19761122000113660 1/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

1584

STATE OF ALABAMA)
)
)
COUNTY OF SHELBY)

RIVERCHASE COVENANTS
R E S I D E N T I A L

AMENDMENT NO. 1 TO THE DECLARATION OF PROTECTIVE COVENANTS, AGREEMENTS, EASEMENTS, CHARGES AND LIENS FOR RIVERCHASE (RESIDENTIAL)

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, THE HARBERT-EQUITABLE JOINT VENTURE, under Joint Venture Agreement dated January 30, 1974, an Alabama General Partnership composed of HARBERT CONSTRUCTION CORPORATION, a corporation, and THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, a corporation (said Venture herein referred to as "DEVELOPER"), filed the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential) in Book 14, beginning at Page 536, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, DEVELOPER desires to modify the covenants as provided in this Amendment No. 1 in order to revise the maximum annual assessment per parcel by the Board of the Riverchase Residential Association as provided in Section 3.1 thereof.

NOW, THEREFORE, DEVELOPER does hereby proclaim, publish and declare that the said Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential) is amended as set forth herein:

ARTICLE III

(1) Section 3.1 Assessment: The last sentence of Section 3.1 of the Declaration of Protective Covenants is modified to read as follows:

> "Provided further that prior to 1985 the maximum annual charge per parcel shall not exceed $250.00 as may be adjusted upward annually in an amount not to exceed ten percent (10%) of said maximum amount which could have been charged the preceding year."

IN WITNESS WHEREOF, THE HARBERT-EQUITABLE JOINT VENTURE, an Alabama General Partnership, has caused this Amendment No. 1 to the Declaration of Protective Covenants to be properly executed by each partner by their respective duly authorized officers.

THE HARBERT-EQUITABLE JOINT VENTURE,
an Alabama General Partnership

Witnesses:

By: THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES

By _____
Its Division Manager

BOOK 17 PAGE 550

Witnesses:

Stuart Hunter

C. W. Matthews

By: HARBERT CONSTRUCTION CORPORATION

By Earl W. Dupree

Its Vice President

19761122000113660 2/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, Linda Smith, a Notary Public in and for said County, in said State, hereby certify that Donald D. Evans, whose name as Division Manager of The Equitable Life Assurance Society of the United States, a corporation as General Partner of The Harbert-Equitable Joint Venture, under Joint Venture Agreement dated January 30, 1974, 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 this instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation as General Partner of The Harbert-Equitable Joint Venture.

Given under my hand and official seal, this the 15th day of October, 1976.

Linda Smith Notary Public

My Commission Expires: April 16, 1978

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, Judy Mc Johnson, a Notary Public in and for said County in said State, hereby certify that Edwin M. Dafler whose name as Vice President of Harbert Construction Corporation, a corporation as General Partner of The Harbert-Equitable Joint Venture, under Joint Venture Agreement dated January 30, 1974, 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 the instrument, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation as General Partner of The Harbert-Equitable Joint Venture.

Given under my hand and official seal, this the 20th day of November, 1976.

Judy Mc Johnson Notary Public

My Commission Expires: 10/01/1980

BOOK 17 PAGE 551

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

Witnesses:

Mangrum Homes Inc

By: Erwin H. Mangrum
Its

Owner of Lot: /

19761122000113660 3/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, B.L. CHENAULT, a Notary Public in and for said County in said State, hereby certify that ERWIN H. MANGRUM whose name as PRESIDENT of MANGRUM HOMES, INC, 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 the instrument, 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, this the 3rd day of AUGUST, 1976.

B.L. Chenault
Notary Public

My Commission Expires: 6/18/78

BOOK 17 PAGE 552

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

Witnesses:

_____

_____

By: Calvin Reid
Its

Owner of Lot: ~~2, 3, 45, 41, 43~~
2, 3, 42, 44

19761122000113660 4/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, Linda Lemon, a Notary Public in and for said County in said State, hereby certify that _____ whose name as Calvin Reid, 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 the instrument, 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, this the 19th day of November, 1976.

Linda Lemon Nee Linda Lemon
Notary Public

My Commission Expires: 4-16-78

LINDA BARNETT
NOTARY PUBLIC
ALTEMA STATE AT LARGE

BOOK 17 PAGE 553

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. I to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

Calvin Reid Const Co Inc

Witnesses: By: Calvin Reid President
Its

Owner of Lot: 45

19761122000113660 5/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, B. L. CHENAULT, a Notary Public in and for said County in said State, hereby certify that CALVIN REID whose name as PRESIDENT of CALVIN REID CONST. CO., INC. 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 the instrument, 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, this the 4th day of AUGUST, 1976.

B. L. Chenault
Notary Public

My Commission Expires: 6/18/78

BOOK 17 PAGE 554

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

Witnesses:

_____

_____

By: W.H. Const. Co.
Its Glenn Whalen VP

Owner of Lot: 4,5,6,7,8,9,10,11

19761122000113660 6/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, B. L. CHENAULT, a Notary Public in and for said County in said State, hereby certify that GLENN WHALEN whose name as VICE-PRESIDENT of W. H CONSTRUCTION CO., 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 the instrument, 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, this the 4th day of AUGUST, 1976.

B. L. Chenault
Notary Public

My Commission Expires: 6/18/78

BOOK 17 PAGE 555

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

Gilbert Construction Co.

Witnesses:

By: Hiram L. Gilbert
Its

Owner of Lot: 12, 13, 14, 15, 16, 17, 18, 19, 20, 36, 37, 38, 39.

19761122000113660 7/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, B. L. Chenault, a Notary Public in and for said County in said State, hereby certify that _____ whose name as Hiram Gilbert of Gilbert Construction Co., 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 the instrument, 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, this the 27th day of July, 1976.

B. L. Chenault
Notary Public

My Commission Expires: 6-18-78

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

Witnesses:

_____

_____

By: Johnson-Rast & Hays Co
Robert E. Reed
Its President

Owner of Lot: 21, 22, 23, 24, 25, 26, 27, 2
29, 30, 31, 32, 33, 34, 35

19761122000113660 8/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, B.L. CHENAULT, a Notary Public in and for said County in said State, hereby certify that ROBERT E. REED whose name as PRESIDENT of JOHNSON-RAST & HAYS, 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 the instrument, 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, this the 3rd day of AUGUST, 1976.

B.L. Chenault
Notary Public

My Commission Expires: 6/18/78

BOOK 17 PAGE 557

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

Baker Enterprises

Witnesses:

By: _____
Its

Owner of Lot: 40

19761122000113660 9/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, B.L. CHENAULT, a Notary Public in and for said County in said State, hereby certify that LARRY BAKER whose name as PRESIDENT of BAKER ENTERPRISES, 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 the instrument, 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, this the 19th day of AUGUST, 1976.

B.L. Chenault
Notary Public

My Commission Expires: 6/18/78

BOOK 17 PAGE 558

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

Witnesses:

_____

_____

By: Guy H. Aderholt
Its

Owner of Lot: #41

19761122000113660 10/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, Guy H. Aderholt, a Notary Public in and for said County in said State, hereby certify that 41 whose name as Owner of _____, 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 the instrument, 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, this the 19th day of October, 1976.

Linda Smith
Notary Public

My Commission Expires:
April 16, 1978

BOOK 17 PAGE 559

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

JOHNSON-RAST & HAYS COMPANY

Witnesses:

By: Robert E. Reed
Its President

_____

_____

Owner of Lot: Parkway West-
Dividing Ridge Subdivision
Lots 3-8, 12, 13, 14 and 32-55.

19761122000113660 11/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, Mary D. Clayton, a Notary Public in and for said County in said State, hereby certify that Robert E.Reed whose name as President of Johnson-Rast & Hays Company, 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 the instrument, 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, this the _____ day of October, 1976.

Mary D. Clayton
Notary Public

My Commission Expires:
8-31-80

BOOK 17 PAGE 560

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

19761122000113660 12/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

Witnesses:

_____

_____

By: _____
Its PARKWAY WEST-DIV. RIDGE SUBDIVISION

Owner of Lot: 1, 2, 16, 19, 22, 24, 25, 28, 29, 30 & 31

STATE OF Alabama

COUNTY OF Shelby

Lydia Smith, a Notary Public in and for said County in said State, hereby certify that Leonard Sullivan whose name as Owner of Lots named Riverchase 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 the instrument, 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, this the _____ day of 25th October 1976.

Lydia Smith Nee Lydia Barnett
Notary Public

My Commission Expires:
April 16, 1978

LYDIA BARNETT NOTARY PUBLIC ALABAMA STATE AT LARGE

BOOK 17 PAGE 561

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

J B Owens Realty Co

Witnesses: By: J B Owens

Its President

Owner of Lot: PARKWAY WEST — DIVIDING RIDGE SUBD. ~~LOTS 9, 10, 11, 15, 17~~, 18, 20, 21, 23, 26, 27

19761122000113660 13/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, Linda Smith, a Notary Public in and for said County in said State, hereby certify that J. B. Owens whose name as President of J B Owens Realty, 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 the instrument, 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, this the 17TH day of November, 1976.

Linda Smith nee Linda Barnett
Notary Public

My Commission Expires:

My Commission Expires April 16, 1978

LINDA BARNETT NOTARY PUBLIC ALABAMA STATE AT LARGE

BOOK 17 PAGE 562

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

GILBERT CONST. CO. INC.

Witnesses:

By: Hiram H. Gilbert

Its

RIVERCHASE COUNTRY CLUB S/D

Owner of Lot: 26, 34, 35, 36

19761122000113660 14/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, Linda Smith, a Notary Public in and for said County in said State, hereby certify that Hiram H. Gilbert whose name as President of Gilbert Construction Co, Inc 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 the instrument, 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, this the 3rd day of November, 1976.

Linda Smith Notary Public

My Commission Expires:

My Commission Expires April 16, 1973

LINDA BARNETT NOTARY PUBLIC ALABAMA STATE AT LARGE

THE UNDERSIGNED, being the present owners of all Riverchase residential lots sold as of the date of filing of this Amendment, hereby agree to and join in the foregoing Amendment No. 1 to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential).

Witnesses:

By: X [signature]
Its

Owner of Lot: AS DESCRIBED IN DEED TO EDGAR O. ALDRIDGE FROM THE HARBERT EQUITABLE JOINT VENTURE DATED APRIL 27, 1976

1976112200011366O 15/15 $.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, Linda Smith, a Notary Public in and for said County in said State, hereby certify that whose name as Edgar O. Aldridge of 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 the instrument, 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, this the 17th day of November, 1976.

Linda Smith Nee Linda Barnett
Notary Public

My Commission Expires:

My Commission Expires April 16, 1978

BOOK 17 PAGE 564

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1976 NOV 22 PM 12: 29
Conrad M. Fowler
JUDGE OF PROBATE