

## 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 writing, 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 WJS      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 \_\_\_\_\_ 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 J. Saunders

Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.  
MY COMMISSION EXPIRES: APRIL 2, 1995.  
My commission expires BONDED THRU NOTARY PUBLIC UNDERWRITERS.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

PARCEL 018

LOT 5 :

Allen F. Rihm

Signature

Deborah L. Rihm

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. RIHM & DEBORAH L. RIHM, 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 7th day of December, 1993.

Mary J. Saunders)

Notary Public

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

My commission expires: \_\_\_\_\_

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 7th day of December, 1993.

Mary J. Saunders

Notary Public

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 \_\_\_\_\_ 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

NOTARY PUBLIC STATE OF ALABAMA AT Large

MY COMMISSION DATED: August 6, 1993

My commission expires: BONDED THRU NOTARY PUBLIC UNDERWRITERS

PARCEL 021

LOT 9 :

William C. Gaines Juanita P. Gaines

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  
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 17th day of December, 1993.

Mary J. Saunders

Notary Public

My commission expires

NOTARY PUBLIC STATE OF ALABAMA  
MY COMMISSION EXPIRES DECEMBER 31, 1994  
BONDED THRU NOTARY PUBLIC CRIMINAL  
DIVISION

**PARCEL 022**

**LOT 10 :**

Gail 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  
Gail 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 12<sup>th</sup> 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 \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

PARCEL 024.001

LOT 12 :

Ozen Batum Ann H. Batum

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  
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 7th day of December, 1993.

Mary J. Saunders

Notary Public

NOTARY PUBLIC STATE OF ALABAMA  
MY COMMISSION EXPIRES: 12/31/2003  
BONDED TRUST NOTARY PUBLIC ORGANIZATION

**PARCEL 024**

LOT 13 ;

Donald W Hodge

**Signature**

Virginia C. Holt

**Signature**

STATE OF ALABAMA )

1

**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 S. Saunders)

## Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.  
MY COMMISSION EXPIRES: August 8, 1974  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

**My commission expires:**

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 17th day of December, 1993.

Mary J. Saunders

Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT Large.  
MY COMMISSION EXPIRES: ~~12/31/2003~~  
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

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