

**Sixth Amendment to Declaration of Condominium  
of  
Southlake Park, A Condominium**

This Amendment to Declaration of Condominium made this 20<sup>th</sup> day of April, 2012, by Southlake Park Partners, LLC, successor in interest to Providence Park Partners II, LLC, an Alabama Limited Liability Company ("Developer"), for itself and its respective successors, grantees and assigns, pursuant to the provisions of the Alabama Uniform Condominium Act of 1991, Code of Alabama 1975, 35-8A-101 et seq. (the "Act") for the purpose of expanding, Southlake Park, a Condominium located in the City of Hoover, Shelby County, Alabama.

**WITNESSETH:**

Whereas the Developer previously executed the Declaration of Condominium (the "Declaration") which is recorded as Instrument 20080731000309270 et seq., on July 31, 2008, and providing for the submission of certain land owned by Developer and described in Exhibit "A" and Exhibit "C" to said Declaration, together with the improvements included thereon to the provisions of the Alabama Uniform Condominium Act of 1991 Code of Alabama 1975 35-8A-101, et seq., and thereby establishing the Condominium known as Southlake Park, a Commercial Office Condominium (the "Condominium"); and

Whereas the Developer executed and filed for record a First Amendment to Declaration of Condominium of Southlake Park which is recorded as Instrument 20081211000463630 on December 11, 2008, which expands the Condominium to include additional property as more specifically described therein; and depicted on the Amended Plat of Southlake Park, Phase I and recorded in Map Book 40, Page 118; and

Whereas the Developer executed and filed for record a Second Amendment to the

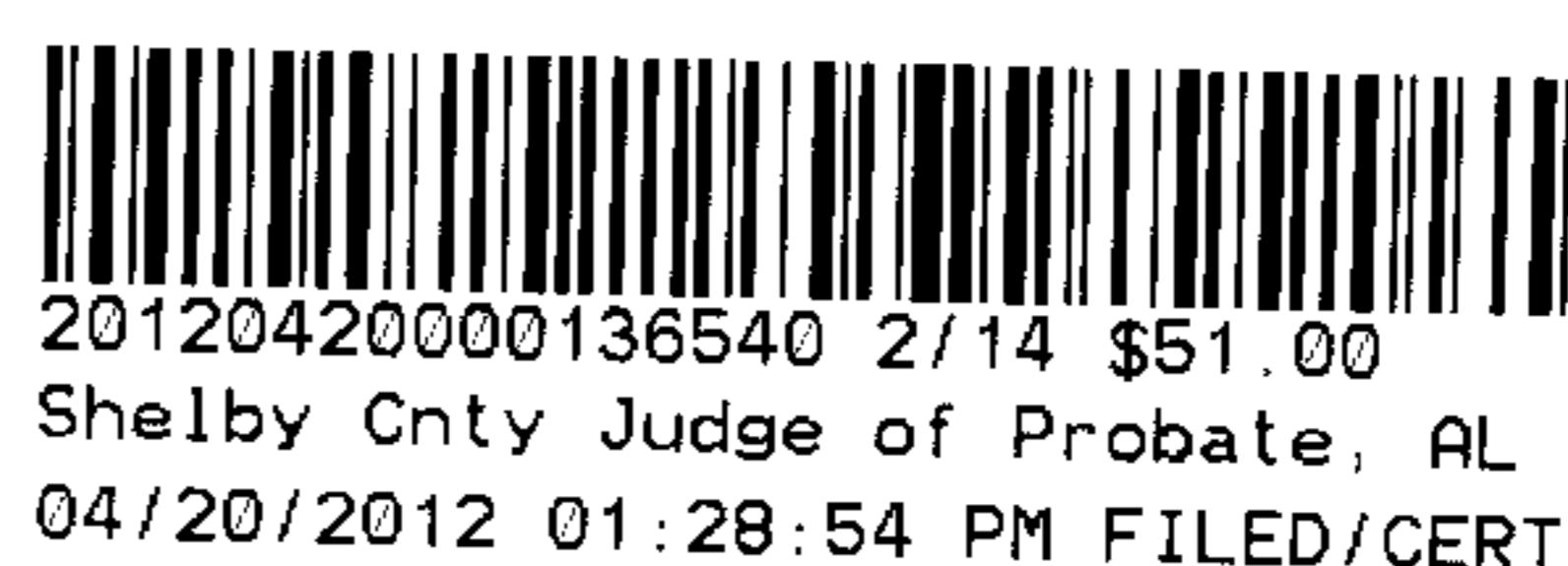
Declaration of Condominium of Southlake Park, which is recorded as Instrument 20090928000368020 on September 28, 2009, which modified the internal boundaries of Units 100 and 150 of Building 2000 and accordingly reallocated the interest of these two Units, all of which is more particularly described in this Second Amendment and the Supplemental Plat, Recorded in Map Book 41 Page 73 in the Probate Office of Shelby County, Alabama, and

Whereas the Developer executed and filed for record a Third Amendment to Declaration of Condominium of Southlake Park, which is recorded as Instrument 2009103000406130 on October 30, 2009, which expands the Condominium to include additional property as more specifically described therein; and depicted on the Map of Southlake Park, Phase II and recorded in Map Book 41, Page 79, in the Office of the Judge of Probate of Shelby County, Alabama, and

Whereas the Developer executed and filed for record a Fourth Amendment to the Declaration of Condominium of Southlake Park, which is recorded as Instrument 20101119000389370 on November 19, 2010, which expands the Condominium to include additional property as more specifically described therein and depicted on the Map of Southlake Park, Phase II, and recorded in Map Book 42, Page 31, in the Office of the Judge of Probate of Shelby County, Alabama, and

Whereas, the Developer executed and filed for a record a Fifth Amendment to the Declaration of Condominium of Southlake Park, which is recorded as Instrument 2011091900027600, on September 19, 2011, which expands The Condominium to include additional property as more specifically described therein and depicted on the Map of Southlake Park Phase III and recorded in Map Book 42, Page 105 A, in the Office of Judge of Probate of Shelby County, Alabama, and

Whereas the Developer, as provided in Article II of the Original Declaration of Condominium has reserved the sole and exclusive right to expand the Condominium from time to

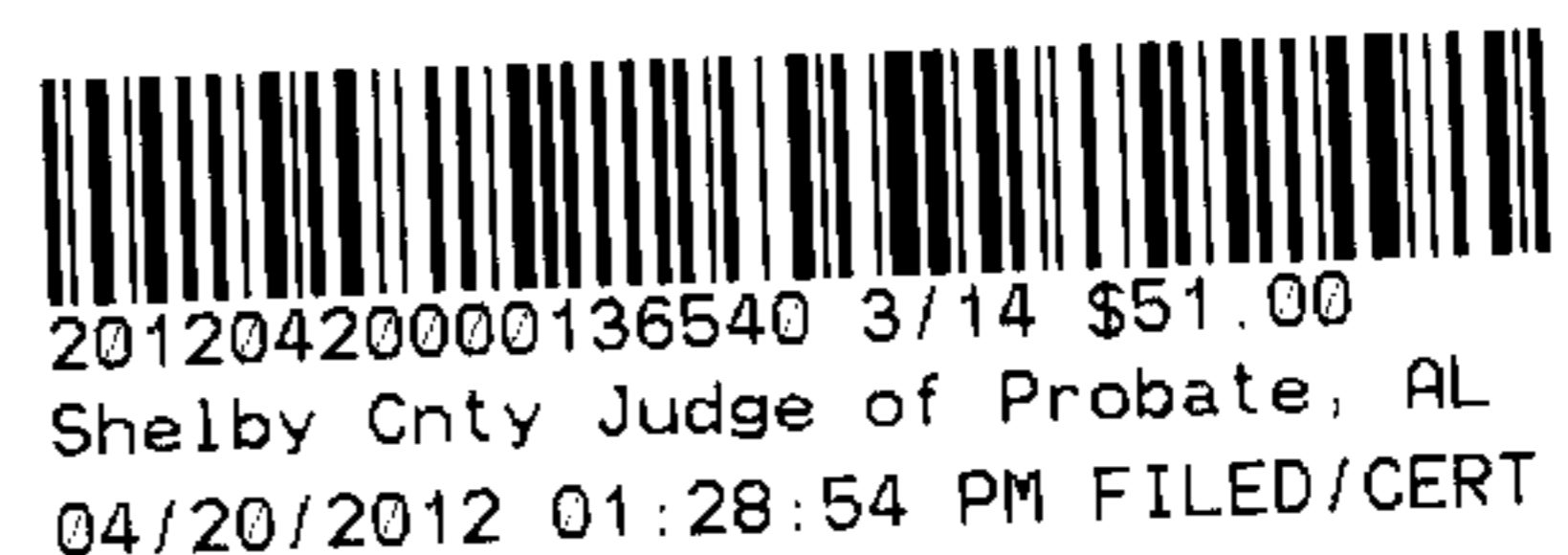


time by adding thereto all or any portion of the real property that Developer owns adjacent to the property described in Exhibit "A" to the Declaration of Condominium (the subsequent Phased Land), and

Whereas the Developer is the owner in fee of certain real property adjacent to that certain real property, submitted to Southlake Park, as depicted in Exhibit "C" to the Declaration of Condominium of Southlake Park as described in Exhibit "A" to said Declaration of Condominium, and

Whereas the Developer has improved the real property adjacent to previous Phases I, II and III and their Amendments by constructing thereon one (1) office Condominium Building containing four (4) office Condominium Units in the one (1) building, as well as construction of other improvements, e.g. common elements, limited common elements, if any; of the property adjacent to the previous Phases of property, which improvements have been fully and accurately depicted as to layout, location, units, number, dimensions, identifying the common elements, limited common elements, if any, private elements, as built by survey and plans identified on the Survey Map of Southlake Park Phase IV and as described above, consisting of two pages and having a certificate that said Map of Southlake Park Phase IV is filed in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 42 Page 143 A & B and which is being filed prior to this Amendment and in addition to the site plan and floor plans, paving, driveways, parking areas, walkways, curbs and gutters, cross sections of the Buildings and the location, elevations, areas and dimensions of the Units with reference to established geographical points and which is made a part thereof as if set out in full, and

Whereas the Developer has reallocated the undivided interest in the common elements and limited common elements, if any, as contemplated by Declaration and is attached hereto as Exhibit "D" and made a part hereof, and



Now therefore, the undersigned Developer, Southlake Park Partners, LLC, hereby adopt, make, request, consent and agree to this Amendment to the said Declaration:

(1) The Declaration is hereby Amended by submitting to the Phase IV property as further described in this Sixth Amendment to the Declaration of Condominium of Southlake Park additional property and improvements i.e. Office Building #1000 with four (4) Condominium Units, together with associated improvements constructed on the additional property and all easements, rights, interest appurtenant thereto to the Condominium form of ownership and to all terms, conditions, Restrictions and Limitations under the Declaration and as otherwise provided for under the Act.

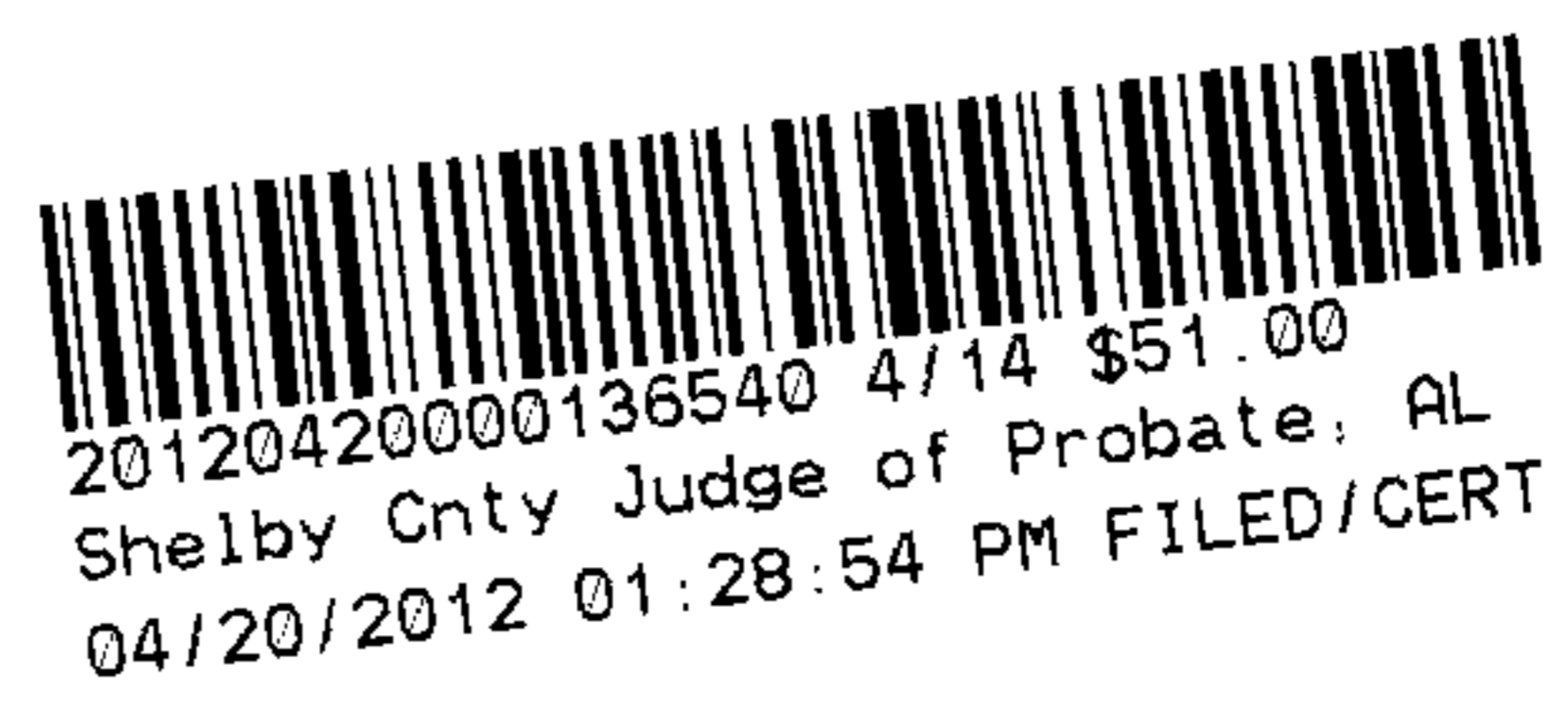
(2) The Declaration is further amended by adding the following Exhibits, which are incorporated herein for all purposes:

A. Exhibit "A-1" Legal Description of the Phase IV properties, Unit Descriptions and Graphic Floor Plans.

B. Exhibit "D" reallocation of interest, including Phase I, Phase II and Phase III properties and all Condominium Units incorporated therein, as well as the newly incorporated properties within Phase IV.

C. Exhibit "C" Geographic Descriptions of Phase IV property.

**In Witness Whereof**, the said Developer, Southlake Park Properties, LLC, has caused this Amendment to Declaration of Condominium to be executed as of the day and year first written above.



**Southlake Park Properties, LLC**  
**An Alabama Limited Liability Company**  
Byrom Building Corp., an Alabama Corporation


By: Marty Byrom  
Marty Byrom, its President  
Its Member

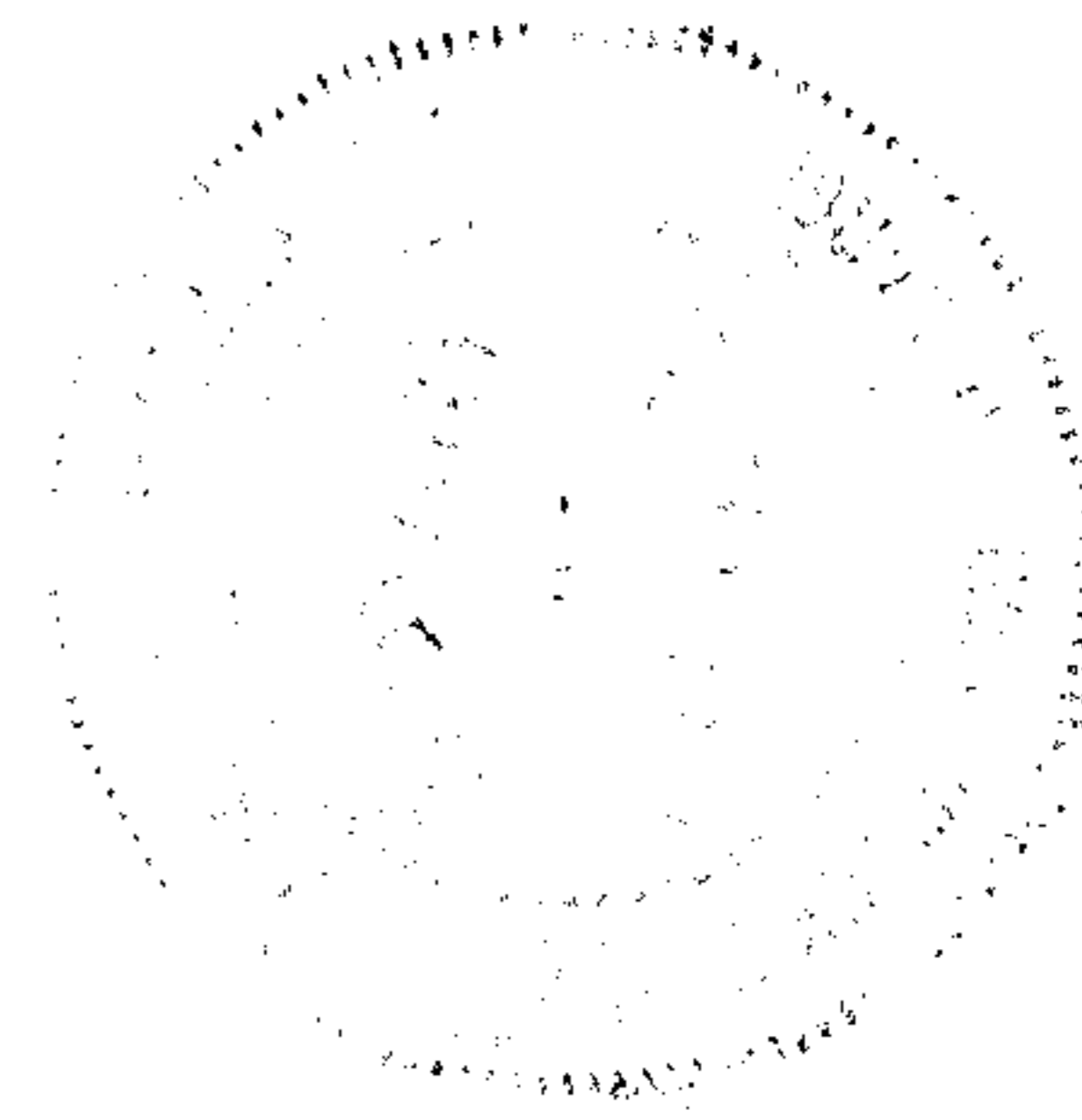
State of Alabama     )  
Jefferson County    )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Marty Byrom, whose name as President of Byrom Building Corp., an Alabama Corporation, is signed to the foregoing Sixth Amendment Declaration of Condominium, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Declaration of Condominium, he, as such Officer and will full authority, executed the same voluntarily on the date the same bears date.

Given under my hand and official seal this the 20<sup>th</sup> day of April, 2012.

Dana C. Williams  
Notary Public  
My Commission Expires: 3/1/16

  
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Shelby Cnty Judge of Probate, AL  
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# SOUTHLAKE PARK PHASE IV

## DESCRIPTIONS

(02/12/12) REVISED 4/19/12

### PHASE IV

A Parcel of land containing 216,011.35 Square Feet, being 4.96 Acres, located in the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 19 South, Range 2 West, City of Hoover, Shelby County, Alabama, to be known as SOUTHLAKE PARK, PHASE IV, being more particularly described as follows:

Commence at the Southeast Corner of the Southwest Quarter of the Southeast Quarter of Section 20, Township 19 South, Range 2 West, City of Hoover, Shelby County, Alabama; thence run Westerly along the Quarter-Quarter line a distance of 313.40 feet; thence continue Westerly along the Quarter-Quarter line a distance of 997.12 feet along the Northerly line of Narz Estates as recorded in Map Book 8, Page 155 and Wildwood Park as recorded in Map Book 5, Page 78, both in the Probate Office of Shelby County, Alabama; thence right  $71^{\circ}59'35''$  Northwesterly a distance of 244.95 feet to the Southeasterly Right-of-Way line of Valleydale Road (Shelby County Road No. 17) being the POINT OF BEGINNING; thence right  $69^{\circ}31'48''$  to the chord of a curve to the left, concave Northwesterly with a radius of 6287.09 feet and a central angle of  $00^{\circ}42'52''$ ; thence run Northeasterly, then North-Northeasterly 78.40 feet along the arc of said curve, also being the Southeasterly Right-of-Way line of Valleydale Road to; thence continue North-Northeasterly 118.25 feet along the arc of said curve, also being the Southeasterly Right-of-Way line of Valleydale Road; thence left  $23^{\circ}40'19''$  from the chord of the aforesaid curve extended, Northeasterly 199.45 feet along the Southeasterly Right-of-Way line of Valleydale Road; thence an interior angle left, counter-clockwise,  $158^{\circ}05'40''$  (being a deflection angle of right  $21^{\circ}54'20''$ ) and continue Northeasterly 241.66 feet along the Southeasterly Right-of-Way line of Valleydale Road; thence right  $88^{\circ}05'53''$  Southeasterly 458.29 feet; thence right  $93^{\circ}59'03''$  Southwesterly 81.93 feet; thence right  $89^{\circ}55'00''$  Northwesterly 54.89 feet; thence left  $90^{\circ}00'00''$  Southwesterly 65.39 feet; thence right  $89^{\circ}46'10''$  Northwesterly 95.38 feet; thence with an interior angle right, clockwise of  $90^{\circ}18'50''$  Southwesterly 79.66 feet; thence with an interior angle right, clockwise of  $90^{\circ}00'00''$  Southeasterly 74.00 feet; thence with an interior angle right, clockwise of  $90^{\circ}00'00''$  Northeasterly 57.04 feet; thence right  $90^{\circ}00'00''$  Southeasterly 76.18 feet; thence right  $90^{\circ}00'00''$  Southwesterly 182.14 feet; thence right  $90^{\circ}00'00''$  Northwesterly 150.00 feet; thence left  $90^{\circ}00'00''$  Southwesterly 221.47 feet; thence continue Southwesterly along the same course 161.74 feet; thence with an interior angle to the left, counter-clockwise, Northerly of  $68^{\circ}56'59''$  Northerly 233.00 feet to the POINT OF BEGINNING.



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**BUILDING 1000, UNIT 100, SOUTHLAKE PARK, PHASE IV**


A Condominium Building Unit with a finished floor elevation of approximately 499.00 feet (NAVD 1988) located in the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 19 South, Range 2 West, City of Hoover, Shelby County, Alabama, to be known as BUILDING 1000, UNIT 100, SOUTHLAKE PARK, PHASE IV, being more particularly described as follows:

Commence at the Southeast Corner of the Southwest Quarter of the Southeast Quarter of Section 20, Township 19 South, Range 2 West, City of Hoover, Shelby County, Alabama; thence run Westerly along the Quarter-Quarter line a distance of 313.40 feet; thence continue Westerly along the Quarter-Quarter line a distance of 997.12 feet along the Northerly line of Narz Estates as recorded in Map Book 8, Page 155 and Wildwood Park as recorded in Map Book 5, Page 78, both in the Probate Office of Shelby County, Alabama; thence right  $71^{\circ}59'35''$  Northwesterly a distance of 11.95 feet; thence right  $68^{\circ}56'59''$  Northeasterly 161.74; thence left  $90^{\circ}00'00''$  Northwesterly 74.63; thence left  $90^{\circ}00'00''$  Southwesterly 10.00 feet to the POINT OF BEGINNING; thence continue Southwesterly along the same course a distance of 40.10 feet; thence right  $90^{\circ}00'00''$  Northwesterly 52.2 feet; thence right  $90^{\circ}00'00''$  Northeasterly 40.10 feet; thence right  $90^{\circ}00'00''$  Southeasterly 52.20 feet to the POINT OF BEGINNING.

**BUILDING 1000, UNIT 150, SOUTHLAKE PARK, PHASE IV**

A Condominium Building Unit with a finished floor elevation of approximately 499.00 feet (NAVD 1988) located in the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 19 South, Range 2 West, City of Hoover, Shelby County, Alabama, to be known as BUILDING 1000, UNIT 150, SOUTHLAKE PARK, PHASE IV, being more particularly described as follows:

Commence at the Southeast Corner of the Southwest Quarter of the Southeast Quarter of Section 20, Township 19 South, Range 2 West, City of Hoover, Shelby County, Alabama; thence run Westerly along the Quarter-Quarter line a distance of 313.40 feet; thence continue Westerly along the Quarter-Quarter line a distance of 997.12 feet along the Northerly line of Narz Estates as recorded in Map Book 8, Page 155 and Wildwood Park as recorded in Map Book 5, Page 78, both in the Probate Office of Shelby County, Alabama; thence right  $71^{\circ}59'35''$  Northwesterly a distance of 11.95 feet; thence right  $68^{\circ}56'59''$  Northeasterly 161.74; thence left  $90^{\circ}00'00''$  Northwesterly 74.63; thence left  $90^{\circ}00'00''$  Southwesterly 50.10 feet to the POINT OF BEGINNING; thence continue Southwesterly along the same course a distance of 40.10 feet; thence right  $90^{\circ}00'00''$  Northwesterly 52.2 feet; thence right  $90^{\circ}00'00''$  Northeasterly 40.10 feet; thence right  $90^{\circ}00'00''$  Southeasterly 52.20 feet to the POINT OF BEGINNING.

  
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**BUILDING 1000, UNIT 200, SOUTHLAKE PARK, PHASE IV**

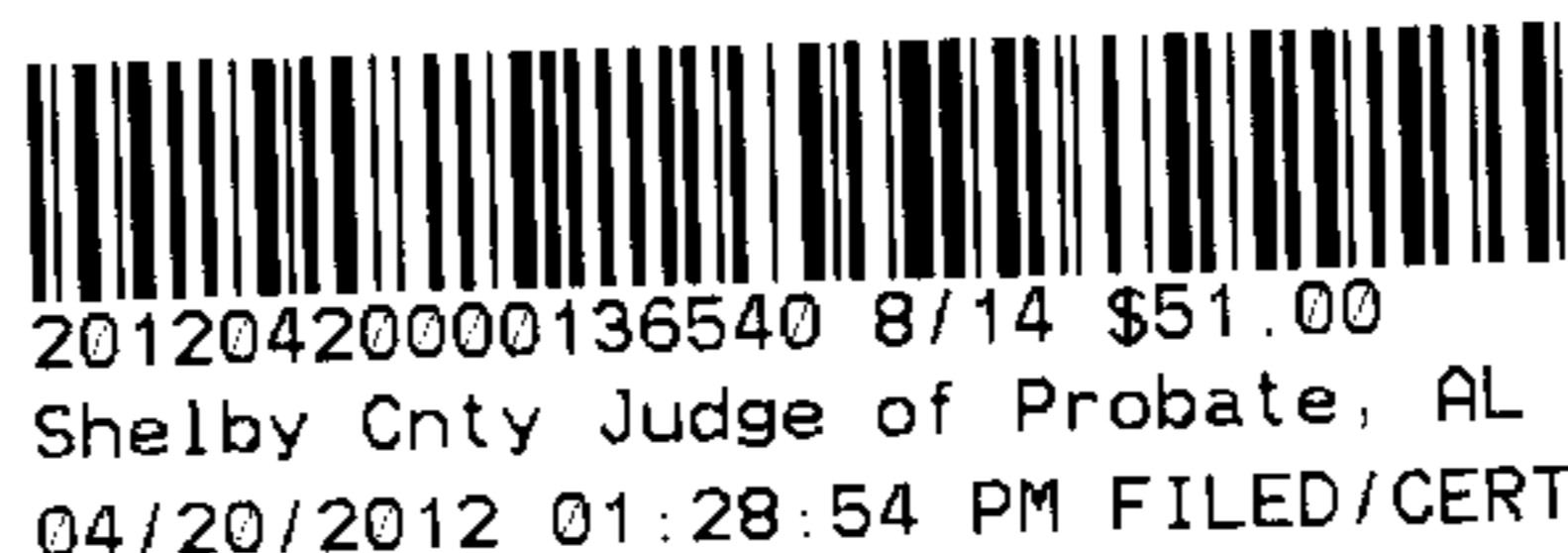
A Condominium Building Unit with a finished floor elevation of approximately 510.81 feet (NAVD 1988) located in the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 19 South, Range 2 West, City of Hoover, Shelby County, Alabama, to be known as BUILDING 1000, UNIT 200, SOUTHLAKE PARK, PHASE IV, being more particularly described as follows:

Commence at the Southeast Corner of the Southwest Quarter of the Southeast Quarter of Section 20, Township 19 South, Range 2 West, City of Hoover, Shelby County, Alabama; thence run Westerly along the Quarter-Quarter line a distance of 313.40 feet; thence continue Westerly along the Quarter-Quarter line a distance of 997.12 feet along the Northerly line of Narz Estates as recorded in Map Book 8, Page 155 and Wildwood Park as recorded in Map Book 5, Page 78, both in the Probate Office of Shelby County, Alabama; thence right 71°59'35" Northwesterly a distance of 11.95 feet; thence right 68°56'59" Northeasterly 161.74; thence left 90°00'00" Northwesterly 74.63; thence left 90°00'00" Southwesterly 50.10 feet to the POINT OF BEGINNING; thence continue Southwesterly along the same course a distance of 40.10 feet; thence right 90°00'00" Northwesterly 52.2 feet; thence right 90°00'00" Northeasterly 40.10 feet; thence right 90°00'00" Southeasterly 52.20 feet to the POINT OF BEGINNING.

**BUILDING 1000, UNIT 250, SOUTHLAKE PARK, PHASE IV**

A Condominium Building Unit with a finished floor elevation of approximately 510.81 feet (NAVD 1988) located in the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 20, Township 19 South, Range 2 West, City of Hoover, Shelby County, Alabama, to be known as BUILDING 1000, UNIT 250, SOUTHLAKE PARK, PHASE IV, being more particularly described as follows:

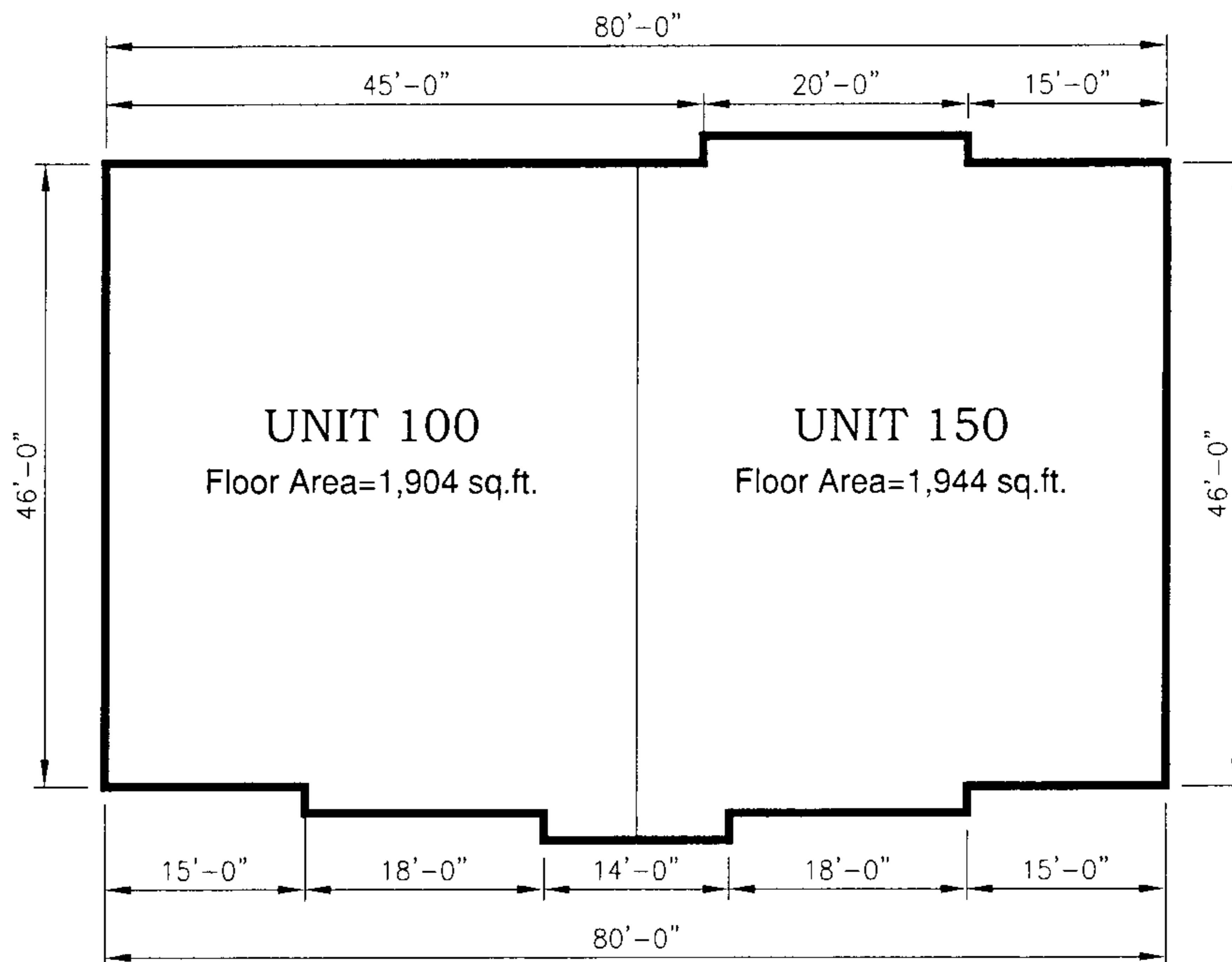
Commence at the Southeast Corner of the Southwest Quarter of the Southeast Quarter of Section 20, Township 19 South, Range 2 West, City of Hoover, Shelby County, Alabama; thence run Westerly along the Quarter-Quarter line a distance of 313.40 feet; thence continue Westerly along the Quarter-Quarter line a distance of 997.12 feet along the Northerly line of Narz Estates as recorded in Map Book 8, Page 155 and Wildwood Park as recorded in Map Book 5, Page 78, both in the Probate Office of Shelby County, Alabama; thence right 71°59'35" Northwesterly a distance of 11.95 feet; thence right 68°56'59" Northeasterly 161.74; thence left 90°00'00" Northwesterly 74.63; thence left 90°00'00" Southwesterly 10.00 feet to the POINT OF BEGINNING; thence continue Southwesterly along the same course a distance of 40.10 feet; thence right 90°00'00" Northwesterly 52.2 feet; thence right 90°00'00" Northeasterly 40.10 feet; thence right 90°00'00" Southeasterly 52.20 feet to the POINT OF BEGINNING.



# *SOUTHLAKE PARK PHASE IV*

*BEING A RESURVEY OF THE PLAT OF SOUTHLAKE PARK PHASE III  
AS RECORDED IN MAP BOOK 42, PAGE 105,  
AND BEING  
AN OFFICE CONDOMINIUM DEVELOPMENT SITUATED IN THE SOUTHWEST 1/4  
OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4  
OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 2 WEST  
SHELBY COUNTY, ALABAMA  
SHELBY COUNTY, ALABAMA*

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**FIRST FLOOR  
BUILDING NO. 1000  
FRONT - VALLEYDALE ROAD SIDE**

COMMON AREA WALLS

Prepared by:



*Carr & Associates Engineers, Inc.  
153 Cahaba Valley Parkway  
Pelham, Alabama 35124*

*PHONE: (205) 664-8498 Fax: (205) 664-9685*

*CADD: 23-191 Bldg 1000 Exhibit Date: March 2012*

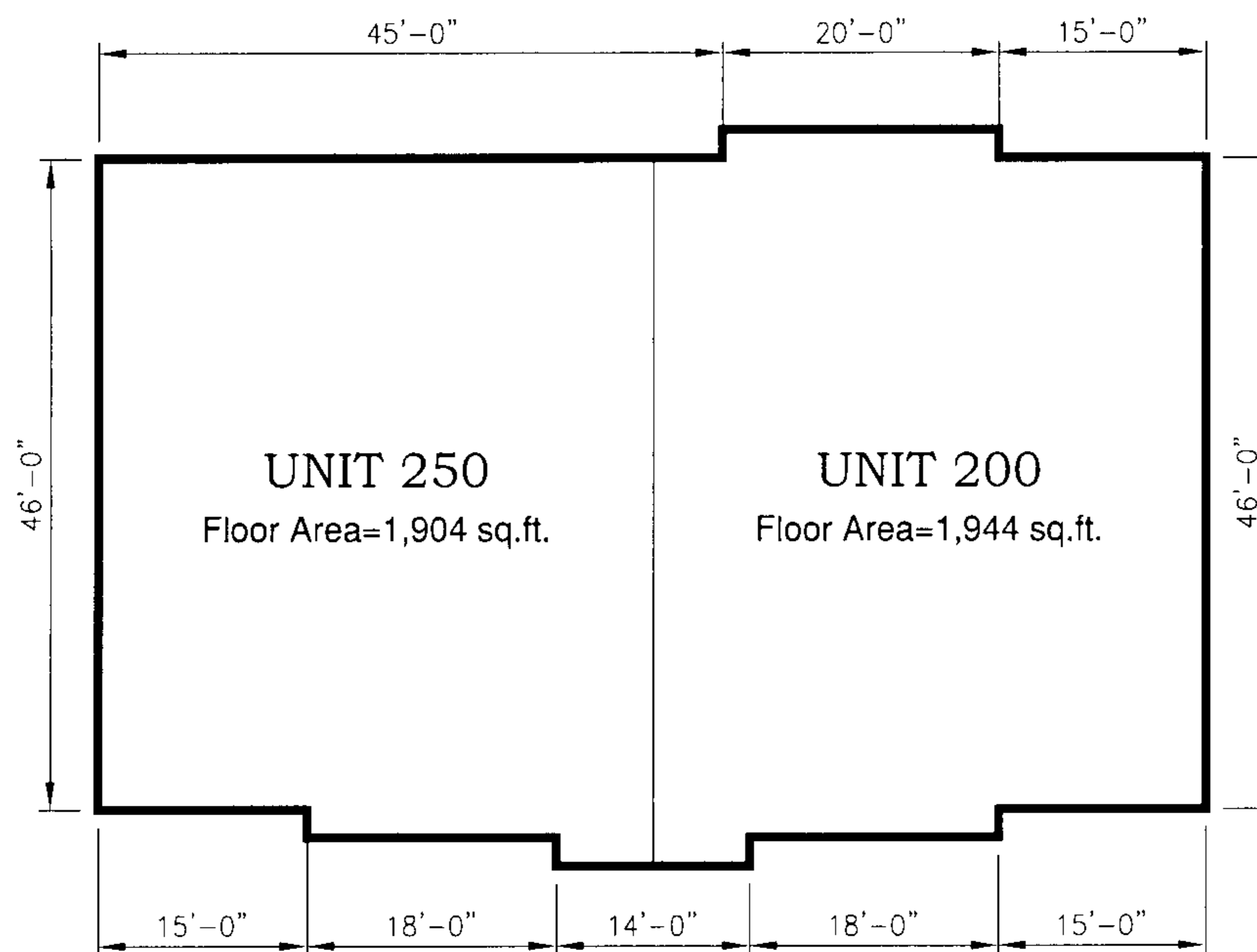
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*BEING A RESURVEY OF THE PLAT OF SOUTHLAKE PARK PHASE III  
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OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 2 WEST  
SHELBY COUNTY, ALABAMA*



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COMMON AREA WALLS

**SECOND FLOOR  
BUILDING NO. 1000  
FRONT - VALLEYDALE ROAD SIDE**

Prepared by:



*Carr & Associates Engineers, Inc.  
153 Cahaba Valley Parkway  
Pelham, Alabama 35124*

*PHONE: (205) 664-8498 Fax: (205) 664-9685*


*CADD: 23-191 Bldg 1000 Exhibit Date: March 2012  
Cadd Operator: GJ*



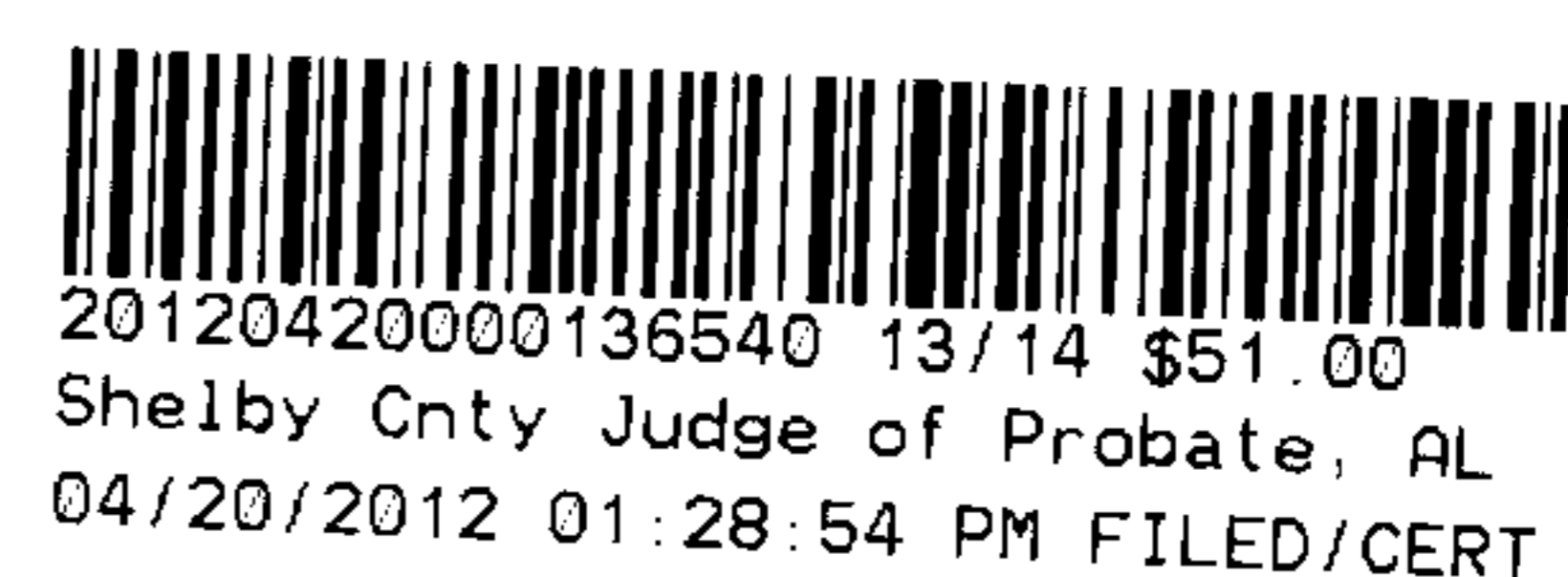
EXHIBIT "D"

SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
OF  
SOUTHLAKE PARK, A CONDOMINIUM

<u>Unit Description</u>	<u>Votes and Assigned Square Footage</u>	<u>% of Common Elements Ownership and Liabilities</u>
Building 1000 Unit 100	2000	0.0345
Building 1000 Unit 150	2000	0.0345
Building 1000 Unit 200	2000	0.0345
Building 1000 Unit 250	2000	0.0345
<b><u>Total Building 1000</u></b>	<b><u>8000</u></b>	
Building 1500 Unit 100	1500	0.0259
Building 1500 Unit 150	1500	0.0259
Building 1500 Unit 200	1500	0.0259
Building 1500 Unit 250	<u>1500</u>	0.0259
<b><u>Total Building 1500</u></b>	<b><u>6000</u></b>	
Building 2000 Unit 100	1895	0.0327
Building 2000 Unit 150	2105	0.0363
Building 2000 Unit 200	2000	0.0345
Building 2000 Unit 250	<u>2000</u>	0.0345
<b><u>Total Building 2000</u></b>	<b><u>8000</u></b>	

  
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Building 2500 Unit 100	2500	0.0431
Building 2500 Unit 150	2500	0.0431
Building 2500 Unit 200	2500	0.0431
Building 2500 Unit 250	<u>2500</u>	0.0431
<b><u>Total Building 2500</u></b>	<b><u>10,000</u></b>	
Building 3000 Unit 100	2750	0.0474
Building 3000 Unit 150	2750	0.0474
Building 3000 Unit 200	2750	0.0474
Building 3000 Unit 250	2750	0.0474
<b><u>Total Building 3000</u></b>	<b><u>11,000</u></b>	
Building 4000 Unit 100	1250	0.0216
Building 4000 Unit 150	1250	0.0216
Building 4000 Unit 200	1250	0.0216
Building 4000 Unit 250	1250	0.0216
<b><u>Total Building 4000</u></b>	<b><u>5000</u></b>	
Building 5000 Unit 100	2500	0.0431
Building 5000 Unit 150	2500	0.0431
Building 5000 Unit 200	2500	0.0431
Building 5000 Unit 250	<u>2500</u>	0.0431
<b><u>Total Building 5000</u></b>	<b><u>10,000</u></b>	
<b>TOTAL SQUARE FOOTAGE</b>	<b>58,000</b>	<b>100%</b>



## CONSENT OF MORTGAGEE

The undersigned, a Mortgagee under that certain Future Advance Mortgage and Security Agreement from Southlake Park Partners, LLC, an Alabama Limited Liability Company to South City Bank, now known as First Partners Bank, presently existing and in force and recorded in the Office of the Judge of Probate of Shelby County, Alabama, encumbering the real property identified in the foregoing Declaration of Condominium of Southlake Park, a Condominium, joins in the execution of the foregoing Declaration of Condominium of Southlake Park, a Condominium, its Supplemental Plats, Amendments, and additional phases for the sole purpose of establishing the validity of the Declaration of Condominium of Southlake Park, a Condominium, its Supplemental Plats, Amendments, and additional phases as required by 35-8A-1, et seq. of the *Code of Alabama*. The undersigned is not the Developer, and does not assume any obligation whatsoever under the terms, covenants and conditions of the foregoing Declaration of Condominium, and the execution hereof does not in any way subordinate or make the said Security Interest inferior to the said Declaration of Condominium.

MORTGAGEE:

FIRST PARTNERS BANK

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Shelby Cnty Judge of Probate, AL  
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By:

CHRIS COTTON

4/19/12  
Date

Its:

SVP

STATE OF ALABAMA )

:

JEFFERSON COUNTY )

I, James R. Moncus, Jr., a Notary Public in and for said county in said state, hereby certify that Chris Cotton whose name as an officer of First Partners Bank, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 19 day of April, 2012.

  
Notary Public

[NOTARIAL SEAL]

My Commission Expires:

2/22/16