

## AMENDMENT TO RESTRICTIONS

STATE OF ALABAMA

COUNTY OF SHELBY

Whereas, Harbar Homes, Inc., has caused to be recorded in Book 152, page 657, Probate Office of Shelby County, Alabama, certain restrictive covenants which apply to Heritage Oaks Subdivision and

Whereas, the said Harbar Homes, Inc., reserved the right to modify or amend the restrictions in paragraph #7 thereof, and it is the desire of Harbar Homes, Inc. to modify and amend said restrictions.

Now, therefore, in consideration of the premises, the said Harbar Homes, Inc. does hereby modify and amend the restrictions recorded in Book 152 page 657, Probate Office of Shelby County, Alabama, in the following described manner:

(1) This modification and amendment shall apply only to Lots 21, 22, 23, 24, 25, 26, 27 and 28, Heritage Oaks, as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 11 page 23 A & B.

As to all other lots in said subdivision, the restrictions recorded in Book 152 page 657, shall remain in full force and effect without modification or change.

(2) Paragraph #5 of the restrictions presently prohibit any lot from being subdivided. The paragraph is amended to permit any or all of the lots enumerated in Section (1) above to be divided into two sections provided that:

(A) The line dividing any individual lot must run approximately parallel to Heritage View Road.

(B) The portion of each divided lot fronting on Heritage Oaks Road, (Front Portion), will have minimum size at least equal to that required by current zoning rules in effect for Heritage Oaks.

(C) The Front Portion of each lot will be subject to all current Restrictions, except that the modification to Paragraph #6 of the Restrictions hereinafter described shall remain in effect for each lot until the day that construction of a residence is substantially complete on such lot.

(D) The portion of each divided lot not fronting on Heritage Oaks Road will be released from all Restrictions and will thereafter not be considered part of Heritage Oaks.

(3) Paragraph 6 of the Restrictions presently limits the type and number

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of animals on each lot and prohibits the breeding of any animals for commercial purposes. This paragraph is amended to permit the use of the lots enumerated above for the pasturing, breeding and care of horses and cattle provided that any fences erected for such purposes comply with paragraph #4 of said restrictions.

ATTEST:

Harbar Homes, Inc.

Denney Barrow  
Secretary

BY: Denney Barrow  
Its Vice President

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Denney Barrow, whose name as Vice President of Harbar Homes, Inc., a corporation, 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 28<sup>TH</sup> day of June, 1988.

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

88 JUN 30 PM 1:07

Thomas W. Hamilton, Jr.  
JUDGE OF PROBATE

Long J. Hester  
Notary Public

My Commission Expires January 23, 1990

1. Deed Tax	\$	—
2. Mig. Tax		—
3. Recording Fee		<u>5.00</u>
4. Indexing Fee		<u>1.00</u>
TOTAL		<u>6.00</u>