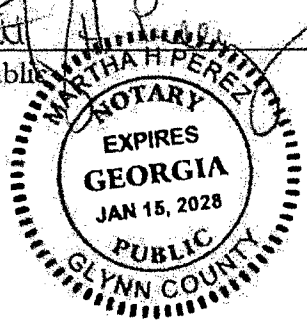
**THE CANOPY PROPERTY  
OWNER'S ASSOCIATION, INC.**

Signed, sealed and delivered  
in the presence of:

**ATTEST:** \_\_\_\_\_ (SEAL)  
Sonny Livingston, Secretary

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

\_\_\_\_\_  
Notary Public



**[END OF SIGNATURES]**

**EXHIBIT "A"**

**(Section 626 of the Glynn County Zoning Ordinance)**

**[See attached]**

## Section 626. Conservation Subdivision Overlay District.

**626.1 Title; Purpose and Intent; Description of Conservation Area.** This ordinance shall be known as "The Conservation Subdivision Overlay District Ordinance". The purpose and intent of this ordinance is to provide developers and land owners flexibility in ensuring preservation of conservation areas without compromising the economic value of the development, as well as to minimize the total amount of disturbance on the site. A Conservation Subdivision preserves conservation areas while maintaining the prorated density of residential units for the overall site area. Neutral density is achieved by allowing smaller, individual-owned residential lots in neighborhoods that include or are adjacent to aesthetically and ecologically important areas. The goal of the design process is to identify and set aside conservation areas prior to delineation and design of transportation, utilities, and residential improvements.

Conservation areas include natural areas protected by law, such as wetlands that meet the definition of the Clean Water Act; shore land areas; water bodies; riparian buffers; populations of endangered or threatened species, or habitat for such species; archaeological sites, cemeteries, and burial grounds; important historic sites; existing healthy, native forests consisting of at least one acre of contiguous area; individual existing healthy trees; other significant natural features and scenic viewsheds; existing trails or corridors that connect the tract to neighboring areas; greenspace; and undeveloped common areas.

The intent of the Conservation Subdivision Overlay District Ordinance is to:

- 1) Preserve in perpetuity areas of land for ecological and recreational purposes;
- 2) Encourage more efficient development of land consistent with public health, safety, and general welfare;
- 3) Afford greater flexibility of design and placement of buildings and structures;
- 4) Preserve and protect exceptional terrain, natural beauty, and sites of historic interest from inconsequential placement of homes, roadways, utilities, and appurtenances;
- 5) Preserve shore land areas; water bodies; and riparian buffers;
- 6) Prevent flooding, erosion, and water pollution, and protect the quality and quantity of drinking water;
- 7) Reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for the development;
- 8) Preserve wetlands, aquifers, topographical, or soil features, marine and wildlife habitat; and other features having conservation values, including views, vistas, and indigenous vegetation; and
- 9) Promote a less sprawling form of development (within the site of development).

**626.2 Designation of Overlay District.** There is hereby created the Conservation Subdivision Overlay District, the boundaries of which shall include all of St. Simons Island but shall not include Sea Island or Little St. Simons Island. The Conservation Subdivision Overlay District applies to all properties located within the boundaries of St. Simons Island.

**626.3 Applicability.** In order to achieve the purposes described in Section 626.1, a Conservation Subdivision is available as a use by right in residential zoning districts and Planned Development Zoning Districts in the Overlay District. Applicants utilizing the Conservation Subdivision shall comply with all other provisions of the Glynn County Zoning Ordinance, the Glynn County Subdivision Regulations, and all other applicable laws, ordinances, and regulations, except those that are incompatible with the provisions contained in this Section. Use of a Conservation Subdivision is entirely voluntary.

Subdivisions with no infrastructure improvements are ineligible to be developed as a Conservation Subdivision.

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#### 626.4 Use Regulations.

- (a) *Conservation Subdivisions may be used for the following purposes:*
  - 1) Single-family detached dwellings;
  - 2) Conservation areas as specified herein; and
  - 3) Public park or recreation areas owned and operated by a governmental entity or a public or private non-profit agency.
- (b) *Uses of conservation areas may include the following:*
  - 1) Conservation of natural, archeological, or historical resources;
  - 2) Meadows, woodlands, wetlands, wildlife corridors, or similar conservation-oriented areas;
  - 3) Walking or bicycle trails, provided they are constructed of permeable materials;
  - 4) Passive recreation areas, such as open fields;
  - 5) Community gardens;
  - 6) Landscaped stormwater management facilities; and
  - 7) Other conservation-oriented uses compatible with the purposes of this ordinance.
- (c) *Uses of conservation areas shall not include the following:*
  - 1) Roads, parking lots, and impervious surfaces, except as specifically authorized in this ordinance;
  - 2) Agricultural and forestry activities other than personal or community gardens;
  - 3) Golf courses; and
  - 4) Other activities prohibited pursuant to a recorded legal instrument providing for permanent protection of the conservation area.

#### 626.5 Density and Determination of Allowed Lots.

- (a) The number of lots allowed shall be density neutral. "Density neutral" means that the number of lots in a Conservation Subdivision will not exceed the maximum number of lots that can be reasonably created within a conventional subdivision on the same tract or parcel of land. The maximum number of possible lots shall be based upon the underlying zoning district of the property.
- (b) The number of lots shall be determined by creation of a design plan for a conventional subdivision by the applicant. The plan shall be designed in a manner intended to yield the highest number of lots possible in conformance with the underlying zoning district requirements. It is not necessary for the conventional design plan to meet the formal requirements for a preliminary plat, but must be capable of being constructed given the site features and all applicable regulations. The conventional design plan is required to be reviewed by Glynn County staff prior to submittal of a Conservation Subdivision preliminary plat application to verify that the conventional plan is a viable representation of the development potential as a conventional design.
- (c) For property zoned Planned Development but with an overall density cap, the density shall be the mid-point of the density shown on the latest adopted Future Land Use Map.
- (d) The total amount of site coverage for developed lots and roadways shall not exceed 50 percent of the gross area of the tract, including the conservation area.

#### 626.6 Lot Size and Setbacks and Sidewalks.

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(a) Unless otherwise specified in this ordinance, lots in a Conservation Subdivision shall conform to the following conditions:

1) *Lots of 4,000 square feet:*

- i) Minimum Lot Area: 4,000 square feet
- ii) Minimum Lot Width: 50 feet
- iii) Minimum Front Yard: 15 feet
- iv) Minimum Side Yard: Five feet
- v) Minimum Rear Yard: Seven feet
- vi) Maximum Building Height: See underlying zoning district requirement

2) *Lots of 6,000 square feet:*

- i) Minimum Lot Area: 6,000 square feet
- ii) Minimum Lot Width: 60 feet
- iii) Minimum Front Yard: 15 feet  
For exceptions to the front yard requirement, see Section 606.
- iv) Minimum Side Yard: Seven feet  
For side yard requirements for corner lots, see Section 604.
- v) Minimum Rear Yard: Ten feet
- vi) Maximum Building Height: See underlying zoning district requirement

3) *Lots of 9,000 square feet:*

- i) Minimum Lot Area: 9,000 square feet
- ii) Minimum Lot Width: 70 feet
- iii) Minimum Front Yard: 20 feet  
For exceptions to the front yard requirement, see Section 606.
- iv) Minimum Side Yard: Seven feet  
For side yard requirements for corner lots, see Section 604.
- v) Minimum Rear Yard: Ten feet
- vi) Maximum Building Height: See underlying zoning district requirement.

4) *Lots of 12,000 square feet:*

- i) Minimum Lot Area: 12,000 square feet
- ii) Minimum Lot Width: 90 feet
- iii) Minimum Front Yard: 20 feet  
For exceptions to the front yard requirement, see Section 606.
- iv) Minimum Side Yard: Seven feet  
For side yard requirements for corner lots, see Section 604.
- v) Minimum Rear Yard: Seven feet
- vi) Maximum Building Height: See underlying zoning district requirement

- (b) Sidewalks shall be provided on all portions of lots adjacent to an existing or proposed street. Installation shall be completed prior to the issuance of a Certificate of Occupancy for the residence being constructed on the lot.

**626.7 Ownership, Preservation, and Maintenance of Conservation Areas.**

- (a) Conservation areas shall be preserved and maintained solely for the purposes specified in section 626.1. Such preservation and maintenance shall be accomplished by one of the following methods:
- 1) Establishment of a homeowner's association (HOA) to own and maintain the conservation areas in common in accordance with the following provisions:
    - a. Developers will create and submit documentation detailing the minimum requirements and structure for the HOA with their application for a Conservation Subdivision;
    - b. The HOA shall maintain, pay taxes on, and own the conservation areas;
    - c. The HOA will execute a legally enforceable permanent conservation easement as described in section 626.7(b);
    - d. The HOA shall develop a long-term conservation plan for maintenance of common areas.
  - 2) Dedication of legally described and platted conservation areas to Glynn County at the complete discretion of, and approval by, the Glynn County Board of Commissioners.
  - 3) Dedication of legally described and platted conservation areas to a land trust or similar conservation-oriented non-profit, organization.
- (b) Conservation areas shall be protected in perpetuity by a binding legal instrument which shall be a permanent conservation easement, in a form approved by Glynn County, in favor of either:
- 1) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for re-transfer in the event the organization becomes unable to carry out its functions; or
  - 2) A governmental entity. All legal instruments used to permanently protect conservation areas within the Conservation Subdivision shall be executed by the owner and approved by the County Attorney prior to approval of the final plat. Upon approval of the final plat and the legal instruments for permanent protection of the conservation areas, Glynn County will record said documents with the Clerk of the Superior Court. All fees associated with recordation of plats and legal instruments will be furnished by the owner of the Conservation Subdivision or their agent.

**626.8 Buffers, Common Areas, Conservation Areas, and Amenities.**

- (a) At a minimum, a Type "A" buffer, as described in Section 613.2, shall be required along the exterior property line of the subdivision where the exterior property line abuts any street. This provision shall not be construed to require a buffer along any interior street in the subdivision. Said buffer shall be natural undisturbed native vegetation and the following standards shall apply:
- 1) The buffer shall be incorporated into one or more remnant parcels apart from buildable lots.
  - 2) The buffer shall remain in its natural state, without encroachment or alterations, except as provided herein.
- (b) The common areas and open spaces for recreation shall have direct access via frontage on a right-of-way or easement.
- (c) Maintenance of buffers, common areas, and open spaces intended for conservation shall be limited to the removal of litter, dead tree materials, and dead and invasive plant materials. Maintenance of

common areas and open spaces preserved for archaeology shall be limited to the removal of litter, dead tree materials, and dead and invasive plant materials, until professional excavations commence.

- (d) The CSOD shall incorporate trees into community open space, street right-of-way and other landscaping areas. All existing trees should be preserved to the greatest extent practical.
- (e) Clearing and grading of native vegetation on the development site shall be limited to the minimum amount needed to build lots, to provide for streets and to provide clearance for public safety equipment. Streets, utilities and drainage easements generally perpendicular to the buffer shall be permitted.
- (f) No wetland may be filled in, relocated, or otherwise changed or modified without first obtaining the express, written approval of the appropriate federal, state, and local governmental agency. However, the Planning Commission shall retain the discretion to approve or deny the filling, relocating, or modification of a wetland, despite approval from such governmental agency, when such proposed action is included in an application for a Conservation Subdivision.

626.9 *Design Process.* Developers shall utilize a four-step process in developing a preliminary plat for a Conservation Subdivision as follows:

- 1) *Step 1 - Delineation of Conservation Areas.* Conservation Areas shall be designated and used as the base map for the development.
- 2) *Step 2 - Location of home sites.* Potential home sites shall be tentatively located using the proposed conservation areas as a base map. Home sites shall conform to all setback and buffer requirements.
- 3) *Alignment of Streets and Sidewalks.* Upon designating home sites, a street and sidewalk plan shall be designed to provide vehicular and pedestrian access to each home. Streets and roads shall comply with the standards of the Glynn County Zoning Ordinance and the Glynn County Subdivision Regulations.
- 4) *Drawing in the Lot Lines.* Upon completion of the proceeding steps, lot lines are drawn as required to delineate the boundaries of individual lots. Lot lines are drawn as the last step.

626.10 *Application Procedure and Approval Process.*

- (a) Submission and approval of a Conservation Subdivision shall follow the process and procedures set out in Article VII of the Glynn County Subdivision Regulations, as amended, with the following additional information required:
  - 1) Conventional subdivision design plan;
  - 2) Site analysis including an inventory and mapping of existing resources, including at least the following mapped at a scale of no less than one inch to 100 feet (1"=100'):
    - a. Topographic contours at two-foot intervals (LIDAR is acceptable);
    - b. Conservation areas, hydrologic characteristics, including surface water bodies, groundwater recharge areas, wetlands, natural swales and drainage ways;
    - c. Land cover on the site, according to general cover type (open areas, woodland, etc.), and any stand-alone trees 12 inches in diameter or larger;
    - d. Known critical habitat areas for rare, threatened or endangered species;
    - e. Unique geological resources;
    - f. Cultural resources with a brief description of historic character of the site, buildings and structures, historically important landscapes, and archeological features and resources;

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- g. Open space and common areas, indicating which areas are to remain undeveloped and pedestrian pathway locations; and
  - h. Boundaries of areas to be developed, proposed street and lot layout, and preliminary development envelopes.
- 3) Proposed methods for ownership, protection, and maintenance of all conservation areas, buffers, common area, open space, and amenities.
- (b) Approval of the preliminary plat shall bind all land depicted on the plat to the requirements and conditions of the Conservation Subdivision Overlay District. Should the developer or land owner subsequently sell or otherwise transfer their interest in the property, all heirs and assigns shall be bound to the approved concept/preliminary plan, unless amended by and/or approved by the Island Planning Commission.

(O-2015-10)