

STATE OF ALABAMA)
)
)
COUNTY OF SHELBY)

1584



19761122000113690 1/15 \$.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

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 *Donald J. Phelan*
Its Division Manager

BOOK 17 PAGE 550

Witnesses:

Stuart Hunter
C.W. Matthews

By: HARBERT CONSTRUCTION CORPORATION

By Ed W. Deffen
Its Vice President

STATE OF ALABAMA)
)
JEFFERSON COUNTY)



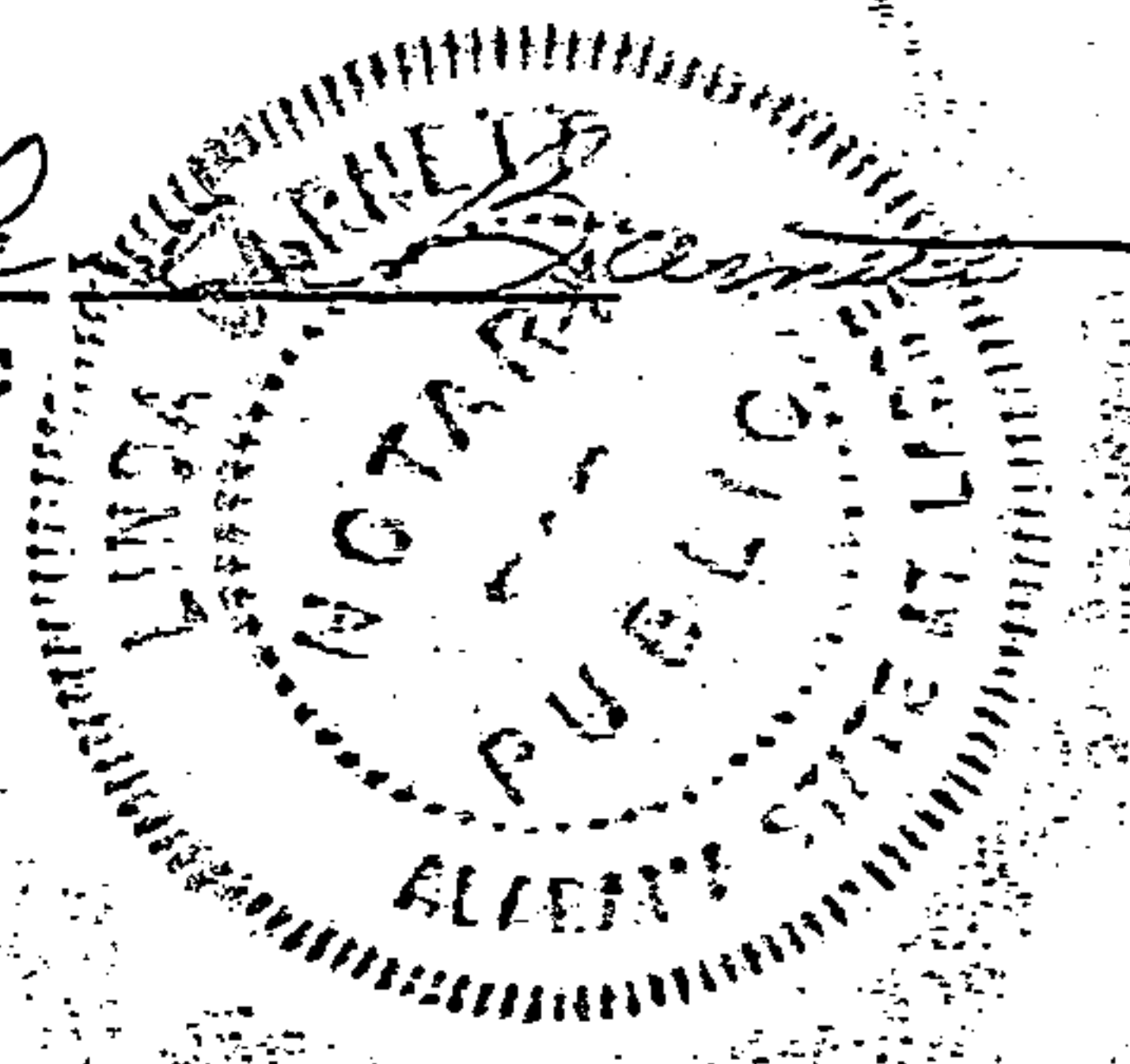
19761122000113690 2/15 \$.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

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



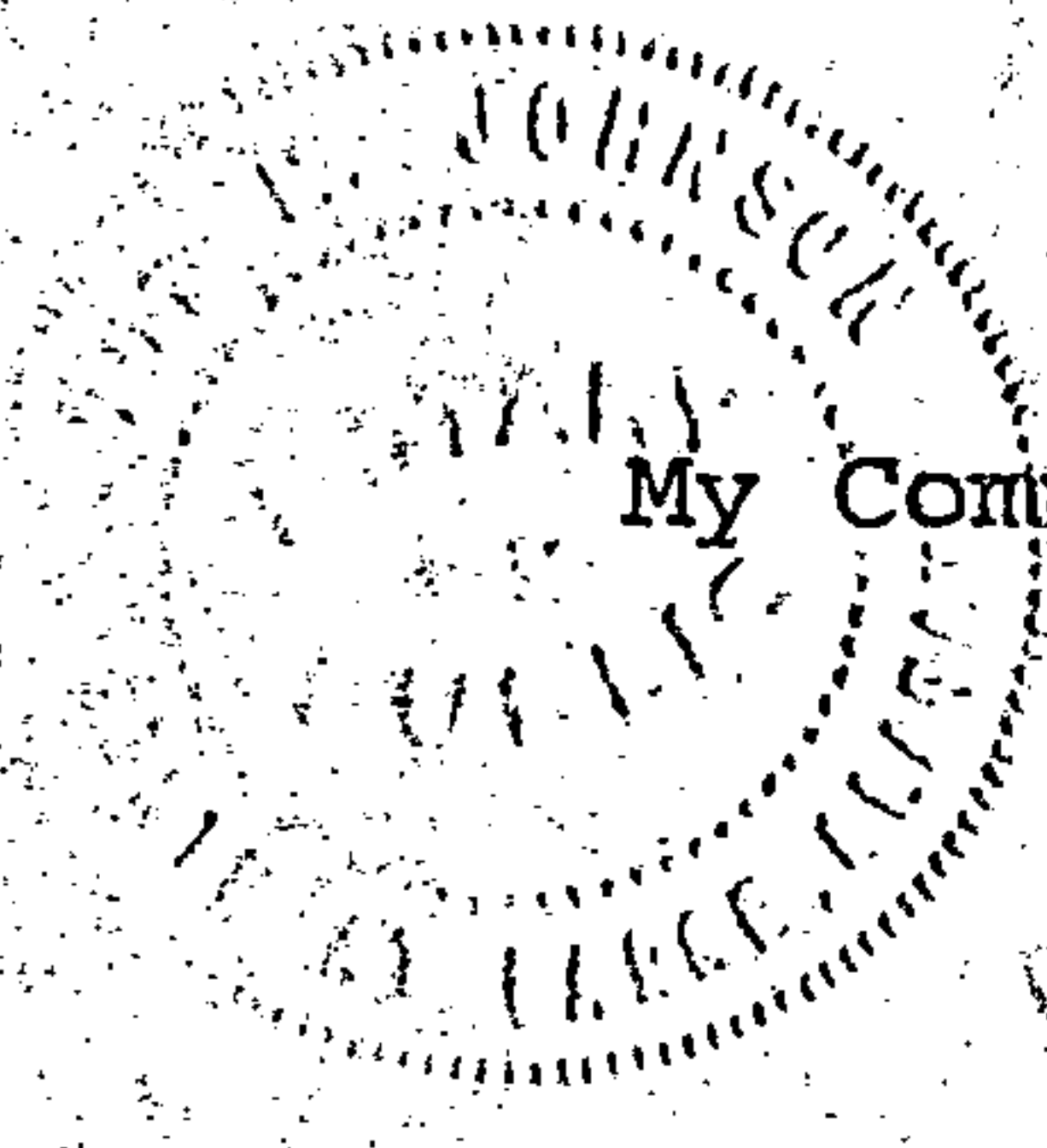
STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, Judy Ann Johnson, a Notary Public in and for said County in said State, hereby certify that Edwin M. Deffen 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 Ann 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:

By:

Its

Owner of Lot: 1



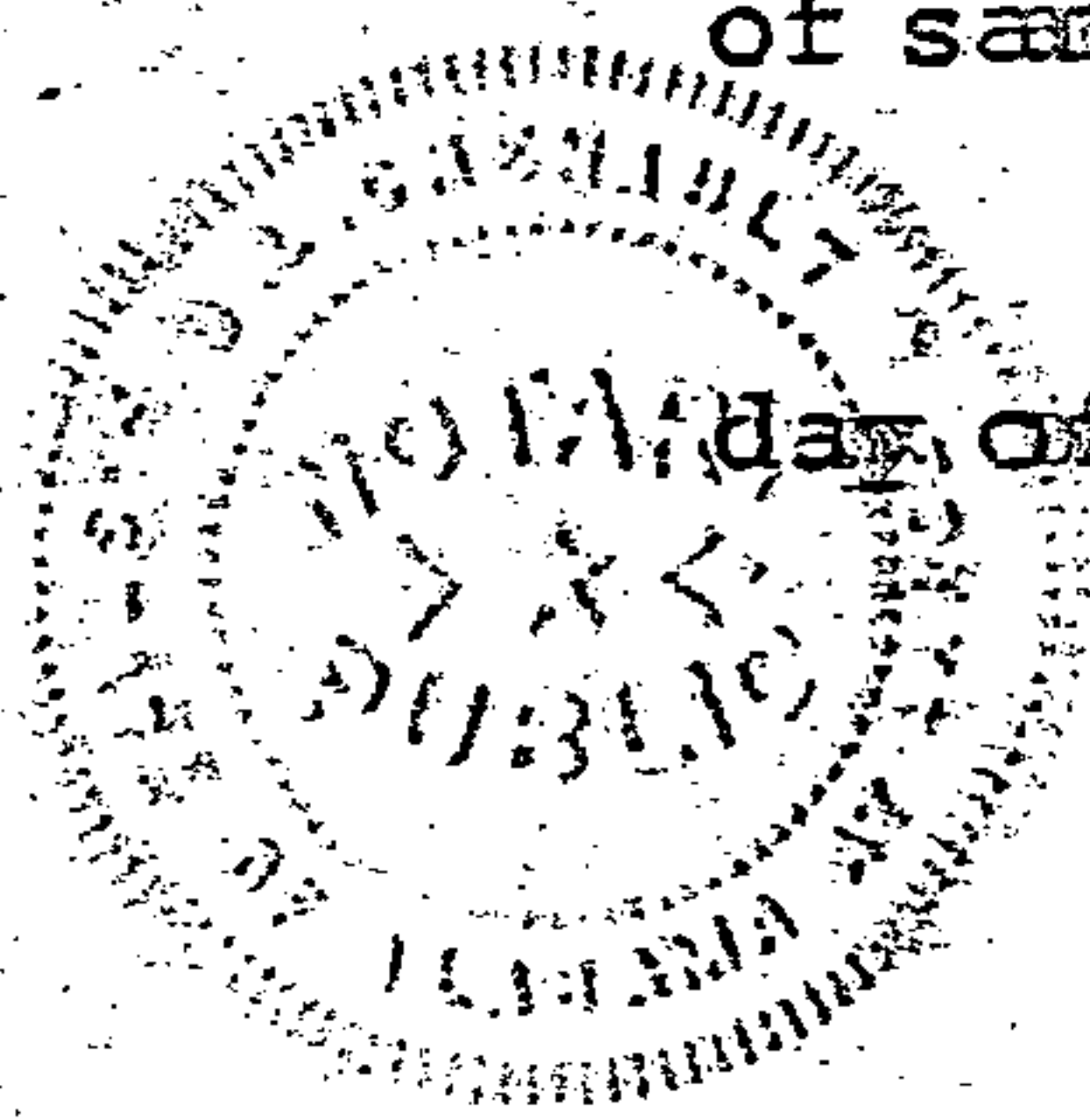
19761122000113690 3/15 \$.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

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 Reed
Its

Owner of Lot: 2, 3, 45, 47, 48
2, 3, 42, 44

STATE OF

COUNTY OF

19761122000113690 4/15 \$.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

I, Linda Smith, a Notary Public in and for said County in said State, hereby certify that whose name as Calvin Reed 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 Smith Notary Public
Notary Public

My Commission Expires: 4-16-78



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).

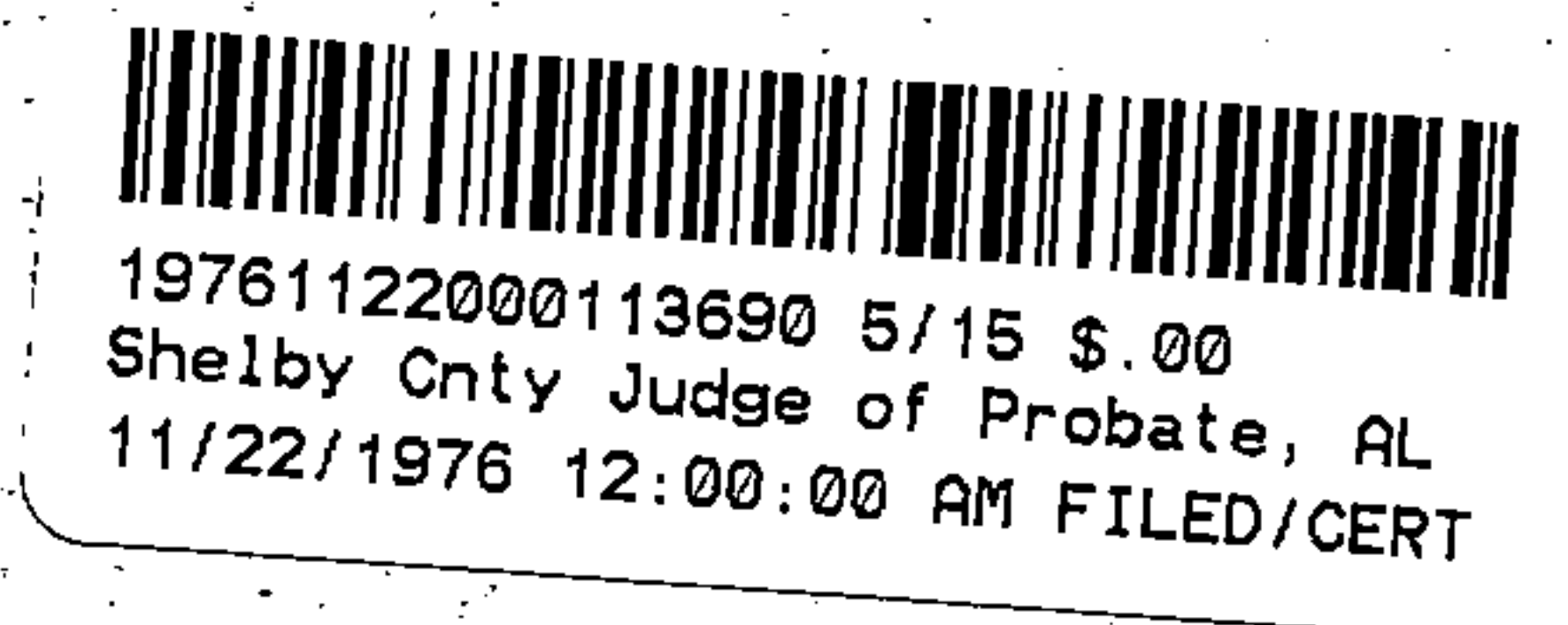
Witnesses:

Calvin Reid Const Co Inc
By: *Calvin Reid President*
Its

Owner of Lot: 45

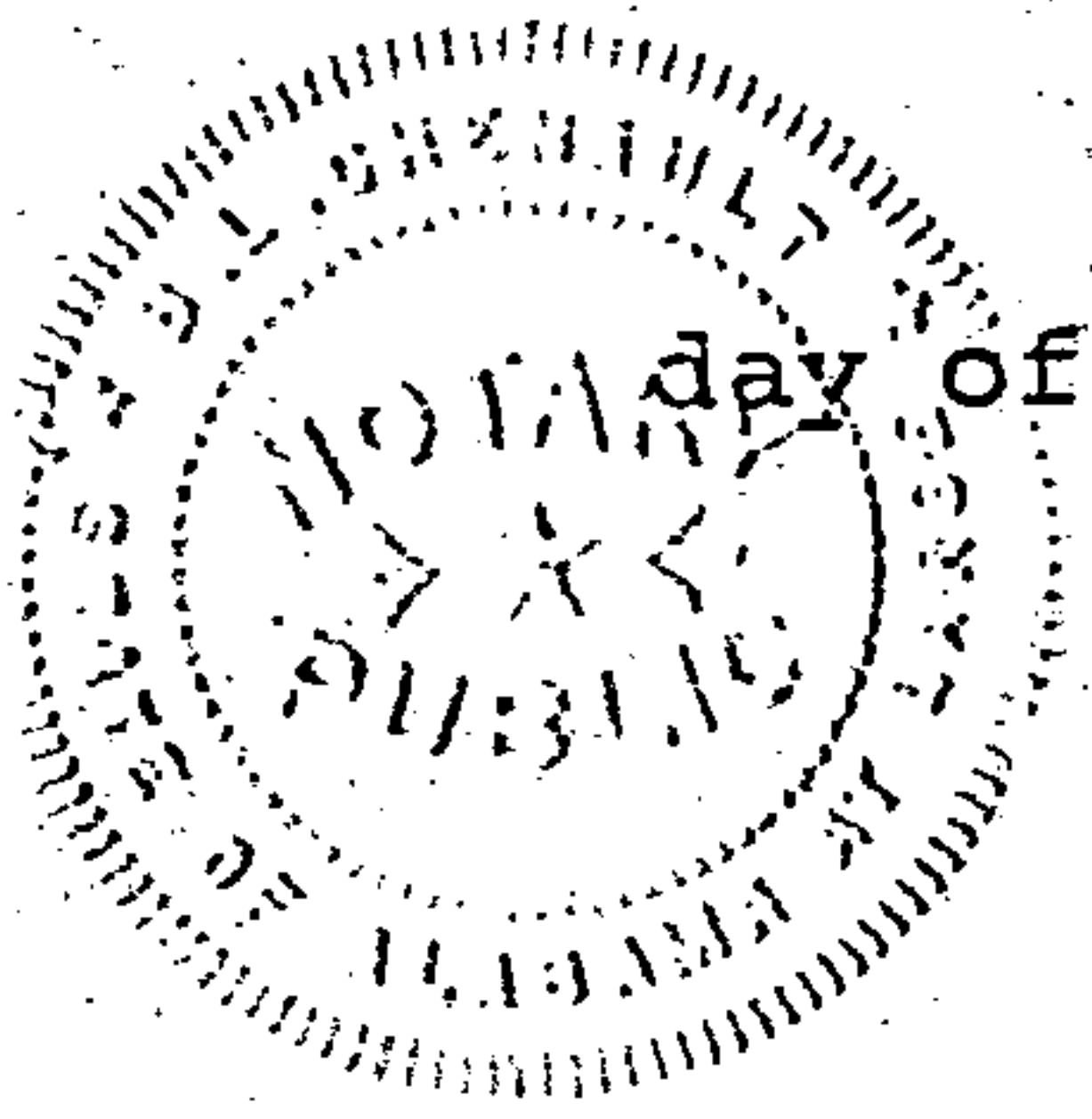
STATE OF

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

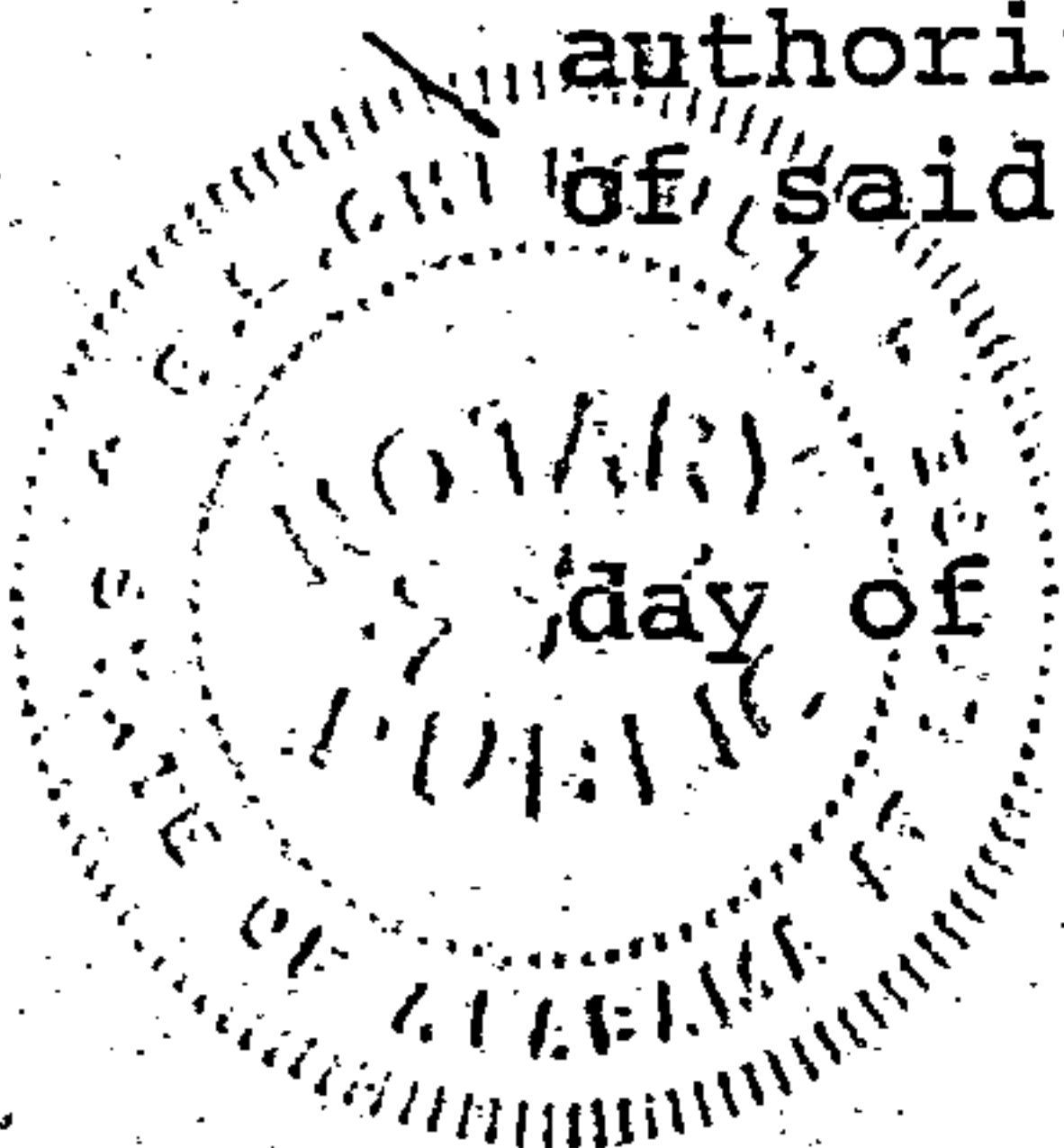
STATE OF

COUNTY OF



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

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:

Its

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

STATE OF

COUNTY OF

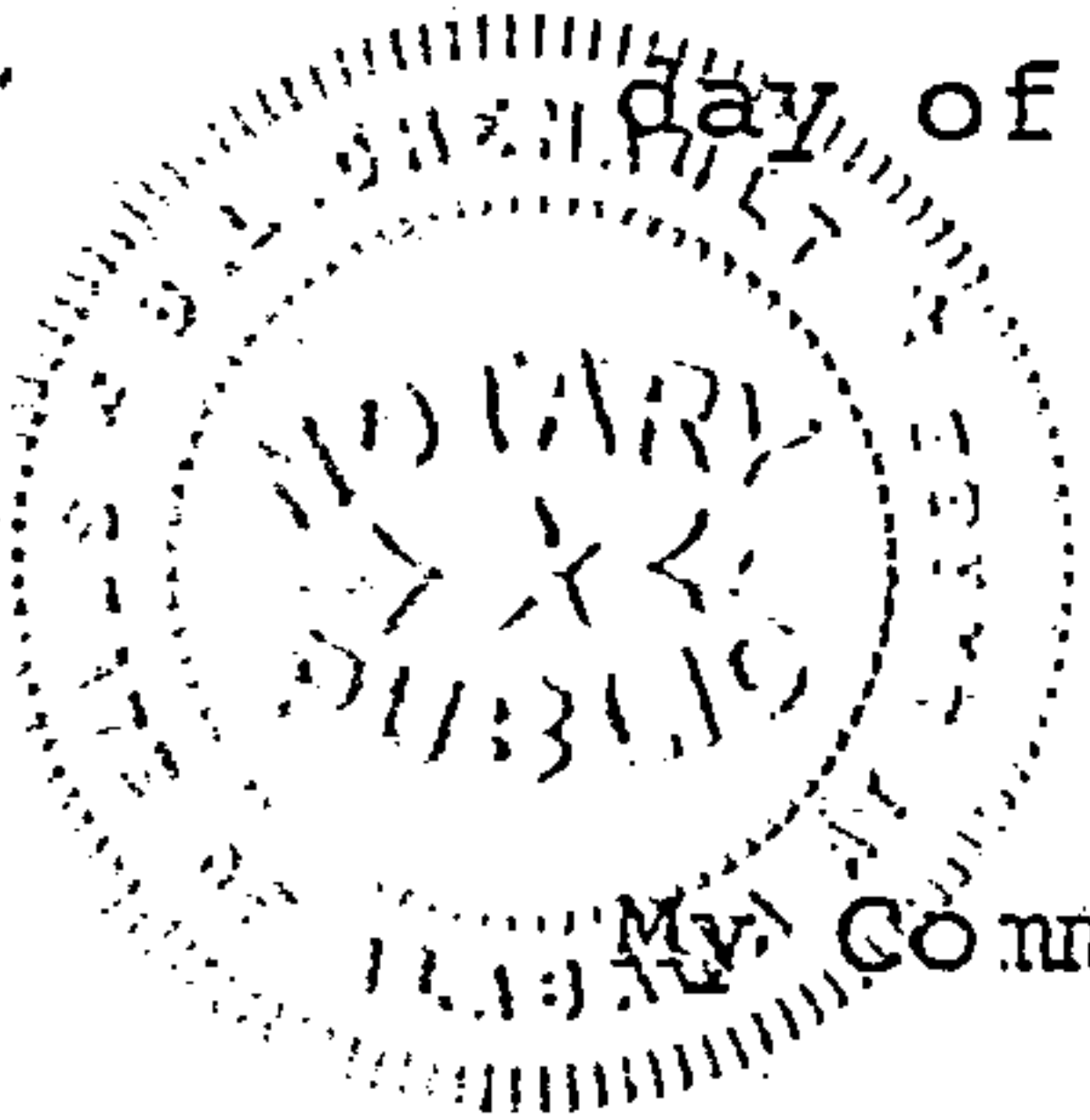


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Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

I, B. L. Chevrel, 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. Chevrel
Notary Public



My Commission Expires: 6-18-78

BOOK 17 PAGE 556

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*

21, 22, 23, 24, 25, 26, 27, 28

Owner of Lot: 29, 30, 31, 32, 33, 34, 35

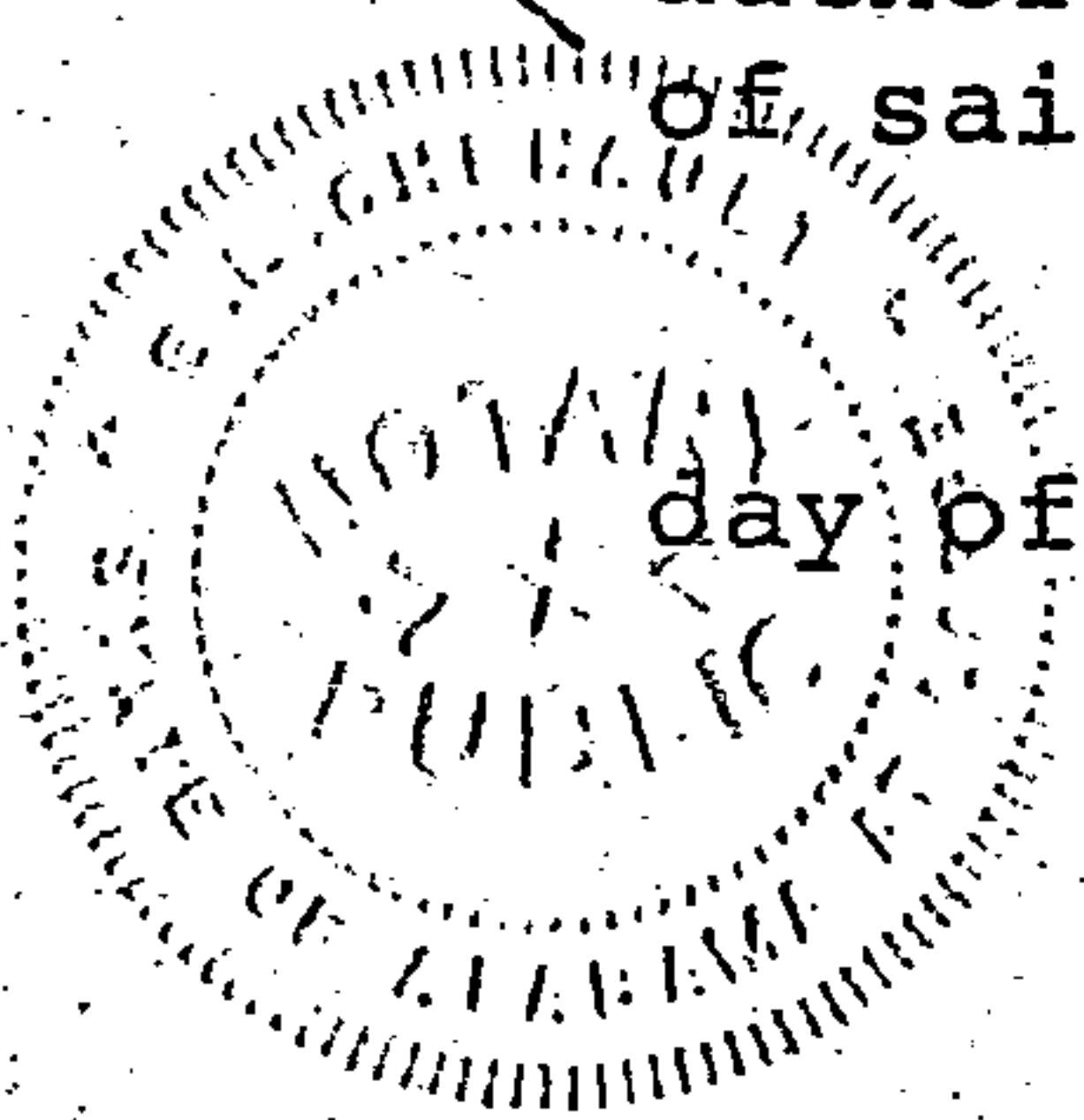


19761122000113690 8/15 \$.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

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).

Witnesses:

BAKER Enterprises
By: [Signature]
Its

Owner of Lot: 40



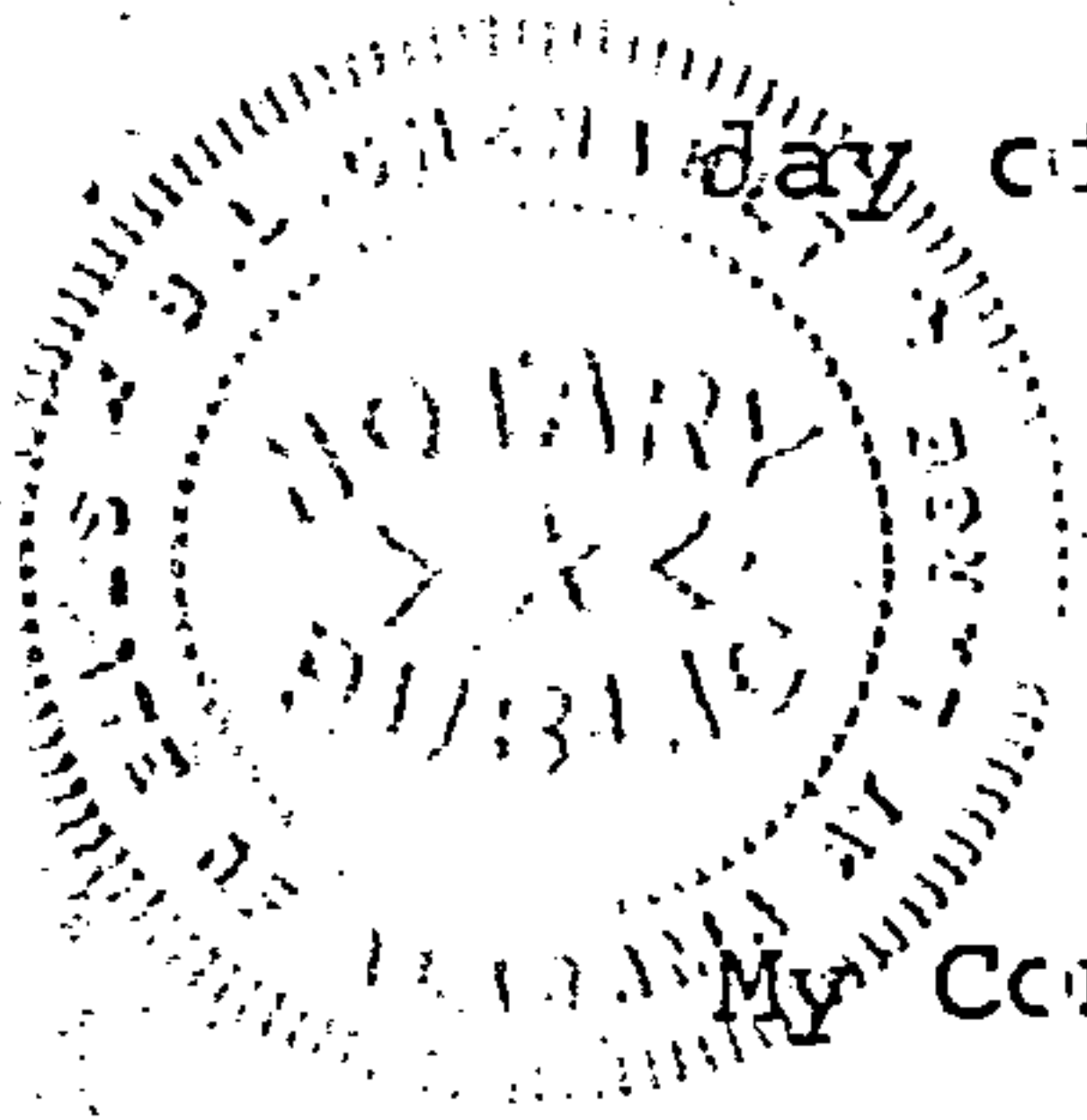
19761122000113690 9/15 \$.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

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:

Its

Owner of Lot:

#41



19761122000113690 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. Adcock, 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.

Guy H. Adcock
Notary Public

My Commission Expires:

April 16, 1978

17 PAGE 559

BOOK

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:

[Signature]
Its President

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



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

STATE OF ALABAMA

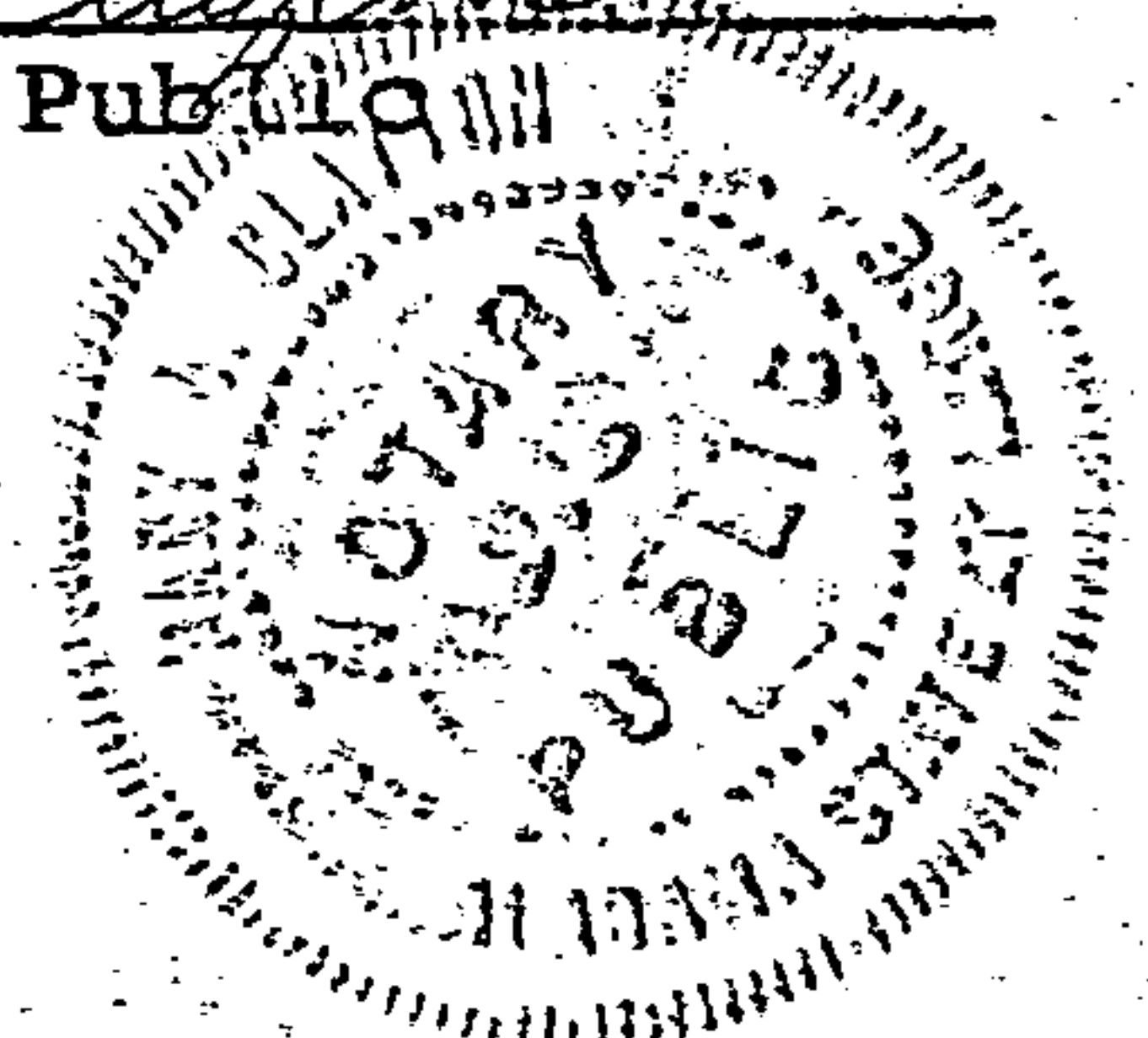
COUNTY OF JEFFERSON

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).



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

Witnesses:

By:

Its

[Signature]
DARKWAY WEST-DIV. RIDGE
SUBDIVISION

Owner of Lot:

1, 2, 16, 19, 22,
24, 25, 28, 29, 30 & 31

STATE OF

Alabama

COUNTY OF

Shelby

Linda Smith, a Notary Public in and for said County in said State, hereby certify that *Linda Smith* 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.

Linda Smith
Notary Public

My Commission Expires:

April 16, 1978

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).

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

STATE OF

COUNTY OF



19761122000113690 13/15 \$.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

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
Notary Public

My Commission Expires:

My Commission Expires April 15, 1978



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).

Witnesses:

GILBERT CONST. CO. INC.
By: Hiram A. Gilbert
Its
RIVERCHASE COUNTRY CLUB S/D
Owner of Lot: 26, 34, 35, 36



19761122000113690 14/15 \$.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

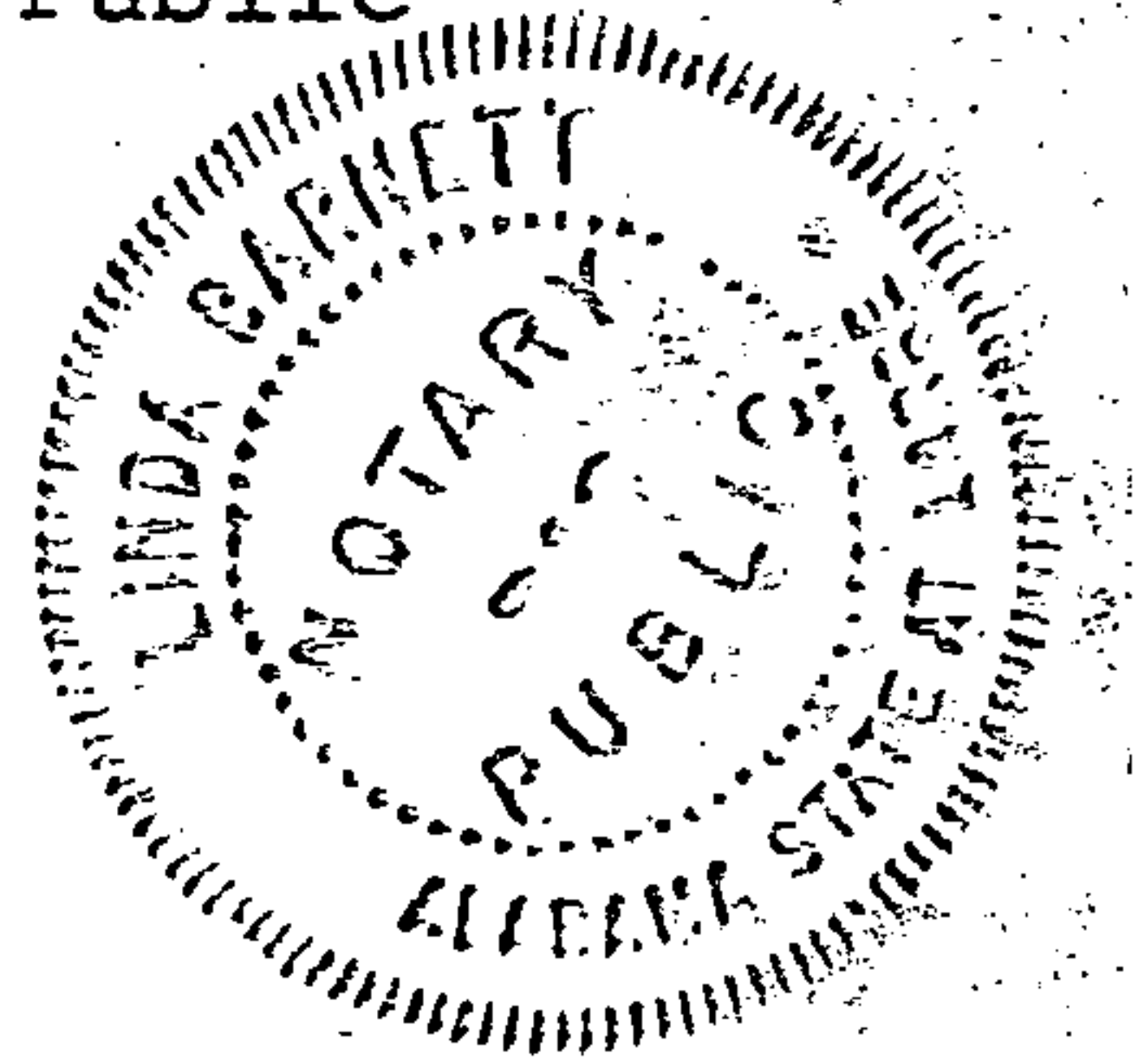
I, Linda Smith, a Notary Public in and for said County in said State, hereby certify that Hiram A. Gilbert whose name as President of Gilbert Construction Co., Inc is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of 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



BOOK 17 PAGE 563

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 E. M. Aldridge

Its

AS DESCRIBED IN DEED TO
OWNER OF LOT: EDGAR C. ALDRIDGE FROM
THE HARBOUR EQUITABLE JOINT VENTURE
DATED APRIL 29, 1976



19761122000113690 15/15 \$.00
Shelby Cnty Judge of Probate, AL
11/22/1976 12:00:00 AM FILED/CERT

STATE OF

COUNTY OF

I, Linda Barnett, a Notary Public in and for said County in said State, hereby certify that whose name as Edgar C. Aldridge 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 Barnett
Notary Public

My Commission Expires:

My Commission Expires April 15, 1978

17 PAGE 564

BOOK

Conrad M. Bunker
JUDGE OF PROBATE

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1976 NOV 22 PM 12:29

