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STATE OF ALABAMA  
SHELBY COUNTY

CORRECTIVE DECLARATION

WHEREAS, SOUTHLAKE PROPERTIES, an Alabama General Partnership did sell certain real property to SOUTHLAKE CONSTRUCTION and DEVELOPMENT, INC., a corporation organized and existing under the laws of the State of Alabama, as evidenced by that certain deed executed on January 29, 1988, and recorded in Book 169, Page 324, in the Probate Office of Shelby County, Alabama; and

WHEREAS, It has come to the attention of both the said Grantor and Grantee that there was committed a Scrivner's Error in that there was imposed on the entire property conveyed by said deed The Declaration of Protective Covenants of SouthLake (Residential) as recorded in Book 160, Page 495, in said Probate Office; and

WHEREAS, It was intended by the Grantor and Grantee that certain parcels of the Property conveyed by said deed be subjected to and have imposed upon them The Declaration of Protective Covenants of SouthLake (Business) as recorded in Book 153, Page 395, in said Probate Office; and

WHEREAS, SOUTHLAKE PROPERTIES, an Alabama General Partnership does wish to correct the said error and impose the correct restrictive covenants upon the correct property.

NOW THEREFORE, For and in consideration of the premises and to correct the aforescribed error SOUTHLAKE PROPERTIES, an Alabama General Partnership, by and through the appropriate party does make and give this corrective declaration as follows:

SOUTHLAKE PROPERTIES, an Alabama General Partnership did execute that certain deed in favor of SOUTHLAKE CONSTRUCTION and DEVELOPMENT, INC. as recorded in Book 169, Page 324, in the Probate Office of Shelby County, Alabama, and there was an error in said deed in that all the Property was subjected to The Declaration of Protective Covenants of SouthLake (Residential) as recorded in Book 160, Page 495, in said Probate Office, when in fact, a portion should have been subjected to The Declaration of Protective

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Covenants of SouthLake (Business) as recorded in Book 153, Page 395, in said Probate Office.

The property which was to be subjected to the business covenants cited above is known as Lots 1 and 2 according to the Map of SouthLake Townhomes, as recorded in Map Book 12, Page 78, in the Probate Office of Shelby County, Alabama. These two(2) lots were at no time intended to ever be devoted to residential use, nor to have imposed upon them any residential restrictions. The Master Development Plan for Southlake has always showed and exhibited Lots 1 and 2 of SouthLake Townhomes to be used and developed under the business restrictions. Further, the location and appearance of the said Lots 1 and 2 do not tie them into the residential townhomes, nor has it been represented to any prospective purchaser of a townhome that said Lots 1 and 2 would be part of the residential community.

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SOUTHLAKE PROPERTIES, an Alabama General Partnership and SOUTHLAKE CONSTRUCTION and DEVELOPMENT, INC. do declare that Lots 1 and 2, according to the Map of SouthLake Townhomes, as recorded in Map Book 12, Page 78, in the Probate Office of Shelby County, Alabama are subjected to and do now impose upon them The Declaration of Protective Covenants of SouthLake (Business) as recorded in Book 153, Page 395, in the Probate Office of Shelby County, Alabama, as was originally intended, and further declare that this document shall remove and cancel The Declaration of Protective Covenants of SouthLake (Residential) as recorded in Book 160, Page 495, in said Probate Office, from the said Lots 1 and 2. This action and declaration are being taken and done to put the said Lots 1 and 2 under the proper regime of the business covenants.

In Witness Whereof, this Corrective Declaration has been caused to be executed on this the 27th day of September, 1990.

SOUTHLAKE PROPERTIES, an  
Alabama General Partnership  
By: RIME DEVELOPERS, INC., its  
General Partner

  
Harold Ripps, its President

SOUTHLAKE CONSTRUCTION and DEVELOPMENT, INC.

*William J. Wilkens, Jr.*  
William J. Wilkens, Jr.  
its Vice President

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Harold Ripps, whose name as President of RIME DEVELOPERS, INC., a corporation, as General Partner of SouthLake Properties, an Alabama General Partnership, is signed to the foregoing Corrective Declaration 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 in its capacity as General partner of said partnership.

Given under my hand and official seal this the 27th day of September, 1990.

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

90 OCT -9 AM 8:18

*Gene W. Gray, Jr.*  
Notary Public  
Commission Expires: 11-9-92

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STATE OF ALABAMA  
JEFFERSON COUNTY JUDGE OF PROBATE

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that William J. Wilkens, Jr. whose name as Vice President of SOUTHLAKE CONSTRUCTION and DEVELOPMENT, INC. a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of this conveyance, 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 September, 1990.

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8. \_\_\_\_\_

*Gene W. Gray, Jr.*  
Notary Public  
Commission Expires: 11-9-92

PREPARED BY:  
Gene W. Gray, Jr.  
2100 SouthBridge Parkway Suite 650  
Birmingham, Alabama 35209

1.00  
7.50  
4.00  
12.50