

AGREEMENT TO MODIFY RESTRICTIVE COVENANTS

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

WHEREAS, all of the undersigned are owners of lots in INDIAN CREST ESTATES subdivision (hereinafter the "Subdivision") in Shelby County, Alabama; and

WHEREAS, all of the undersigned desire to modify the original restrictions of the Subdivision as recorded in Book 256 at Page 143 in the Office of the Probate Judge of Shelby County, Alabama (hereinafter the "Restrictions") so as to grant to all owners of lots in the Subdivision, their heirs and assigns, the right to use the property as hereinafter provided; and

WHEREAS, the Restrictions provide that they may be changed, in witing, by a vote of the majority of the owners of the lots of the Subdivision on December 27, 1993; and

WHEREAS, the undersigned do in fact constitute a majority of the lot owners of the Subdivision as of December 27, 1993;

IT IS, THEREFORE AGREED as follows:

The undersigned hereby agree and consent that the original restrictive covenants of INDIAN CREST ESTATES as recorded in Book 256, Page 143 in the Office of the Probate Judge of Shelby County, Alabama be and the same hereby changed and modified as follows

1. The paragraph 2 of the Restrictions is changed and modified to read as follows:

After December 27, 1993, no new dwelling shall be erected on any lot in the said INDIAN CREST ESTATES of less than 2400 square feet, exclusive of porches or garages, and not less than 1600 square feet on the first floor of one-and-one-half or two story dwellings.

2. The last sentence of paragraph 7 of the Restrictions is amended to read as follows:

No lot may be subdivided or reduced in size by voluntary alienation, judicial sale or other proceedings into more than two (2) parcels and each such subdivided part of said lot shall contain a minimum area of one (1) acre.

3. All other provisions of the original restrictions remain in full force and effect according to their terms and conditions.

IN WITNESS WHEREOF, the parties have signified their agreement and consent to the modification and amendment by executing this instrument.

1 Inst # 1994-00229

01/05/1994-00229
11:13 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
016 HJS 46.00

PARCEL 002

LOT 1 :

Signature

Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that _____, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the _____ day of _____, 1993.

Notary Public

My commission expires: _____

PARCEL 003

LOT 2 :

Bobbie D. Ledbetter

Signature

Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that Bobbie D. Ledbetter, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 7th day of December, 1993.

Mary A. Saunders

Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: August 2, 1995.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

My commission expires

PARCEL 004

LOT 3 :

Signature

Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that _____, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the _____ day of _____, 1993.

Notary Public
My commission expires: _____

PARCEL 017

LOT 4 :

Signature

Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that _____, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the _____ day of _____, 1993.

Notary Public

My commission expires: _____

PARCEL 018
LOT 5 :

Allen F. Riha

Signature

Deborah L. Riha

Signature

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that
ALLEN F. RIHA & DEBORAH L. RIHA, whose name(s)
is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before
me on this day that, being informed of the contents of the conveyance, he/she/they executed
the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 7th day of December, 1993.

Mary J. Saunders

Notary Public

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: August 2, 1995.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

PARCEL 019

LOT 6 :

Bonnie S. Rickey
Signature

Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that
BONNIE S. RICKY, whose name(s)
is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before
me on this day that, being informed of the contents of the conveyance, he/she/they executed
the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 7th day of December, 1993.

Mary J. Saunders
Notary Public

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: August 8, 1995.
~~BONDED THRU NOTARY PUBLIC UNDERWRITERS.~~

PARCEL 029

LOT 7 :

Signature

Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that _____, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the _____ day of _____, 1993.

Notary Public

My commission expires: _____

PARCEL 020

LOT 8 :

John W. Connell
Signature

Elaine H. Connell
Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that John W. Connell and Elaine H. Connell, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 7th day of December, 1993.

Mary J. Saunders

Notary Public

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA
MY COMMISSION EXPIRES August 6, 1995.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

PARCEL 021

LOT 9 :

William C. Gaines
Signature

Juanita P. Gaines
Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that WILLIAM C. GAINES & JUANITA P. GAINES, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 27th day of December, 1993.

Mary J. Saunders

Notary Public

My commission expires.

NOTARY PUBLIC STATE OF ALABAMA
MY COMMISSION EXPIRES
BONDED THRU NOTARY PUBLIC UNDERWRITING

PARCEL 022

LOT 10 :

Hail Johnson

Signature

Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that Hail Johnson, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 12th day of December, 1993.

Elaine J. Connell
Notary Public

My commission expires: 5/4/95

PARCEL 023

LOT 11 :

Signature

Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that _____, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the _____ day of _____, 1993.

Notary Public

My commission expires: _____

PARCEL 024.001

LOT 12 :

Ozen Batum
Signature

Ann H. Batum
Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that
OZEN BATUM & ANN H. BATUM, whose name(s)
is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before
me on this day that, being informed of the contents of the conveyance, he/she/they executed
the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 7th day of December, 1993.

Mary J. Saunders
Notary Public
My commission expires: NOTARY PUBLIC STATE OF ALABAMA
MY COMMISSION EXPIRES 12/31/95
BONDED TO THE PUBLIC BY THE STATE OF ALABAMA.

PARCEL 024

LOT 13 :

Donald W Hodge

Signature

Virginia C Hodge

Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that DONALD W. HODGE / VIRGINIA C. HODGE, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 7th day of December, 1993.

Mary I. Saunders

Notary Public

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: August 8, 1995
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

PARCEL 027
LOT 14 :

Guy S. Dill
Signature

Julia M. Dill
Signature

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that
GUY S. DILL & JULIA M. DILL, whose name(s)
is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before
me on this day that, being informed of the contents of the conveyance, he/she/they executed
the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 7th day of December, 1993.

Mary J. Saunders
Notary Public
My commission expires: NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES 12/31/95.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

PARCEL 028

LOT 15 :

Signature

Signature

STATE OF ALABAMA)

)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for the said County in said State, hereby certify that _____, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the _____ day of _____, 1993.

Notary Public

My commission expires: _____

Inst # 1994-00229
16

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