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Shelby Cnty Judge of Probate, AL  
12/27/1976 12:00:00 AM FILED/CERT

This instrument was prepared by James F. Reddoch, Jr., 1701  
Daniel Building, Birmingham, Alabama 35233.

2449

AMENDMENT OF  
DECLARATION OF CONDOMINIUM  
OF WINDHOVER, A CONDOMINIUM

REAL 1385 PAGE 91

The undersigned, OWC. Ltd., a Delaware corporation, ("Developer"), desiring to amend the Declaration of Condominium of Windhover, a Condominium, ("Declaration"), said Declaration having been recorded in Real Vol. 1197, Page 689, in the Probate Office of Jefferson County, Alabama, and in Misc. Book 12, Page 1, in the Probate Office of Shelby County, Alabama, and having been amended by Amendment of Declaration of Condominium recorded in Real Vol. 1200, Page 637, in the Probate Office of Jefferson County, Alabama, and in Misc. Book 12, Page 196, in the Probate Office of Jefferson County, Alabama, and in Misc. Book 12, Page 196, in the Probate Office of Shelby County, Alabama, does hereby report, pursuant to the provisions of paragraph 2.03 of said Declaration, as follows:

WHEREAS, OWC, Ltd. was named in said Declaration as the developer of Windhover, a Condominium, and as the owner of the property described as Parcel A in Exhibit "A" to said Declaration which property was submitted pursuant to the Declaration to the condominium form of ownership and use; and

WHEREAS, OWC, Ltd. was named in said Declaration as the owner of the real property described and defined as the "expansion property"; and

WHEREAS, the development period as prescribed and defined in said Declaration has not expired; and

WHEREAS, said Declaration was made by OWC, Ltd. for itself, its successors, grantees and assigns; and

WHEREAS, OWC, Ltd. has heretofore sold, transferred and assigned all its right, title and interest in and to the units it owned in Windhover, a Condominium, and in and to the entire "expansion property", to OWC Development Corporation, a Delaware corporation;

NOW, THEREFORE, the undersigned hereby makes and reports the following Amendment of said Declaration:

(1) OWC Development Corporation, a Delaware corporation, having become the successor in interest to OWC, Ltd. as owner of certain units in Windhover, a Condominium, and as owner the entire "expansion property" (as the same is defined in the Declaration of Condominium of Windhover, a Condominium), shall hereafter be deemed the Developer of Windhover, a Condominium.

(2) The term "Developer" as it appears in said Declaration, and in the amendment thereto, shall refer to OWC Development Corporation, its successors, grantees and assigns.

(3) OWC Development Corporation shall be entitled to all the rights, options and privileges granted or reserved to OWC,

BOOK 18 PAGE 28



Ltd. or to "Developer" by the terms and provisions of said Declaration, and shall also by the terms and provisions of said Declaration be bound to all the obligations and duties required to be performed by OWC, Ltd. or by "Developer".

(4) OWC Development Corporation shall execute this Amendment as evidence of its agreement to be entitled to and bound by the terms, conditions, covenants, reservations, easements, options, powers of attorney, limitations on title and all other provisions contained in or incorporated by reference in the said Declaration.

(5) This Amendment does not affect the size, layout or construction specifications with regard to the private elements or common elements of any Unit within the Condominium, nor does this Amendment change the undivided interest in the common elements which has been assigned to any unit in the Condominium nor the method of computing such undivided interest. This Amendment likewise does not affect the rights of any existing lienholders or unit owners of record. Further, all unit owners and lienholders of record have, pursuant to paragraphs 2.03 and 2.05 of said Declaration, by acceptance of deeds or lien instruments to any of the units, consented to this Amendment and designated Developer, OWC, Ltd., and its successors and assigns, as any such unit owner's or lienholder's attorney in fact for the purpose of effectuating such Amendment during the development period.

IN WITNESS WHEREOF, OWC, Ltd. and OWC Development Corporation have each caused this Amendment of Declaration of Condominium of Windhover, a Condominium, to be executed, this 27th day of December, 1976.

OWC, LTD.

ATTEST:

Virhi D. Edwards  
Its Assistant Secretary

By RM Martin  
Its Vice-President

OWC DEVELOPMENT CORPORATION

ATTEST:

Virhi D. Edwards  
Its Assistant Secretary

By RM Martin  
Its President

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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 R. S. Martin, whose name as Vice-President of OWC, Ltd., a Delaware corporation, is signed to the foregoing Amendment of Declaration of Condominium of Windhover, a Condominium, and who is known to me, acknowledged before me on this day that, being informed of the contents thereof, 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 27<sup>th</sup> day of December, 1976.

Mary Sue Largin  
Notary Public

DECEMBER 27 - PM 2:27  
JUDGE OF PROBATE

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that R. S. Martin, whose name as President of OWC Development Corporation, a Delaware corporation, is signed to the foregoing Amendment of Declaration of Condominium of Windhover, a Condominium, and who is known to me, acknowledged before me on this day that, being informed of the contents thereof, 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 27<sup>th</sup> day of December, 1976.

Mary Sue Largin  
Notary Public

BOOK 18 PAGE 30