

2491

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

THIS THIRD AMENDMENT TO GREYSTONE RESIDENTIAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made and entered into as of the 26th day of March, 1992 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 which has been recorded in Real 317, Page 260 in the Probate Office of Shelby County, Alabama, which has been amended by First Amendment thereto dated June 6, 1991 and recorded in Real Book 346, Page 942 in said Probate Office and Second Amendment thereto dated December 20, 1991 and recorded in Real Book 378, Page 904 in said Probate Office (collectively, the "Declaration"). 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-3 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-3 attached hereto, the original Property described in the Declaration and all Additional Property heretofore submitted by Developer to the terms and provisions of 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, all Additional Property heretofore submitted to the terms and provisions of the

✓ Daniel Corp

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, as previously amended, shall remain in full force and effect.

IN WITNESS WHEREOF, Developer has caused this Third 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: Sr. Vice President

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 Sr. 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 26th day of March, 1992.

Sheila H. Ellis
Notary Public

My Commission Expires: 2/26/99

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

Stephen R. Monk, Esq.
Daniel Corporation
P. O. Box 385001
Birmingham, AL 35242

EXHIBIT A-3

ADDITIONAL PROPERTY

Parcel I - Estate Lots Property:

Part of Section 33, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of said Section 33 and thence run North along the West line of said Section 33 for 1,330.19 feet to a point on the Southwest line of Lot 1, Greystone First Sector, Phase I, as recorded in Map Book 14, Page 91, in the Office of the Judge of Probate Shelby County, Alabama; thence turn an angle to the right of 128°-06'-40" and run in a Southeasterly direction along the Southwest line of said Lot 1 for 130.85 feet to the point of beginning; thence turn an angle to the left of 84°-59'-36" and run in a Northeasterly direction along the Southeast line of Lots 1, 2, and 3 in said Greystone First Sector, Phase I, for 454.48 feet to a point; thence turn an angle to the right of 08°-40'-37" and run in a Northeasterly direction along the Southeast line of Lots 4, 5, & 6 in said Greystone First Sector, Phase I, for 431.76 feet to a point; thence turn an angle to the right of 30°-30'-25" and run in a Northeasterly direction for 60.00 feet to the Southeast corner of Lot 7 in said Greystone First Sector, Phase I; thence turn an angle to the left of 37°-45'-47" and run in a Northeasterly direction along the Southeast line of Lots 7, 8 & 9 in said Greystone First Sector, Phase I, for 569.16 feet to a point; thence turn an angle to the left of 23°-16'-58" and run in a Northeasterly direction along the Southeast line of Lots 10, 11 & 12 of said Greystone First Sector, Phase I, for 515.40 feet to a point; thence turn an angle to the right of 37°-46'-39" and run in a Northeasterly direction for 359.70 feet to a point; thence turn an angle to the right of 81°-55'-50" and run in a Southwesterly direction for 415.28 feet to a point; thence turn an angle to the left of 23°-37'-14" and run in a Southeasterly direction for 151.28 feet to a point; thence turn an angle to the left of 69°-48'-35" and run in a Northeasterly direction for 177.12 feet to a point on the 810 Contour; thence turn an angle to the right of 52°-27'-51" and run in a Southeasterly direction along the 810 Contour for 132.83 feet to a point; thence turn an angle to the left of 40°-09'-36" and run in a Northeasterly direction along the 810 Contour for 37.65 feet to a point; thence turn an angle to the left of 25°-38'-46" and run in a Northeasterly direction along the 810 Contour for 87.79 feet to a point; thence turn an angle to the right of 01°-38'-16" and run in a Northeasterly direction along the 810 Contour for 111.20 feet to a point; thence turn an angle to the right of 131°-05'-18" and run in a Southeasterly direction along the 810 Contour for 107.63 feet to a point; thence turn an angle to the left of 27°-54'-00" and run in a Southeasterly direction along the 810 Contour for 58.43 feet to a point; thence turn an angle to the left of 09°-47'-22" and run in a Southeasterly direction along the 810 Contour for 81.49 feet to a point; thence turn an angle to the right of 119°-59'-17" and run in a Southwesterly direction along the 810 Contour for 37.39 feet to a point; thence turn an angle to the left of 07°-42'-58" and run in a Southwesterly direction along the 810 Contour for 77.35

feet to a point; thence turn an angle to the left of $47^{\circ}-44'-30''$ and run in a Southwesterly direction along the 810 Contour for 62.22 feet to a point; thence turn an angle to the right of $41^{\circ}-22'-20''$ and run in a Southwesterly direction along the 810 Contour for 39.44 feet to a point; thence turn an angle to the left of $31^{\circ}-58'-01''$ and run in a Southwesterly direction along the 810 Contour for 57.68 feet to a point; thence turn an angle to the left of $56^{\circ}-13'-06''$ and run in a Southeasterly direction along the 810 Contour for 38.37 feet to a point; thence turn an angle to the left of $24^{\circ}-57'-18''$ and run in a Southeasterly direction along the 810 Contour for 35.37 feet to a point; thence turn an angle to the left of $22^{\circ}-49'-41''$ and run in a Southeasterly direction along the 810 Contour for 39.58 feet to a point; thence turn an angle to the right of $91^{\circ}-39'-43''$ and run in a Southwesterly direction along the 810 Contour for 24.04 feet to a point; thence turn an angle to the left of $49^{\circ}-44'-04''$ and run in a Southeasterly direction along the 810 Contour for 66.40 feet to a point; thence turn an angle to the left of $39^{\circ}-53'-07''$ and run in a Southeasterly direction along the 810 Contour for 57.75 feet to a point; thence turn an angle to the left of $28^{\circ}-30'-13''$ and run in a Northeasterly direction along the 810 Contour for 44.51 feet to a point; thence turn an angle to the right of $121^{\circ}-52'-51''$ and run in a Southwesterly direction along the 810 Contour for 70.26 feet to a point; thence turn an angle to the left of $24^{\circ}-02'-19''$ and run in a Southeasterly direction along the 810 Contour for 55.89 feet to a point; thence turn an angle to the left of $34^{\circ}-26'-55''$ and run in a Southeasterly direction along the 810 Contour for 57.56 feet to a point; thence turn an angle to the left of $24^{\circ}-46'-36''$ and run in a Southeasterly direction along the 810 Contour for 98.49 feet to a point; thence turn an angle to the right of $60^{\circ}-37'-34''$ and run in a Southeasterly direction along the 810 Contour for 68.85 feet to a point; thence turn an angle to the right of $58^{\circ}-59'-02''$ and run in a Southwesterly direction along the 810 Contour for 100.12 feet to a point; thence turn an angle to the left of $47^{\circ}-40'-52''$ leaving said 810 Contour and run in a Southwesterly direction for 32.32 feet to a point on the Northerly right of way line of Hugh Daniel Drive; thence $58^{\circ}-37'-57''$ right to become tangent to a curve to the left, said curve having a radius of 4,540.00 feet and subtending a central angle of $05^{\circ}-46'-48''$; thence run Southwesterly along said right of way line and along the arc of said curve for 457.99 feet to the end of said curve; thence at tangent to said curve continue Southwesterly along said right of way line for 90.62 feet to the beginning of a curve to the right, said curve having a radius of 443.89 feet and subtending a central angle of $22^{\circ}-12'-53''$; thence run Southwesterly along said right of way line and along the arc of said curve for 172.10 feet to the end of said curve, said point also being the beginning of a curve to the left, said curve having a radius of 331.62 feet and subtending a central angle of $29^{\circ}-51'-15''$; thence run Southwesterly along said right of way line and along the arc of said curve for 172.79 feet to the end of said curve; thence at tangent to said curve run Southwesterly along said right of way line for 138.92 feet to the beginning of a curve to the right, said curve having a radius of 1,560.00 feet and subtending a central angle of $07^{\circ}-45'-25''$; thence run Southwesterly along said right of way line and along the arc of said curve for 211.20 feet to the end of said curve; thence at tangent to said curve run Southwesterly along said right of way line for 192.38 feet to the beginning of a curve to the left, said curve having a radius of 540.00 feet and subtending a central angle of $08^{\circ}-25'-01''$; thence run Southwesterly along said right of way line and along the arc of said curve for 79.33 feet to the end of said curve; thence at tangent to said curve run Southwesterly along said right of way line for 49.12 feet to the beginning of a curve to the right, said curve having a radius of 920.00 feet and subtending a central angle of

33°-24'-16"; thence run Southwesterly along said right of way line and along the arc of said curve for 536.37 feet to the end of said curve; thence at tangent to said curve run Southwesterly along said right of way line for 169.47 feet to the beginning of a curve to the right, said curve having a radius of 1,610.00 feet and subtending a central angle of 20° -00'-20"; thence run Westerly along said right of way line and along the arc of said curve for 562.14 feet to the end of said curve; thence at tangent to said curve run Northwesterly along said right of way line for 131.60 feet; thence 78°-47'-24" right and run north and parallel with the west line of said Section 33 for 372.19 feet to the point of beginning. Said parcel contains 64.438 acres.

Parcel II - Regular Lots Property:

Commence at a 3" capped iron locally accepted to be the southwest corner of the northwest quarter of said Section 33, thence run north along the west line of said quarter Section for a distance of 2,646.97 feet to an iron locally accepted to be the northwest corner of said Section 33; thence turn an angle to the right of 131° 18' 38" and run in a southeasterly direction for a distance of 2,054.10 feet to an iron pin found at the point of beginning, said point being the northwest corner of Lot 13, St. Charles at Greystone as recorded in Map Book 16, Page 5 in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the left of 25° 40' 35" and run in a southeasterly direction along the northeast line of said Lot 13 and Lot 12 in said St. Charles at Greystone for a distance of 439.96 feet to an iron set; thence turn an angle to the left of 8° 14' 24" and run in a southeasterly direction for a distance of 597.07 feet to an iron pin set; thence turn an angle to the left of 3° 32' 28" and run in a southeasterly direction for a distance of 279.58 feet to an iron pin set; thence turn an angle to the left of 73° 33' 17" and run in a northeasterly direction for a distance of 690.21 feet to an iron pin set; thence turn an angle to the right of 3° 26' 40" and run in a northeasterly direction for a distance of 60.00 feet to an iron pin set; thence turn an angle to the right of 13° 47' 09" and run in a northeasterly direction for a distance of 130.06 feet to an iron pin set; thence turn an angle to the right of 4° 48' 17" and run in a northeasterly direction for a distance of 575.59 feet to an iron pin set; thence turn an angle to the right of 5° 23' 33" and run in a northeasterly direction for a distance of 269.71 feet to an iron pin set; thence turn an angle to the left of 21° 34' 30" and run in a northeasterly direction for a distance of 212.94 feet to an iron pin set; thence turn an angle to the left of 41° 08' 59" and run in a northwesterly direction for a distance of 77.51 feet to an iron pin set; thence turn an angle to the right of 89° 02' 58" and run in a northeasterly direction for a distance of 619.62 feet to an iron pin set; thence turn an angle to the left of 31° 34' 58" and run in a northeasterly direction for a distance of 884.66 feet to an iron pin set; thence turn an angle to the left of 5° 08' 54" and run in a northeasterly direction for a distance of 135.22 feet to an iron pin set; thence turn an angle to the left of 31° 03' 52" and run in a northerly direction for a distance of 153.84 feet to an iron pin set; thence turn an angle to the left of 32° 31' 27" and run in a northwesterly direction for a distance of 200.00 feet to an iron pin set; thence turn an angle to the right of 90° 00' 00" and run in a northeasterly direction for a distance of 88.92 feet to an iron pin set; thence turn an angle to the left of 90° 00' 00" and run in a northwesterly direction for a distance of 254.50 feet to an iron pin set; thence turn an angle to the left of 89° 44' 52" and run in a southwesterly direction for a distance of 89.48 feet to an iron pin set; thence turn an angle to the right of 16° 56' 19" and run in a southwesterly

direction for a distance of 133.66 feet to an iron pin set on a curve to the left having a central angle of 6° 35' 19" and a radius of 672.02 feet; thence turn an angle to the right of 58° 43' 55" to the chord of said curve and run in a northwesterly direction along the arc of said curve for a distance of 77.28 feet to an iron pin set; thence turn an angle to the left of 93° 17' 51" from the chord of last stated curve and run in a southwesterly direction for a distance of 60.00 feet to an iron pin found; thence turn an angle to the left of 15° 50' 11" and run in a southwesterly direction for a distance of 436.50 feet to an iron pin found; thence turn an angle to the right of 4° 32' 39" and run in a southwesterly direction for a distance of 390.85 feet to an iron pin found; thence turn an angle to the right of 35° 25' 50" and run in a southwesterly direction for a distance of 539.61 feet to an iron pin found; thence turn an angle to the right of 3° 47' 10" and run in a southwesterly direction for a distance of 304.60 feet to an iron pin found; thence turn an angle to the left of 61° 40' 38" and run in a southwesterly direction for a distance of 483.13 feet to an iron pin found; thence turn an angle to the right of 23° 49' 53" and run in a southwesterly direction for a distance of 246.54 feet to an iron pin found; thence turn an angle to the right of 6° 08' 33" and run in a southwesterly direction for a distance of 488.45 feet to an iron pin set; thence turn an angle to the right of 4° 40' 13" and run in a southwesterly direction for a distance of 122.96 feet to an iron pin set; thence turn an angle to the right of 29° 40' 40" and run in a southwesterly direction for a distance of 280.52 feet to an iron pin set; thence turn an angle to the left of 61° 25' 23" and run in a southwesterly direction for a distance of 637.16 feet to an iron pin set; thence turn an angle to the right of 81° 33' 37" and run in a northwesterly direction for a distance of 198.67 feet to an iron pin found; thence turn an angle to the right of 54° 03' 10" and run in a northwesterly direction for a distance of 590.52 feet to an iron pin found; thence turn an angle to the left of 73° 57' 45" and run in a southwesterly direction for a distance of 80.56 feet to an iron pin found; thence turn an angle to the left of 62° 01' 09" and run in a southwesterly direction for a distance of 612.54 feet to an iron pin set; thence turn an angle to the right of 14° 56' 24" and run in a southwesterly direction for a distance of 155.70 feet to the point of beginning. Said parcel contains 62.55 acres, more or less.

BOOK 397 PAGE 963

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

92 MAR 27 AM 8:58

John W. [Signature]
JUDGE OF PROBATE

1. Deed Tax	\$	
2. Mtg. Tax	\$	
3. Recording Fee	\$	15.00
4. Indexing Fee	\$	3.00
5. No Tax Fee	\$	
6. Certified Fee	\$	1.00
Total	\$	19.00