

**NINTH AMENDMENT  
TO  
DECLARATION OF CONDOMINIUM  
OF  
THE LOFTS AT EDENTON, A CONDOMINIUM**



20120507000158690 1/6 \$27.00  
Shelby Cnty Judge of Probate, AL  
05/07/2012 09:46:03 AM FILED/CERT

Dated April 30, 2012

This instrument prepared by:

Carol H. Stewart  
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Birmingham, Alabama 35203  
(205) 251-3000

**NINTH AMENDMENT  
TO  
DECLARATION OF CONDOMINIUM  
OF  
THE LOFTS AT EDENTON, A CONDOMINIUM**


**STATE OF ALABAMA     )**  
**SHELBY COUNTY        )**

**THIS NINTH AMENDMENT** to the Declaration of Condominium of The Lofts at Edenton, a Condominium ("Ninth Amendment") is made this 30 day of April, 2012 by **THE LOFTS AT EDENTON CONDOMINIUM ASSOCIATION, INC.**, an Alabama non-profit corporation (the "Association"), for the purpose of amending the Declaration of Condominium of The Lofts at Edenton, a Condominium as filed in the Office of the Judge of Probate of Shelby County, Alabama, on February 25, 2010, in Instrument 20100225000056160, as amended by the First Amendment to Declaration of Condominium of The Lofts at Edenton, a Condominium, as filed in the Office of the Judge of Probate of Shelby County, Alabama, on March 30, 2010, in Instrument 201000330000095330, as further amended by the Second Amendment to Declaration of Condominium of The Lofts at Edenton, a Condominium, as filed in the Office of the Judge of Probate of Shelby County, Alabama, on April 23, 2010, in Instrument 20100423000123550, as further amended by the Third Amendment to Declaration of Condominium of The Lofts at Edenton, a Condominium, as filed in the Office of the Judge of Probate of Shelby County, Alabama, on June 16, 2010, in Instrument 20100616000191940, as further amended by the Fourth Amendment to Declaration of Condominium of The Lofts at Edenton, a Condominium, as filed in the Office of the Judge of Probate of Shelby County, Alabama, on October 15, 2010, in Instrument 20101015000344930, as further amended by the Fifth Amendment to Declaration of Condominium of The Lofts at Edenton, a Condominium, as filed in the Office of the Judge of Probate of Shelby County, Alabama, on March 4, 2011, in Instrument 20110304000073710, as further amended by the Sixth Amendment to Declaration of Condominium of The Lofts at Edenton, a Condominium, as filed in the Office of the Judge of Probate of Shelby County, Alabama, on April 26, 2011, in Instrument 20110426000126440, as further amended by the Seventh Amendment to Declaration of Condominium of The Lofts at Edenton, a Condominium, as filed in the Office of the Judge of Probate of Shelby County, Alabama, on September 2, 2011, in Instrument 20110902000260780, and as further amended by the Eighth Amendment to Declaration of Condominium of The Lofts at Edenton, a Condominium, as filed in the Office of the Judge of Probate of Shelby County, Alabama, on December \_\_\_\_, 2011, in Instrument \_\_\_\_\_ (the "Declaration").

**W I T N E S S E T H:**

**WHEREAS**, the Declaration was filed on February 25, 2010, for the purpose of establishing a plan of condominium ownership for certain real property situated in Shelby County, Alabama known as The Lofts at Edenton, a Condominium (the "Condominium");

**WHEREAS**, the Bylaws of the Association are attached to the Declaration as Exhibit "C";

  
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**WHEREAS**, the Board of Directors, pursuant to Article VIII, Section 8.03 of the Bylaws, amended the Bylaws on April 30, 2012 as set forth on Exhibit "A" attached hereto;

**WHEREAS**, pursuant to Article XII, Section 12.2 of the Declaration, the Association desires to amend Exhibit "C" attached to the Declaration to reflect the amendment to the Bylaws attached hereto as Exhibit "A";

**WHEREAS**, on January 4, 2012, at the annual meeting of the Association, this amendment was approved by an affirmative vote of the members representing not less than 67% of the total votes of the Association; and

**WHEREAS**, pursuant to Article VIII, Section 8.03(b) of the Bylaws, the undersigned President and Secretary of the Association desire to certify the adoption of such amendment to the Bylaws.

**NOW THEREFORE**, upon the recording hereof, the Association does hereby amend the Declaration as follows:

1. The Association, pursuant to Article XII, Section 12.2 of the Declaration, does hereby amend Exhibit "C" attached to the Declaration to reflect the amendment to the Bylaws adopted by the Board of Directors on January 4, 2012, as set forth in the amendment attached hereto as Exhibit "A."

2. The undersigned, being the President and Secretary of the Association, do hereby certify that the amendment to the Bylaws of the Association attached hereto as Exhibit "A" was duly adopted in accordance with the procedures set forth in the Declaration and the Bylaws.

3. It is the intention of the parties that the provisions of this Ninth Amendment to Declaration are severable, so that if any provision is invalid or void under any applicable federal, state or local law or ordinance, decree, order, judgment or otherwise, the remainder shall be unaffected thereby.

4. The provisions of this Ninth Amendment to Declaration shall be liberally construed to effectuate its purpose of amending Exhibit "C" attached to the Declaration.

5. This Ninth Amendment to Declaration has been executed by the undersigned and filed in the Office of the Judge of Probate of Shelby County, Alabama, for the purposes stated above. Except for the aforesaid, the terms and conditions of the Declaration, as amended, shall continue to be in full force and effect without any other changes whatsoever.

6. Capitalized terms as used herein shall have the same meaning as they are defined in the Declaration and the Act, unless the context clearly indicates a different meaning therefore.

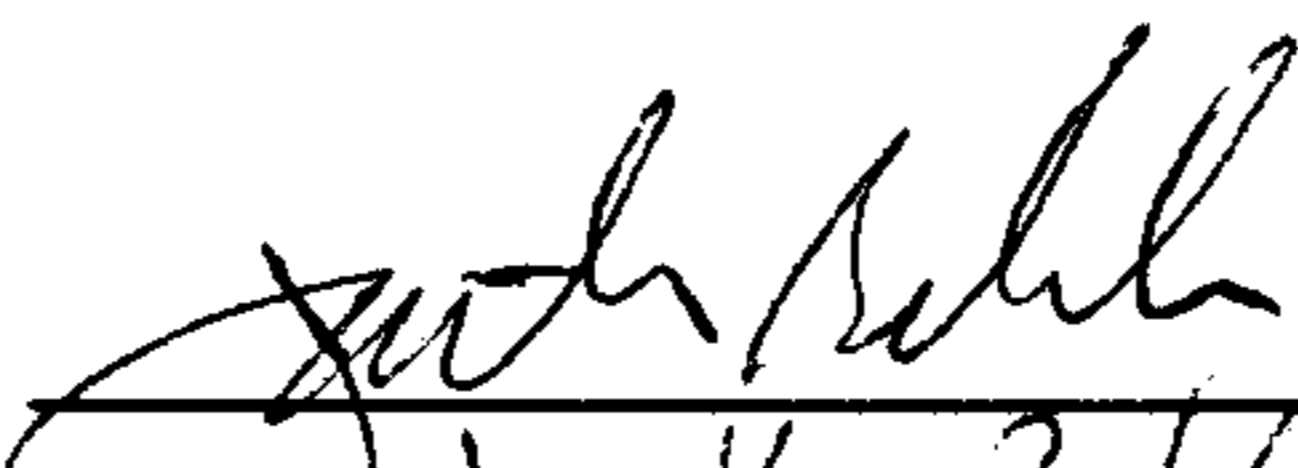
[SIGNATURES ON FOLLOWING PAGE]




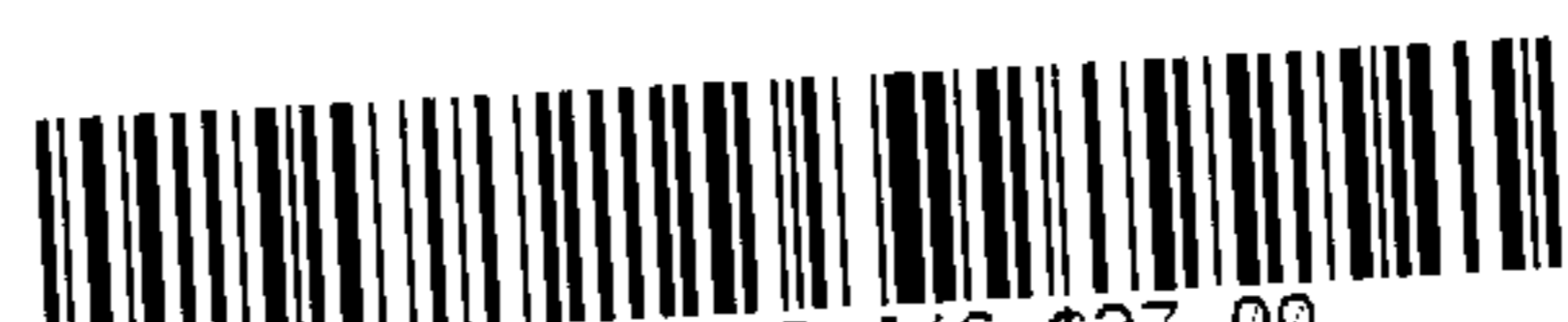
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IN WITNESS WHEREOF, the Association has executed this Ninth Amendment to Declaration as of the date first written above.

**THE LOFTS AT EDENTON CONDOMINIUM  
ASSOCIATION, INC.,**  
an Alabama non-profit corporation

By:   
Name: Jonathan Peltche  
Its: Resident

By:   
Name: Scott Behrer  
Its: Secretary

  
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STATE OF ALABAMA )  
SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jonathan Belcher whose name as President of **THE LOFTS AT EDENTON CONDOMINIUM ASSOCIATION, INC.**, an Alabama non-profit corporation, is signed to the foregoing Ninth Amendment to Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Ninth Amendment to Declaration, he/she, as such officer, and with full authority, executed the same voluntarily on the date the same bears date.

Given under my hand and official seal of office this 30th day of April, 2012.

Karen D. Dairs  
Notary Public

[NOTARY SEAL]

My Commission Expires: 10-6-14

STATE OF ALABAMA )  
SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Scott R. Riser whose name as Secretary of **THE LOFTS AT EDENTON CONDOMINIUM ASSOCIATION, INC.**, an Alabama non-profit corporation, is signed to the foregoing Ninth Amendment to Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Ninth Amendment to Declaration, he/she, as such officer, and with full authority, executed the same voluntarily on the date the same bears date.

Given under my hand and official seal of office this 30th day of April, 2012.

Karen D. Dairs  
Notary Public

[NOTARY SEAL]

My Commission Expires: 10-6-14



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**EXHIBIT "A"**  
**TO THE**  
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