

497

This instrument was prepared by: Jack P. Stephenson, Jr.
3000 SouthTrust Tower
Birmingham, Alabama 35203.

STATE OF ALABAMA)
COUNTY OF SHELBY)

SUPPLEMENTAL DECLARATION OF
PROTECTIVE COVENANTS OF
BROOK HIGHLAND, A RESIDENTIAL SUBDIVISION
SEVENTH SECTOR

KNOW ALL MEN BY THESE PRESENTS THAT,

WHEREAS, Eddleman & Associates, an Alabama general partnership (hereinafter referred to as the "Declarant") has previously filed a Declaration of Protective Covenants and Agreements in the Probate Office of Shelby County, Alabama, in Book 194, at page 254, (the "Original Declaration") for the benefit of certain real property situated in Shelby County, Alabama, which is part of a residential subdivision known as Brook Highland, A Residential Subdivision, and which is more particularly described in the Plats of the First, Second, Third, Fourth and Fifth Sectors of Brook Highland as respectively recorded in Map Book 12 at pages 62, 63, and 64, and in Map Book 13 at pages 12, 32A and 32B, in the Probate Office of Shelby County, Alabama;

WHEREAS, the Declarant is the owner of additional real property (the "Subject Property") situated in Shelby County, Alabama, which is proposed to be developed as part of Brook Highland, and which is more particularly described in the Plat of Brook Highland Seventh Sector as recorded in Map Book 13 at page 99 in the Probate Office of Shelby County, Alabama;

BOOK 255 PAGE 132
WHEREAS, the Declarant desires to submit the Subject Property to the Original Declaration in accordance with and pursuant to Section 2.02 of the Original Declaration which permits the owner of any property, with the approval in writing of the Association (as defined in the Original Declaration), to submit such property to the Original Declaration by filing a Supplementary Declaration to that effect in the Office of the Judge of Probate of Shelby County, Alabama;

NOW THEREFORE, the Declarant, together with Brook Highland Homeowners' Association, Inc. (the "Association") do, upon the recording hereof, declare and make the Subject Property and any portion thereof subject to the covenants, conditions, restrictions, uses, limitations and affirmative obligations of the Original Declaration, as amended hereby, all of which are declared to be in furtherance of a plan for the use and improvement of the Subject Property in a desirable and uniform manner suitable in architectural design and for the enforcement of such uniform standards and the maintenance and preservation of the common amenities within the property subject to the Original Declaration.

ARTICLE I

The Declarant hereby reaffirms and restates the terms and provisions of the Original Declaration in their entirety without any change whatsoever, except that the legal description of the property subject to the Original Declaration in Section 2.01 thereof shall be amended to include the Subject Property.

Declarant hereby declares that said provisions of the Original Declaration as amended hereby shall run with the land and be binding upon, and shall inure to the benefit of, the Subject Property and all parties having or acquiring any right, title or interest in and to the Subject Property or any part thereof, and their successors in interest.

ARTICLE II

BOOK 255 PAGE 133
The Association has joined in the execution of this Supplemental Declaration for the purpose of evidencing its written approval of the submission of the Subject Property to the Original Declaration as herein provided and does hereby authorize the filing of this Supplemental Declaration with the Office of the Judge of Probate of Shelby County, Alabama.

IN WITNESS WHEREOF, the undersigned have caused this Declaration to be executed as of the 6th day of September, 1989.

DEVELOPER:

EDDLEMAN & ASSOCIATES,
an Alabama general partnership
whose partners are:

THE MEADOWS, LTD.,
an Alabama limited partnership
whose general partner is
Eddleman Realty, Inc.

By: [Signature]

Its: [Signature]

and

JEFFERSON LAND SERVICES, INC.

By: Burl D. Hunt

Its: Secretary

BROOK HIGHLAND HOMEOWNERS'
ASSOCIATION, INC.

By: Billy D. Eddleman

Its: President

BOOK 255 PAGE 134

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Billy D. Eddleman, whose name as President of Eddleman Realty, Inc., a corporation, the general partner of The Meadows, Ltd., a limited partnership named as a partner of Eddleman & Associates, a partnership, is signed to the foregoing Supplemental Declaration of Protective Covenants, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Supplemental Declaration of Protective Covenants, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said Eddleman Realty, Inc., as general partner of The Meadows, Ltd., acting in its capacity as partner of Eddleman Associates.

Given under my hand and official of office this 6th day of September, 1989.

Diane C. Collins
Notary Public

My Commission Expires: May 4, 1990

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Burl D. Hunt, Jr., whose name as Secretary of Jefferson Land Services, Inc., a corporation, as partner of Eddleman & Associates, a partnership, is signed to the foregoing Supplemental Declaration of Protective Covenants, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and

foregoing Supplemental Declaration of Protective Covenants, he as such officer, and with full authority, executed the same voluntarily and as the act of said corporation acting in its capacity as partner as aforesaid.

Given under my hand and official seal of office this 6th day of September, 1989.

Diana S. Dwyer
Notary Public

My Commission Expires: 11-16-91

STATE OF ALABAMA)
JEFFERSON COUNTY)

BOOK 255 PAGE 135
I, the undersigned, a Notary Public in and for said County in said State hereby certify that Billy D. Edleman, whose name as President of Brook Highland Homeowners' Association, Inc., an Alabama nonprofit corporation, is signed to the foregoing Supplemental Declaration of Protective Covenants, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Supplemental Declaration of Protective Covenants, 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 6th day of September, 1989.

Diane C. Collins
Notary Public

My Commission Expires: May 21, 1990

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

89 SEP -7 PM 3: 53

Thomas A. Shandling, Jr.
JUDGE OF PROBATE

1. Deed Tax -----	\$	_____
2. Mtg. Tax -----	\$	_____
3. Recording Fee -----	\$	<u>12.50</u>
4. Indexing Fee -----	\$	<u>3.00</u>
5. No Tax Fee -----	\$	_____
6. Certified Stamp Fee --	\$	<u>1.00</u>
Total -----	\$	<u>16.50</u>