



20211118000555850 1/9 \$49.00
Shelby Cnty Judge of Probate, AL
11/18/2021 11:08:36 AM FILED/CERT

This instrument was prepared by:

Jack P. Stephenson, Jr.
Burr & Forman LLP
420 N. 20th Street, Suite 3400
Birmingham, Alabama 35203

STATE OF ALABAMA)
COUNTY OF SHELBY)

**AMENDMENT TO
THE DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS,
PINE MOUNTAIN PRESERVE, A NATURAL COMMUNITY**

KNOW ALL MEN BY THESE PRESENTS THAT,

WHEREAS, Pine Mountain Preserve, Inc. ("Developer"), and Pine Mountain Preserve Association, Inc. (the "Association") previously filed an Amendment and Restatement of the Declaration of Easements, Covenants and Restrictions in the Probate Office of Shelby County, Alabama, recorded on February 22, 2021, as Instrument Number 20210222000087210 as corrected by the Scrivener's Affidavit recorded in said office on March 11, 2021, as Instrument Number 20210311000121530 (the "Declaration") with respect to certain real property developed by the Developer and situated in Shelby County, Alabama, which is part of a subdivision for residential and recreational use known as Pine Mountain Preserve, a Natural Community (the "Development");

WHEREAS, the Developer and the Association filed a Supplementary Declaration and Amendment to the Declaration in the Probate Office of Shelby County, Alabama, whci was recorded in said probate office as Instrument # 20210401000163200 (the "Supplementary Declaration"), for the purpose of adding Additional Property (as defined in the Declaration) to the Declaration to be developed into residential lots in the Pine Trail Sector in accordance with the Subdivision Plan (as defined in the Declaration) filed as an exhibit to the Supplementary Declaration;

WHEREAS, the Section 2.2 Declaration provides that Additional Property may be submitted to the Declaration by the Developer and the Association, by executing and filing a supplement to the Declaration to that effect in the Office of the Judge of Probate of Shelby County, Alabama; however, the Supplementary Declaration did not include evidence of the consent of Eddleman Residential, LLC as owner of the Additional Property described in the Supplementary Declaration;

WHEREAS, the subdivision of the real property covered by the Declaration and the Supplementary Declaration is set forth in the Subdivision Plan (as defined in the Declaration) attached to each of the Declaration and the Supplementary Declaation (each a "Subdivision Plan" and collectively the "Subdivision Plans"); however the legal description of the real property covered by each Subdivision Plan is not correct because the Subdivision Plan attached to the Declaration includes Tract 11H and Tract 12H as residential lots, but the legal description of the property covered by the Declaration omits the description of Tracts 11H and 12H; and the Subdivision Plan attached to the Supplementary Declaration does not include Tracts 11H and 12H as resiedential lots, but the legal description of the property covered by the Supplementary Declaration includes the description of Tracts 11H and 12H; and

WHEREAS, the Developer and the Association desire to execute and file this Amendment to amend the Declaration and Supplementary Declaration by correcting the legal description of the property covered by each of them , and Eddleman Residential desires to join in the execution of this Amendment to evidence its consent to the inclusion of the Additional Property under the Supplementary Declaration as the owner of such property at the time the Supplementary Declaration was executed and filed with the Probate Office of Shelby County, Alabama;

NOW THEREFORE, the Developer and the Association (the "Declarants") do, upon the recording hereof, amend the Declaration and the Supplementary Declaration as follows



ARTICLE I

The Declarants hereby reaffirm and restate the terms and provisions of the Declaration in their entirety without any change whatsoever, except as follows:

1. The legal description of the Property subject to the Declaration as set forth in Exhibit A-A thereto is hereby amended to add the legal description of Tracts 11H and 12H as reflected on the Subdivision Plan attached as Exhibit B-A thereto by adding to the property described in said Exhibit A-A the property more particularly described in Exhibit A to this Amendment.

2. The legal description of the Property subject to the Supplementary Declaration as set forth in Exhibit A thereto is hereby amended to remove the legal description of Tracts 11H and 12H as reflected on the Subdivision Plan attached as Exhibit B-A to the Declaration by deleting from the description in Exhibit A to the Supplementary Declaration the property more particularly described in Exhibit A to this Amendment.

3. The Subdivision Plans filed as exhibits to the Declaration and the Supplementary Declarations are intended to be a general description of the location of the Tracts in the property subject to the Declaration and Supplementary Declaration, and in relation to each other, and the actual description of each Tract shall be as described in the deed for the conveyance of the Tract from the Developer to the initial Owner. The description of the Tract in the deed shall govern in the event of any conflict between the description of a Tract in the deed from the Developer and the description of a Tract in the Subdivision Plan.

ARTICLE II

The Declarants reaffirm, restate, ratify, confirm and approve the terms and provisions of the Declaration as heretofore amended and as amended hereby

Declarants hereby declare that said provisions of the Declaration as so amended shall run with the land and be binding upon, and shall inure to the benefit of, the real property, including the Subject Property, subject to the Declaration as amended hereby and all parties having or acquiring any right, title or interest in and to said real property or any part thereof, and their successors in interest.

ARTICLE III

Eddleman Residential, LLC has joined in the execution of this Amendment for the purpose of evidencing its written approval and consent of the submission of its property to the Supplementary Declaration and the Declaration as herein provided and does hereby authorize the filing of this Amendment with the Office of the Judge of Probate of Shelby County, Alabama. The Association has joined in the execution of this Amendment for the purpose of evidencing its written approval of the amendments to the Supplementary Declaration and the Declaration as set forth herein and does hereby authorize the filing of this Supplementary Declaration with the Office of the Judge of Probate of Shelby County, Alabama.

[SIGNATURES ON FOLLOWING PAGES]



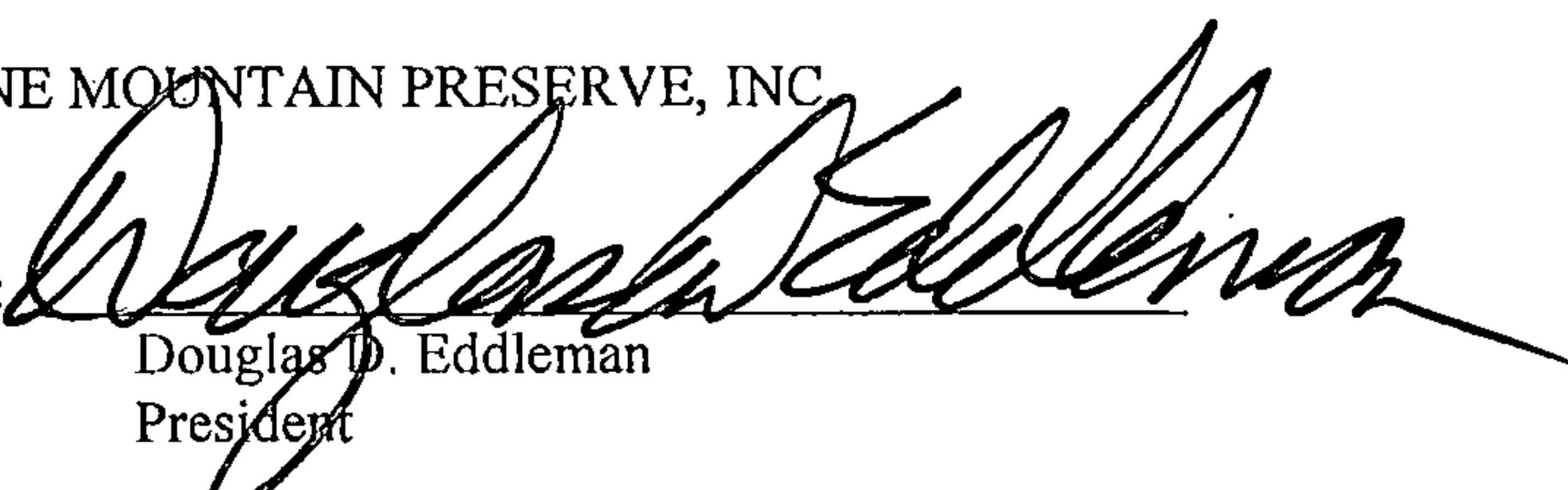
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IN WITNESS WHEREOF, the undersigned have caused this Declaration to be executed as of the 17
day of November 2021.

DECLARANTS:

PINE MOUNTAIN PRESERVE, INC

By:


Douglas D. Eddleman
President

PINE MOUNTAIN PRESERVE
ASSOCIATION, INC.

By:


Douglas D. Eddleman, President

EDDLEMAN RESIDENTIAL, LLC

By:


Douglas D. Eddleman, Manager



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STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Douglas D. Eddleman, whose name as President of Pine Mountain Preserve, Inc., a corporation, is signed to the foregoing Amendment, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Supplementary Declaration, he, 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 of office this 17th day of November, 2021.

Notary Public

My Commission Expires: 6-2-2023



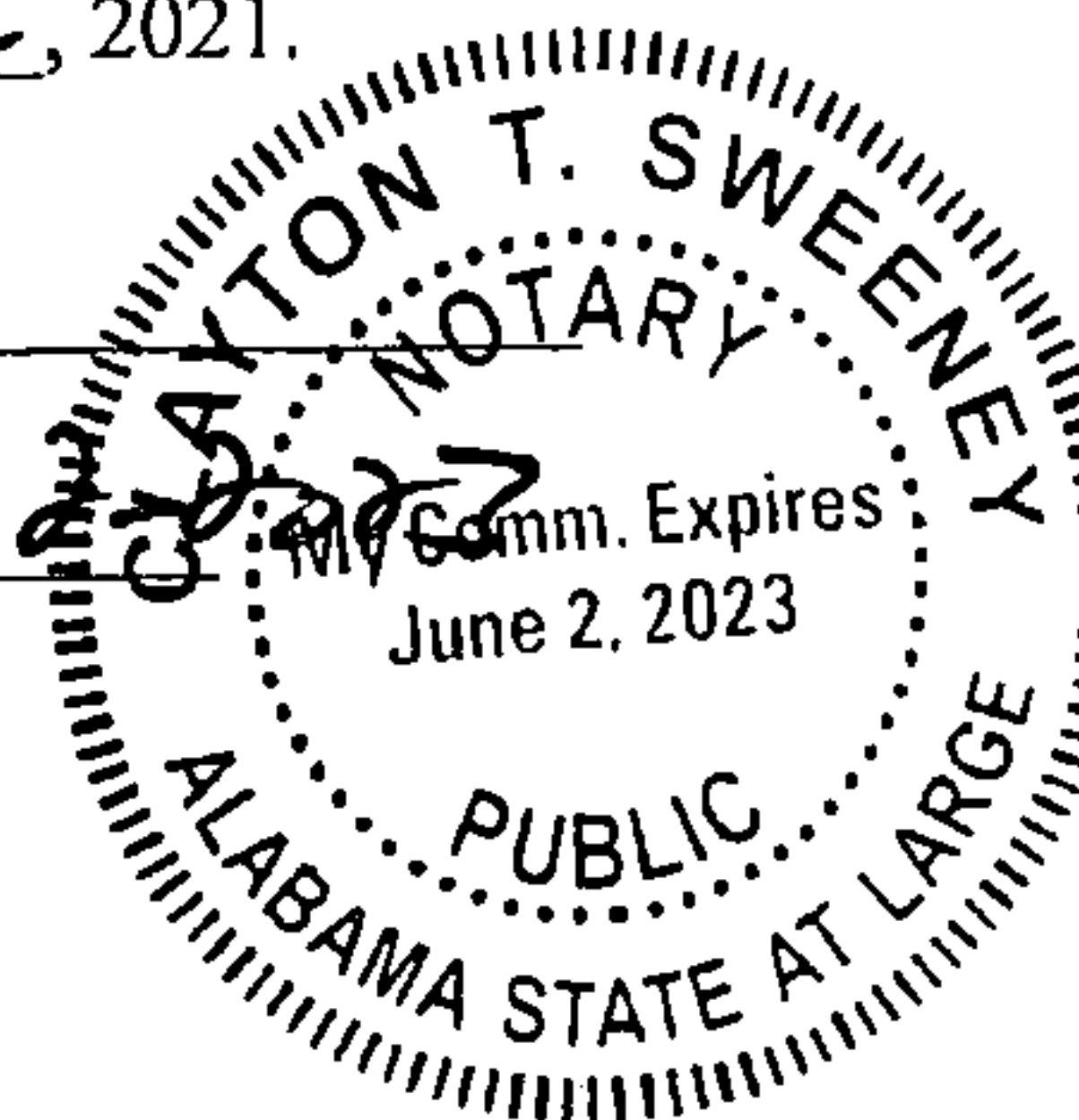
STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Douglas D. Eddleman, whose name as President of Pine Mountain Preserve Association, Inc., a corporation, is signed to the foregoing Amendment, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Supplementary Declaration, he, 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 of office this 17th day of November, 2021.

Notary Public

My Commission Expires: 6-2-2023



STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Douglas D. Eddleman, whose name as Manager of Eddleman Residential. LLC, a limited liability company, is signed to the foregoing Amendment, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Supplementary Declaration, he, as such manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal of office this 17th day of November, 2021.

Notary Public

My Commission Expires: 6-2-2023





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EXHIBIT A
DESCRIPTION OF TRACTS 11H AND 12H



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SCALE: 1" = 200'

20210405000167590 14/28 \$105.00
Shelby Cnty Judge of Probate, AL
04/05/2021 10:53:50 AM FILED/CERT

POINT OF COMMENCEMENT
CONSERVATION EASEMENT
NW CORNER, SECTION 19,
TOWNSHIP 19 SOUTH, RANGE 1
EAST, SHELBY COUNTY, ALABAMA

171.36'
S 00°43'19" W
NOT TO SCALE

DESCRIPTION CONSERVATION EASEMENT

COMMENCE AT THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 1 EAST, SHELBY COUNTY, ALABAMA; THENCE RUN SOUTH 00 DEGREES 43 MINUTES 19 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 19 FOR 171.36 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 59 DEGREES 31 MINUTES 01 SECONDS EAST FOR 408.04 FEET; THENCE RUN SOUTH 72 DEGREES 38 MINUTES 04 SECONDS EAST FOR 60.92 FEET; THENCE RUN NORTH 74 DEGREES 14 MINUTES 28 SECONDS EAST FOR 91.78 FEET; THENCE RUN NORTH 54 DEGREES 34 MINUTES 55 SECONDS EAST FOR 238.09 FEET; THENCE RUN SOUTH 38 DEGREES 53 MINUTES 20 SECONDS EAST FOR 244.84 FEET; THENCE RUN SOUTH 38 DEGREES 14 MINUTES 41 SECONDS WEST FOR 304.16 FEET; THENCE RUN SOUTH 03 DEGREES 21 MINUTES 32 SECONDS EAST FOR 208.79 FEET; THENCE RUN SOUTH 69 DEGREES 44 MINUTES 13 SECONDS WEST FOR 157.70 FEET; THENCE RUN SOUTH 48 DEGREES 40 MINUTES 45 SECONDS WEST FOR 399.01 FEET; THENCE RUN SOUTH 51 DEGREES 49 MINUTES 57 SECONDS WEST FOR 286.65 FEET; THENCE RUN NORTH 00 DEGREES 43 MINUTES 19 SECONDS EAST FOR 786.59 FEET TO THE POINT OF BEGINNING.

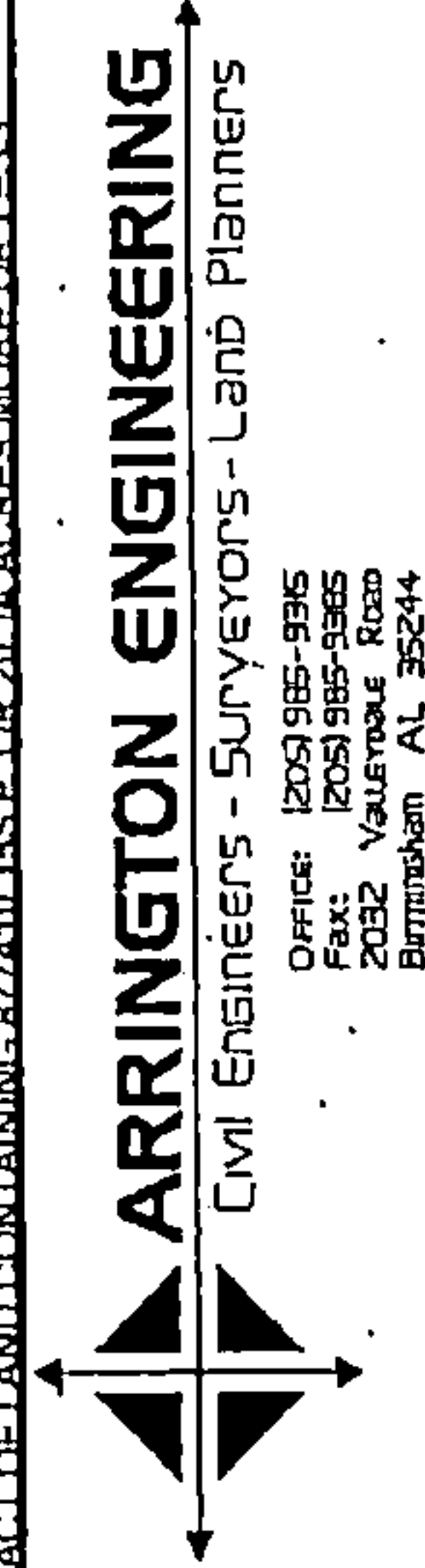
SAID TRACT OF LAND CONTAINING 492422.39 S.F. OR 11.30 ACRES MORE OR LESS.

| LINE TABLE | | |
|------------|---------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | S 59°31'01" W | 408.04' |
| L2 | S 72°38'04" E | 60.92' |
| L3 | N 74°14'28" E | 91.78' |
| L4 | N 54°34'55" E | 238.09' |
| L5 | S 36°53'20" E | 244.84' |
| L6 | S 38°14'41" W | 304.16' |
| L7 | S 03°21'32" E | 208.79' |
| L8 | S 69°44'13" W | 157.70' |
| L9 | S 48°40'45" W | 399.01' |
| L10 | S 51°49'57" W | 286.65' |
| L11 | S 50°18'39" W | 179.40' |
| L12 | S 44°56'31" W | 254.90' |
| L13 | N 38°50'27" W | 564.14' |
| L14 | N 45°43'21" E | 936.57' |
| L15 | N 00°43'19" E | 786.59' |

DESCRIPTION TRACT 11-H

COMMENCE AT THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 1 EAST, SHELBY COUNTY, ALABAMA; THENCE RUN SOUTH 00 DEGREES 43 MINUTES 19 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 19 FOR 171.36 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 59 DEGREES 31 MINUTES 01 SECONDS EAST FOR 408.04 FEET; THENCE RUN SOUTH 72 DEGREES 38 MINUTES 04 SECONDS EAST FOR 60.92 FEET; THENCE RUN NORTH 74 DEGREES 14 MINUTES 28 SECONDS EAST FOR 91.78 FEET; THENCE RUN NORTH 54 DEGREES 34 MINUTES 55 SECONDS EAST FOR 238.09 FEET; THENCE RUN SOUTH 38 DEGREES 53 MINUTES 20 SECONDS EAST FOR 244.84 FEET; THENCE RUN SOUTH 38 DEGREES 14 MINUTES 41 SECONDS WEST FOR 304.16 FEET; THENCE RUN SOUTH 03 DEGREES 21 MINUTES 32 SECONDS EAST FOR 208.79 FEET; THENCE RUN SOUTH 69 DEGREES 44 MINUTES 13 SECONDS WEST FOR 157.70 FEET; THENCE RUN SOUTH 48 DEGREES 40 MINUTES 45 SECONDS WEST FOR 399.01 FEET; THENCE RUN SOUTH 51 DEGREES 49 MINUTES 57 SECONDS WEST FOR 286.65 FEET; THENCE RUN SOUTH 50 DEGREES 18 MINUTES 39 SECONDS WEST FOR 179.40 FEET; THENCE RUN SOUTH 44 DEGREES 56 MINUTES 31 SECONDS WEST FOR 254.90 FEET; THENCE RUN NORTH 38 DEGREES 50 MINUTES 27 SECONDS WEST FOR 564.14 FEET; THENCE RUN NORTH 45 DEGREES 43 MINUTES 21 SECONDS EAST FOR 936.57 FEET; THENCE RUN NORTH 59 DEGREES 31 MINUTES 01 SECONDS EAST FOR 408.04 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 877410.15 S.F. OR 20.14 ACRES MORE OR LESS.



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DESCRIPTION TRACT 11-H

COMMENCE AT THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 1 EAST, SHELBY COUNTY, ALABAMA; THENCE RUN SOUTH 00 DEGREES 43 MINUTES 19 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 19 FOR 171.36 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 59 DEGREES 31 MINUTES 01 SECONDS EAST FOR 408.04 FEET; THENCE RUN SOUTH 72 DEGREES 38 MINUTES 04 SECONDS EAST FOR 60.92 FEET; THENCE RUN NORTH 74 DEGREES 14 MINUTES 28 SECONDS EAST FOR 91.78 FEET; THENCE RUN NORTH 54 DEGREES 34 MINUTES 55 SECONDS EAST FOR 238.09 FEET; THENCE RUN SOUTH 36 DEGREES 53 MINUTES 20 SECONDS EAST FOR 244.84 FEET; THENCE RUN SOUTH 38 DEGREES 14 MINUTES 41 SECONDS WEST FOR 304.16 FEET; THENCE RUN SOUTH 03 DEGREES 21 MINUTES 32 SECONDS EAST FOR 208.79 FEET; THENCE RUN SOUTH 69 DEGREES 44 MINUTES 13 SECONDS WEST FOR 157.70 FEET; THENCE RUN SOUTH 48 DEGREES 40 MINUTES 45 SECONDS WEST FOR 399.01 FEET; THENCE RUN SOUTH 51 DEGREES 49 MINUTES 57 SECONDS WEST FOR 286.65 FEET; THENCE RUN SOUTH 50 DEGREES 18 MINUTES 39 SECONDS WEST FOR 179.40 FEET; THENCE RUN SOUTH 44 DEGREES 58 MINUTES 31 SECONDS WEST FOR 254.90 FEET; THENCE RUN NORTH 38 DEGREES 50 MINUTES 27 SECONDS WEST FOR 564.14 FEET; THENCE RUN NORTH 46 DEGREES 43 MINUTES 21 SECONDS EAST FOR 936.67 FEET; THENCE RUN NORTH 59 DEGREES 31 MINUTES 01 SECONDS EAST FOR 408.04 FEET TO THE POINT OF BEGINNING.

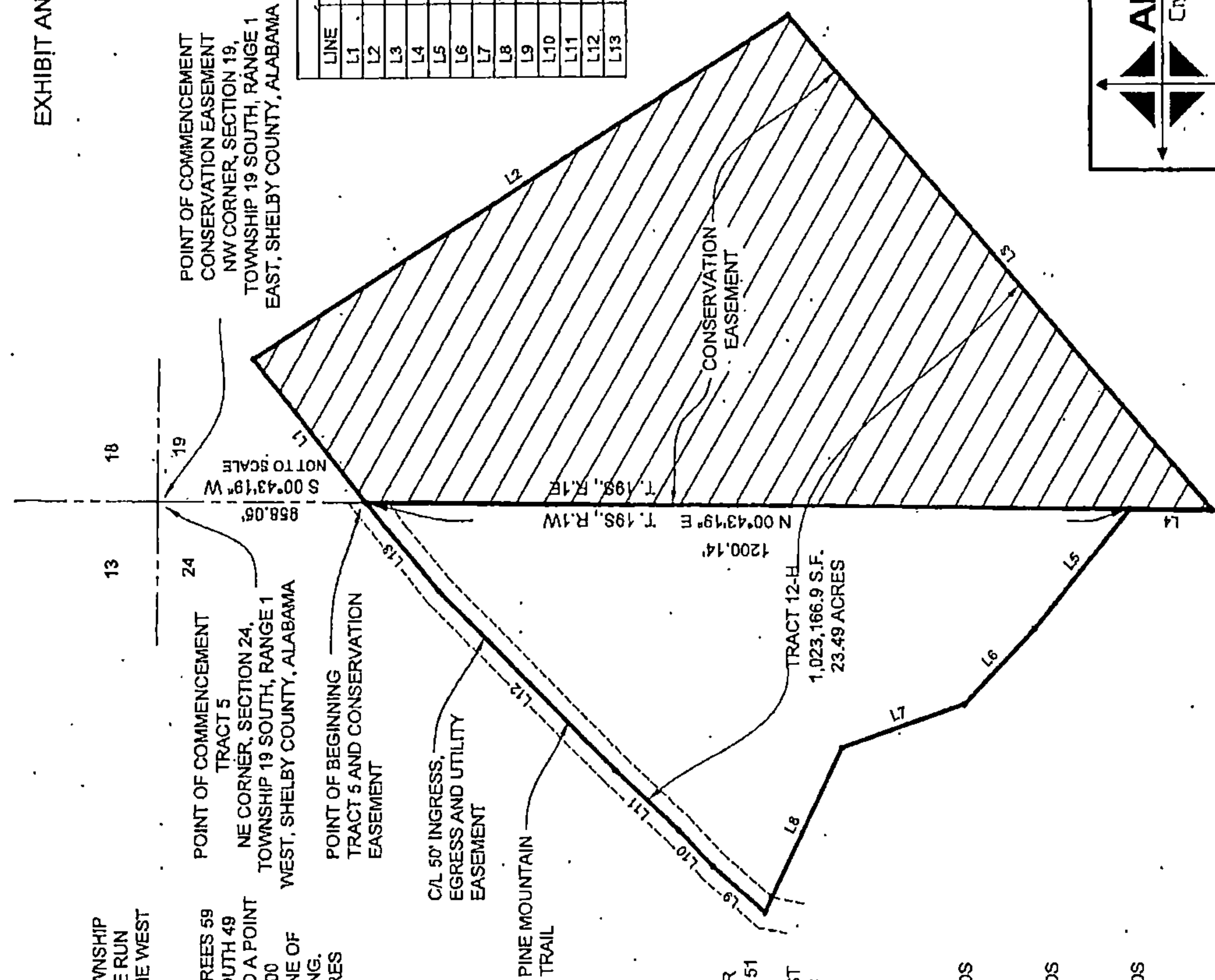
SAID TRACT OF LAND CONTAINING 877410.15S.F. OR 20.14 ACRES MORE OR LESS.



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EXHIBIT AND LEGAL DESCRIPTION
TRACT 12-H

SCALE: 1" = 200'



DESCRIPTION CONSERVATION EASEMENT

COMMENCE AT THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 19 SOUTH, RANGE 1 EAST, SHELBY COUNTY, ALABAMA; THENCE RUN SOUTH 00 DEGREES 43 MINUTES 19 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 19 FOR 958.05 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 51 DEGREES 49 MINUTES 57 SECONDS EAST FOR 286.65 FEET; THENCE RUN SOUTH 31 DEGREES 59 MINUTES 50 SECONDS EAST FOR 995.04 FEET; THENCE RUN SOUTH 49 DEGREES 12 MINUTES 32 SECONDS WEST FOR 1016.23 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 19; THENCE RUN NORTH 00 DEGREES 43 MINUTES 19 SECONDS EAST ALONG THE WEST LINE OF SAID SECTION 19 FOR 1330.74 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 648,108.52 S.F. OR 14.88 ACRES MORE OR LESS.

DESCRIPTION TRACT 12-H

COMMENCE AT THE NORTHEAST CORNER OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; THENCE RUN SOUTH 00 DEGREES 43 MINUTES 19 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 24 FOR 958.05 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 51 DEGREES 49 MINUTES 57 SECONDS EAST FOR 286.65 FEET; THENCE RUN SOUTH 31 DEGREES 59 MINUTES 50 SECONDS EAST FOR 995.04 FEET; THENCE RUN SOUTH 49 DEGREES 12 MINUTES 32 SECONDS WEST FOR 1016.23 FEET; THENCE RUN NORTH 00 DEGREES 43 MINUTES 19 SECONDS EAST FOR 130.60 FEET; THENCE RUN NORTH 51 DEGREES 16 MINUTES 27 SECONDS WEST FOR 240.38 FEET; THENCE RUN NORTH 46 DEGREES 36 MINUTES 36 SECONDS WEST FOR 158.47 FEET; THENCE RUN NORTH 19 DEGREES 13 MINUTES 52 SECONDS WEST FOR 201.72 FEET; THENCE RUN NORTH 65 DEGREES 03 MINUTES 21 SECONDS WEST FOR 284.35 FEET; THENCE RUN NORTH 41 DEGREES 27 SECONDS WEST FOR 108.83 FEET; THENCE RUN NORTH 46 DEGREES 51 MINUTES 45 SECONDS EAST FOR 78.64 FEET; THENCE RUN NORTH 43 DEGREES 19 MINUTES 31 SECONDS EAST FOR 137.94 FEET; THENCE RUN NORTH 44 DEGREES 58 MINUTES 31 SECONDS EAST FOR 396.05 FEET; THENCE RUN NORTH 50 DEGREES 18 MINUTES 39 SECONDS EAST FOR 179.40 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 1,023,166.86 S.F. OR 23.49 ACRES MORE OR LESS.

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 51°49'57" E | 286.65' |
| L2 | S 31°59'50" E | 995.04' |
| L3 | S 49°12'32" W | 1016.23' |
| L4 | N 00°43'19" E | 130.60' |
| L5 | N 51°16'27" W | 240.38' |
| L6 | N 46°36'36" W | 158.47' |
| L7 | N 19°13'52" W | 201.72' |
| L8 | N 65°03'21" W | 284.35' |
| L9 | N 41°27'50" E | 108.83' |
| L10 | N 46°51'45" E | 78.64' |
| L11 | N 43°19'31" E | 137.94' |
| L12 | N 44°58'31" E | 396.05' |
| L13 | N 50°18'39" E | 179.40' |

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ARRINGTON ENGINEERING
Civil Engineers - Surveyors - Land Planners
Office: (205) 955-5915
Fax: (205) 955-5985
2032 Valleydale Road
Birmingham, AL 35244

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DESCRIPTION OF TRACT 5

COMMENCE AT THE NORTHEAST CORNER OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA ; THENCE RUN SOUTH 00 DEGREES 43 MINUTES 19 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 24 FOR 958.05 FEET TO THE POINT OF BEGINNING ;THENCE RUN NORTH 51 DEGREES 49 MINUTES 57 SECONDS EAST FOR 286.65 FEET; THENCE RUN SOUTH 31 DEGREES 59 MINUTES 50 SECONDS EAST FOR 995.04 FEET; THENCE RUN SOUTH 49 DEGREES 12 MINUTES 32 SECONDS WEST FOR 1016.23 FEET; THENCE RUN NORTH 00 DEGREES 43 MINUTES 19 SECONDS EAST FOR 130.60 FEET; THENCE RUN NORTH 51 DEGREES 16 MINUTES 27 SECONDS WEST FOR 240.38 FEET; THENCE RUN NORTH 46 DEGREES 36 MINUTES 36 SECONDS WEST FOR 158.47 FEET; THENCE RUN NORTH 19 DEGREES 13 MINUTES 52 SECONDS WEST FOR 201.72 FEET; THENCE RUN NORTH 65 DEGREES 03 MINUTES 21 SECONDS WEST FOR 284.36 FEET; THENCE RUN NORTH 41 DEGREES 27 MINUTES 50 SECONDS EAST FOR 108.83 FEET; THENCE RUN NORTH 46 DEGREES 51 MINUTES 45 SECONDS EAST FOR 78.64 FEET; THENCE RUN NORTH 43 DEGREES 19 MINUTES 31 SECONDS EAST FOR 137.94 FEET; THENCE RUN NORTH 44 DEGREES 58 MINUTES 31 SECONDS EAST FOR 191.44 FEET; THENCE RUN NORTH 44 DEGREES 58 MINUTES 31 SECONDS EAST FOR 396.05 FEET; THENCE RUN NORTH 50 DEGREES 18 MINUTES 39 SECONDS EAST FOR 179.40 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINING 1,023,166.86 S.F. OR 23.49 ACRES MORE OR LESS.