

2695

**FIRST AMENDMENT TO GREYSTONE
RESIDENTIAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS**

THIS FIRST AMENDMENT TO GREYSTONE RESIDENTIAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made and entered into as of the 6th day of June, 1991 by DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership (the "Developer").

R E C I T A L S:

Developer has heretofore executed the Greystone Residential Declaration of Covenants, Conditions and Restrictions dated November 6, 1990 (the "Declaration"), which has been recorded in Real 317, Page 260 in the Probate Office of Shelby County, Alabama. Capitalized terms not otherwise expressly defined herein shall have the same meanings given to them in the Declaration.

Developer desires to submit Additional Property to the terms and provisions of the Declaration, as provided in Section 2.02 of the Declaration.

NOW, THEREFORE, in consideration of the premises, Developer does hereby amend the Declaration as follows:

1. **Additional Property.** Pursuant to the terms and provisions of Section 2.02 of the Declaration, Developer does hereby declare that the real property described in Exhibit A-1 attached hereto and incorporated herein by reference (the "Additional Property") shall be held, developed, improved, transferred, sold, conveyed, leased, occupied and used subject to all of the easements, covenants, conditions, restrictions, charges and regulations set forth in the Declaration, which shall be binding upon and inure to the benefit of all parties acquiring or having any right, title or interest in any portion of the Additional Property and their respective heirs, executors, administrators, personal representatives, successors and assigns. The Additional Property described in Exhibit A-1 attached hereto and the original Property described in the Declaration shall, for the purposes of the Declaration, collectively be referred to as the Property and all references in the Declaration to the Property shall mean the original Property as described in the Declaration as well as the Additional Property described herein.

2. **Full Force and Effect.** Except as specifically modified and amended herein, all of the terms and conditions of the Declaration shall remain in full force and effect.

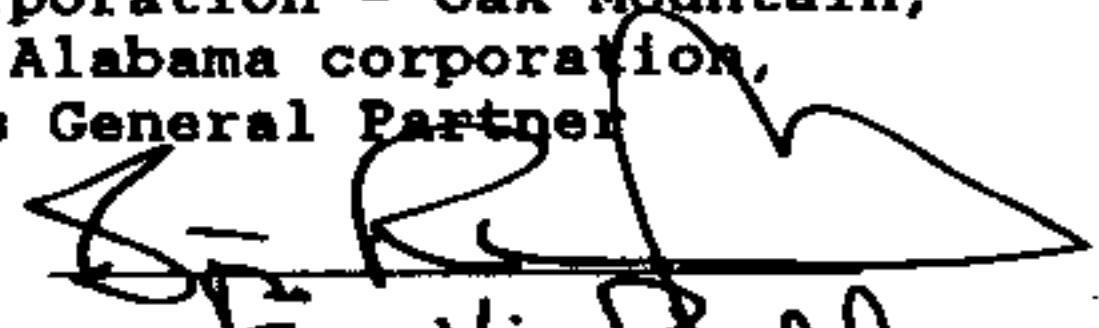
Daniel

IN WITNESS WHEREOF, Developer has caused this First Amendment to Greystone Residential Declaration of Covenants, Conditions and Restrictions to be executed as of the day and year first above written.

DEVELOPER:

DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership

By: Daniel Realty Investment Corporation - Oak Mountain, an Alabama corporation, Its General Partner

By: 

Its: Senior Vice President

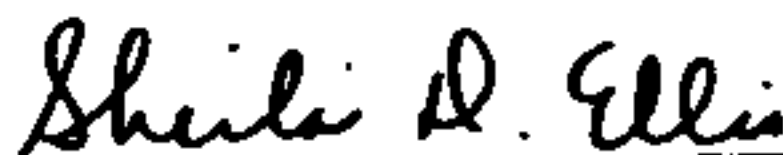
BOOK 346 PAGE 943

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that Stephen R. Monk, whose name as Senior Vice President of DANIEL REALTY INVESTMENT CORPORATION - OAK MOUNTAIN, an Alabama corporation, as general partner of Daniel Oak Mountain Limited Partnership, an Alabama limited partnership, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said 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 as aforesaid.

Given under my hand and official seal, this the 6th day of June, 1991.



Notary Public

My Commission Expires: 2/26/94

This instrument prepared by and upon recording should be returned to:

Stephen R. Monk, Esq.
Daniel Corporation
1200 Corporate Drive
Meadow Brook Corporate Park
Birmingham, AL 35242

EXHIBIT A-1

Additional Property Subjected to Declaration on June 6, 1991

The Additional Property is situated in Sections 32 and 33, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the northeast corner of said Section 32, thence run south 0° 51' 42" west along the east line of said Section 32 for a distance of 1,039.75 feet to the point of beginning; thence run south 80° 55' 57" east for a distance of 30.02 feet to a point; thence run north 33° 30' 56" east for a distance of 104.94 feet to a point; thence run south 67° 39' 08" east for a distance of 133.52 feet to a point; thence run north 67° 31' 12" east for a distance of 102.22 feet to a point; thence run north 30° 07' 08" east for a distance of 105.74 feet to a point; thence run north 25° 38' 07" east for a distance of 719.57 feet to a point; thence run north 19° 14' 45" east for a distance of 328.54 feet to a point; thence run north 57° 43' 07" east for a distance of 173.41 feet to a point; thence run south 0° 28' 33" west for a distance of 493.64 feet to a point; thence run south 46° 31' 38" east for a distance of 66.09 feet to a point; thence run south 10° 53' 37" west for a distance of 113.01 feet to a point; thence run south 26° 58' 58" east for a distance of 133.53 feet to a point; thence run south 63° 47' 26" east for a distance of 163.17 feet to a point on a curve to the left having a radial bearing in of north 89° 04' 40" east, a radius of 438.39 feet and a central angle of 11° 34' 54"; thence run in a southeasterly direction along the arc of said curve for a distance of 88.61 feet to a point; thence run south 12° 30' 14" east for a distance of 155.00 feet to a point on a curve to the right having a radial bearing in of south 77° 29' 46" west, a radius of 820.68 feet and a central angle of 29° 00' 00"; thence run in a southeasterly to southwesterly direction along the arc of said curve for a distance of 415.38 feet to a point; thence run south 16° 29' 46" west for a distance of 200.00 feet to a point on the intersection of Greystone Drive and King Stables Road (a private roadway) in Greystone 1st Sector Phase I as recorded in Map Book 14, Page 91, in the office of the Judge of Probate, Shelby County, Alabama, said point being on a curve to the right having a radial bearing in of north 73° 30' 14" west, a radius of 25.00 feet and a central angle of 90° 00' 00"; thence run in a southwesterly to northwesterly direction along the arc of said curve and also along the northeast right of way of King Stables Road (a private roadway) for a distance of 39.27 feet to a point; thence run north 73° 30' 14" west along said northeast right of way for a distance of 202.55 feet to a point on a curve to the right having a radial bearing in of north 16° 29' 46" east, a radius of 1,169.34 feet and a central angle of 10° 52' 34"; thence run in a northwesterly direction along the arc of said curve and also along said northeast right of way for a distance of 221.97 feet to a point; thence run south 27° 22' 20" west crossing said King Stables Road (a private roadway) for a distance of 60.00 feet to the northwest corner of Lot 126 in said Greystone 1st Sector Phase I; thence continue south 27° 22' 20" west along the northwest line of said Lot 126 for a distance of 176.25 feet to a point on the northeast line of Lot 125 in said Greystone 1st Sector Phase I; thence run north 62° 28' 38"

west along the northeast line of said Lot 125 for a distance of 17.16 feet to the northwest corner of said Lot 125; thence run south $31^{\circ} 22' 48''$ west along the northwest line of Lots 125, 124, 123 and 122 in said Greystone 1st Sector Phase I for a distance of 539.34 feet to the northwest corner of Lot 121 in said Greystone 1st Sector Phase I; thence run south $40^{\circ} 50' 29''$ west along the northwest line of said Lot 121 for a distance of 121.62 feet to the northwest corner of Lot 120 in said Greystone 1st Sector Phase I; thence run south $34^{\circ} 39' 12''$ west along the northwest line of Lots 120 and 119 in said Greystone 1st Sector Phase I for a distance of 200.11 feet to a point; thence run south $47^{\circ} 49' 35''$ west along the northwest line of Lots 119 and 118 in said Greystone 1st Sector Phase I for a distance of 195.26 feet to the northernmost corner of Lot 117 in said Greystone 1st Sector Phase I; thence run south $44^{\circ} 53' 27''$ west along the northwest line of Lots 117, 116 and 115 in said Greystone 1st Sector Phase I for a distance of 337.35 feet to a point; thence run south $29^{\circ} 08' 15''$ west along the northwest line of Lots 115 and 114 in said Greystone 1st Sector Phase I for a distance of 179.95 feet to a point; thence run south $54^{\circ} 35' 05''$ west along the northwest line of said Lot 114 for a distance of 48.12 feet to a point; thence run south $5^{\circ} 19' 35''$ west along the west line of Lots 114, 113 and 112 in said Greystone 1st Sector Phase I for a distance of 320.00 feet to a point on the northernmost corner of Lot 111 in said Greystone 1st Sector Phase I; thence run south $47^{\circ} 59' 48''$ west along the northwest line of Lots 111 and 110 in said Greystone 1st Sector Phase I for a distance of 182.48 feet to the northeast corner of Lot 109 in said Greystone 1st Sector Phase I; thence run north $47^{\circ} 20' 45''$ west along the northeast line of said Lot 109 for a distance of 130.00 feet to the northeast corner of Lot 108 in said Greystone 1st Sector Phase I; thence run south $72^{\circ} 39' 15''$ west along the northwest line of said Lot 108 for a distance of 50.00 feet to a point; thence run north $58^{\circ} 57' 19''$ west along the northwest line of said Lot 108 for a distance of 40.81 feet to a point; thence run south $67^{\circ} 20' 12''$ west along the northwest line of said Lot 108 for a distance of 200.00 feet to the northwest corner of Lot 107 in said Greystone 1st Sector Phase I; thence run south $7^{\circ} 20' 12''$ west along the west line of said Lot 107 for a distance of 125.00 feet to a point; thence run south $12^{\circ} 39' 48''$ east along the southwest line of Lots 107 and 105 in said Greystone 1st Sector Phase I for a distance of 220.00 feet to the northeast corner of Lot 104 in said Greystone 1st Sector Phase I; thence run south $74^{\circ} 20' 12''$ west along the northwest line of Lots 104 and 103 in said Greystone 1st Sector Phase I for a distance of 270.51 feet to the northwest corner of said Lot 103; thence run south $10^{\circ} 42' 57''$ east along the southwest line of said Lot 103 for a distance of 160.05 feet to a point on the northwest right of way of Shandwick Place (a private roadway) in said Greystone 1st Sector Phase I, said point being on a curve to the right having a radial bearing in of north $10^{\circ} 42' 57''$ west, a radius of 289.52 feet and a central angle of $1^{\circ} 59' 04''$; thence run in a southwesterly direction along the arc of said curve and also along said northwest right of way for a distance of 10.03 feet to a point; thence run south $8^{\circ} 43' 52''$ east crossing said Shandwick Place (a private roadway) for a distance of 60.00 feet to the northwest corner of Lot 48 in said Greystone 1st Sector Phase I; thence continue south $8^{\circ} 43' 52''$ east along the southwest line of said Lot 48 for a distance of 210.40 feet to the southwest corner of said Lot 48; thence run south $81^{\circ} 12' 19''$ west for a distance of 401.50 feet to a point; thence run north $61^{\circ} 52' 13''$ west for a distance of 91.66 feet to a point; thence run north $12^{\circ} 57' 12''$ west for a distance of 545.86 feet to a point; thence run north $8^{\circ} 45' 30''$ west for a

distance of 170.13 feet to a point; thence run north 12° 28' 01" east for a distance of 177.77 feet to a point; thence run north 16° 33' 28" east for a distance of 378.52 feet to a point; thence run north 29° 26' 52" east for a distance of 485.09 feet to a point; thence run north 4° 41' 46" west for a distance of 114.76 feet to a point; thence run north 45° 14' 29" west for a distance of 70.04 feet to a point; thence run north 5° 06' 49" west for a distance of 123.71 feet to a point; thence run north 41° 55' 46" east for a distance of 347.92 feet to a point; thence run north 38° 08' 46" east for a distance of 348.81 feet to a point; thence run north 23° 38' 35" east for a distance of 407.34 feet to a point; thence run south 59° 21' 08" east for a distance of 223.55 feet to a point; thence run north 30° 38' 52" east for a distance of 267.58 feet to a point on a curve to the left having a radial bearing in of north 59° 21' 08" west, a radius of 25.00 feet and a central angle of 86° 03' 19"; thence run in a northwesterly direction along the arc of said curve for a distance of 37.55 feet to a point on a reverse curve to the right having a radial bearing in of north 34° 35' 33" east, a radius of 774.50 feet and a central angle of 12° 44' 46"; thence run in a northwesterly direction along the arc of said curve for a distance of 172.30 feet to a point; thence run north 42° 39' 42" west for a distance of 72.14 feet to a point; thence run north 37° 14' 42" east for a distance of 42.02 feet to a point; thence run south 80° 55' 57" east for a distance of 646.84 feet to the point of beginning. Said parcel containing 100.732 acres, more or less.

BOOK 346 PAGE 946

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

91 JUN -7 PM 3:13

James H. [Signature]
JUDGE OF PROBATE

1	170.13	
2	177.77	
3	378.52	
4	485.09	
5	114.76	
6	70.04	
7	123.71	
8	347.92	
9	348.81	
10	407.34	
11	223.55	
12	267.58	
13	37.55	
14	172.30	
15	72.14	
16	42.02	
17	646.84	
Total		100.732