

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

MODIFICATION AND AMENDMENT OF RESTRICTIONS
FOR OLD MILL TRACE

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, the Cahaba Company, a general partnership, as the owner of lots in the survey of Old Mill Trace, a map of which is recorded in Map Book 7, Page 99, in the Probate Office of Shelby County, Alabama, did adopt and cause to be recorded certain restrictions for Old Mill Trace, a subdivision, which restrictions are recorded in Book 34, Page 697, in the Probate Office of Shelby County, Alabama;

WHEREAS, through oversight or mistake the wording of said restrictions might be broad enough to be interpreted to apply to Lots 1, 2 and 3 of the Survey of Old Mill Trace which lots were not intended by the undersigned to be subject to said restrictions and which lots were reflected as being for commercial use on the recorded map of Old Mill Trace;

WHEREAS, the undersigned desires to clarify its true intention with respect to said Lots 1, 2 and 3 by modifying and amending the aforesaid recorded restrictions for Old Mill Trace; and

WHEREAS, paragraph 8 of the aforesaid recorded restrictions reserves to the undersigned the right to modify and amend said restrictions;

NOW, THEREFORE, the undersigned Cahaba Company does hereby modify and amend the restrictions for Old Mill Trace, a subdivision, as recorded in Book 34, Page 697, in the Probate Office of Shelby County, Alabama (the "Restrictions") as follows:

1. Notwithstanding any other provision in the Restrictions, Lots 1, 2 and 3 of the Survey of Old Mill Trace, a map of which is recorded in Map Book 7, Page 99, in the Probate Office of Shelby County, Alabama, including any resurvey of said lots heretofore or hereafter recorded, shall not be subject to the Restrictions, or any part thereof. The provisions of this paragraph shall be deemed to be effective as of the date of execution by the undersigned of the Restrictions.

2. Lots 1, 2 and 3 of the Survey of Old Mill Trace, recorded as aforesaid, including any recorded resurvey(s) of said lots, may be used for commercial purposes.

3. Except as herein modified or amended, all the provisions of the Restrictions are hereby reaffirmed by the undersigned.

IN WITNESS WHEREOF, the undersigned Cahaba Company, a general partnership, has duly executed this instrument this 9th day of March, 1984.

CAHABA COMPANY

BY: Denney Barrow
Denney Barrow

General Partner

1600 Bond for Savings Bldg

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Denney Barrow, whose name as General Partner of Cahaba Company, a general partnership, is signed to the foregoing Modification and Amendment of Restrictions of Old Mill Trace, and who is known to me, acknowledged before me on this day, that being informed of the contents of the foregoing document, he executed the same voluntarily as such partner on the day the same bears date.

GIVEN under my hand and official seal this 9th day of March, 1984.

[SEAL]

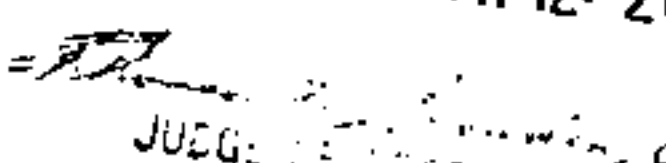
NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY:

Joseph G. Stewart, Esq.
1600 Bank for Savings Building
Birmingham, Alabama 35203

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1984 MAR 14 PM 12:24


JUDGE OF PROBATE

Rec 3.00
Ind 1.00

4.00