

STATE OF ALABAMA

COUNTY OF SHELBY

**AMENDMENTS TO THE DECLARATION OF PROTECTIVE COVENANTS
OF EMERALD LAKE SUBDIVISION**

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, Park Place Development, Inc.(herein the "Developer"), is the owner of the following described real property:

EMERALD LAKE, Plat No. 1, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 23A, 24, 25, 26, 27, 28, 29, 30, and 31 as recorded in Map Book 19, Page 30, in the Probate Office of Shelby County, Alabama (referred to herein as "Emerald Lake Subdivision" or the "Property").

WHEREAS, Developer desires to amend the Declaration of Protective Covenants of Emerald Lake Subdivision, as recorded in Instrument Number 1994-36305, in the Probate Office of Shelby County, Alabama. This Amendment shall be consistent with Developer's rerecording of Emerald Lake, Plat No. 1 survey in Map Book 19, Page 73, in the Probate Office of Shelby County, Alabama. This Amendment is only intended to modify provisions of the Declaration of Protective Covenants of Emerald Lake Subdivision which are clearly inconsistent with this document.

NOW, THEREFORE, DEVELOPER does hereby proclaim, publish and declare that the Property shall be held, conveyed, hypothecated or encumbered, rented, used, occupies and improved subject to the following Amendment to the Declaration of Protective Covenants of Emerald Lake Subdivision(which is described by Article as it appears in the original Declaration), which shall run with the land and shall be binding upon all parties having or acquiring any right, title or interest in any part of the Property:

ARTICLE IV

EXCLUSIVE RESIDENTIAL USE AND IMPROVEMENTS

4.5 Structure Location. No building shall be located on any Lot nearer to the front Lot line than 40 feet. No building shall be located nearer than 12 1/2 feet to an interior Lot line. No building shall be located on any interior lot nearer than 40 feet to the rear Lot line. For the purpose of this covenant, eaves, steps, and open decks or terraces shall not be construed as a part of a building; provided, however, that this shall not be construed to permit any portion of a building, on a Lot, to encroach upon another Lot.

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12:35 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
007 MCD 23.50

Burthney

Inst # 1995-02453

IN WITNESS WHEREOF, this Amendment to the Declaration of Protective Covenants of Emerald Lake Subdivision has been executed by the Developer, effective the 27th day of January, 1995.

PARK PLACE DEVELOPMENT, INC.

Stephen H. Lee
STEPHEN H. LEE, Individually and
as President of
Park Place Development, Inc.

STATE OF ALABAMA

COUNTY OF SHELBY

I, Brenda H. Clayton, a notary public in and for said County in said State, hereby certify that Stephen H. Lee's name is signed to the foregoing instrument and who is known to me as the President of Park Place Development, Inc. acknowledged before me on this day that, being informed of the contents of such instrument, he executed the same voluntarily.

Given under my hand and official seal this 27th day of January, 1995.

Brenda H. Clayton
Notary Public

My Commission Expires: 4/27/97

IN WITNESS WHEREOF, this Amendment to the Declaration of Protective Covenants of Emerald Lake Subdivision has been executed by Jimmy T. Vines Construction Co., Inc. effective the 24th day of January, 1995.

JIMMY T. VINES CONSTRUCTION CO., INC.

Jimmy T. Vines
Jimmy T. Vines
ITS:
Owner of Lots 22 & 5

STATE OF ALABAMA

COUNTY OF SHELBY

I, Sharon Ware, a notary public in and for said County in said State, hereby certify that Jimmy T. Vines' name is signed to the foregoing instrument and who is known to me as the President of Jimmy T. Vines Construction Co., Inc. acknowledged before me on this day that, being informed of the contents of such instrument, he executed the same voluntarily.

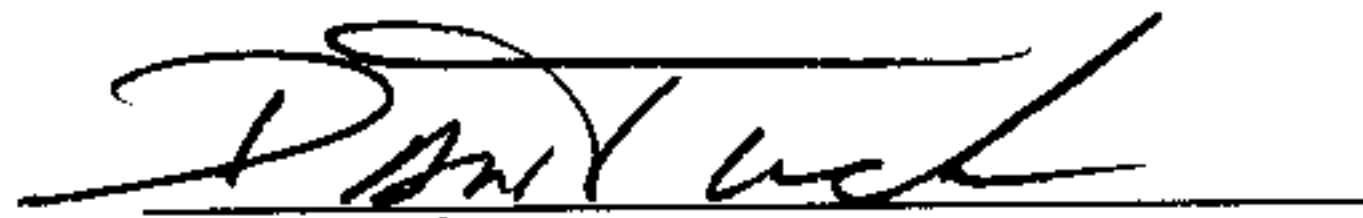
Given under my hand and official seal this 24th day of January, 1995.

Sharon Ware
Notary Public

My Commission Expires: 9-13-95

IN WITNESS WHEREOF, this Amendment to the Declaration of Protective Covenants of Emerald Lake Subdivision has been executed by Dan Tuck and Rita Tuck d/b/a Dan Tuck Homes, effective the 20th day of January, 1995.

DAN TUCK AND RITA TUCK d/b/a DAN TUCK HOMES

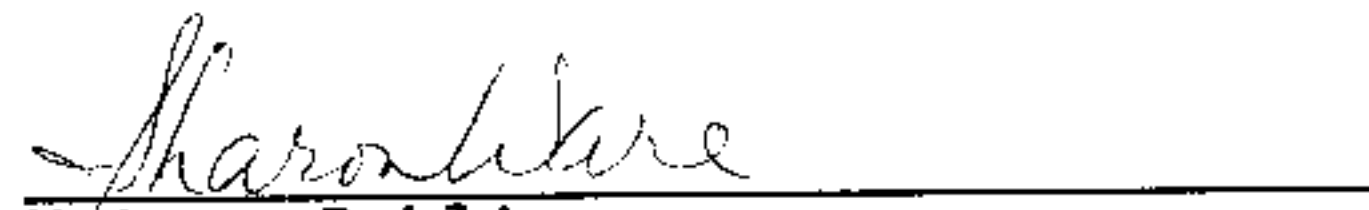

Dan Tuck
Owners of Lot 21

STATE OF ALABAMA

COUNTY OF SHELBY

I, Sharon Wane, a notary public in and for said County in said State, hereby certify that Dan Tuck's name is signed to the foregoing instrument and who is known to me as the a duly authorized agent of Dan Tuck and Rita Tuck d/b/a Dan Tuck Homes acknowledged before me on this day that, being informed of the contents of such instrument, he executed the same voluntarily.

Given under my hand and official seal this 20th day of January, 1995.


Notary Public

My Commission Expires: 9-13-95

IN WITNESS WHEREOF, this Amendment to the Declaration of Protective Covenants of Emerald Lake Subdivision has been executed by Wayne Dutton Construction, Inc. effective the 20th day of January, 1995.

WAYNE DUTTON CONSTRUCTION, INC.

Wayne Dutton
Wayne Dutton
ITS: President
Owner of Lot 14

STATE OF ALABAMA

COUNTY OF SHELBY

I, Sharon Ware, a notary public in and for said County in said State, hereby certify that Wayne Dutton's name is signed to the foregoing instrument and who is known to me as the president of Wayne Dutton Construction, Inc. acknowledged before me on this day that, being informed of the contents of such instrument, he executed the same voluntarily.

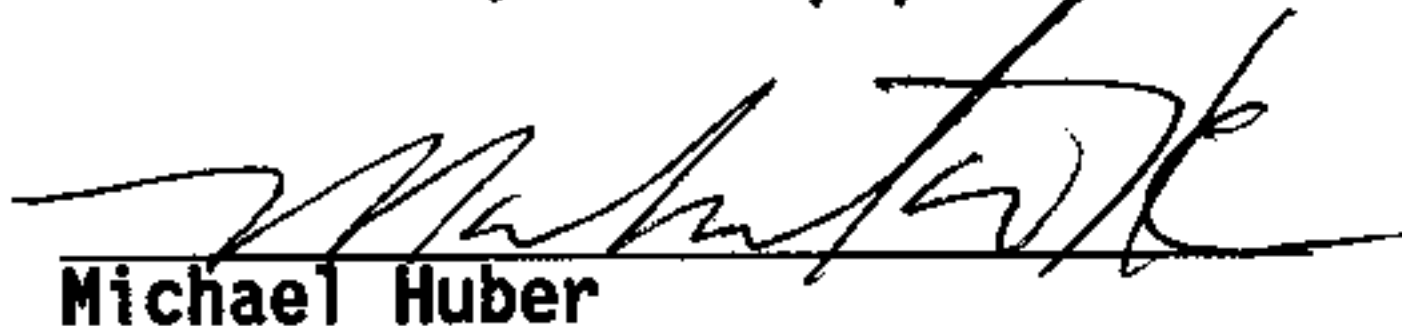
Given under my hand and official seal this 20th day of January, 1995.

Sharon Ware
Notary Public

My Commission Expires: 9-13-95

IN WITNESS WHEREOF, this Amendment to the Declaration of Protective Covenants of Emerald Lake Subdivision has been executed by the Huber Building and Construction Management, Inc. d/b/a Huber Builders effective the 20th day of January, 1995.

HUBER BUILDING AND CONSTRUCTION
MANAGEMENT, INC. d/b/a HUBER BUILDERS



Michael Huber

ITS:


Owner of Lot 13 & 16

STATE OF ALABAMA

COUNTY OF SHELBY

I, Sharon D. Ware, a notary public in and for said County in said State, hereby certify that Michael Huber's name is signed to the foregoing instrument and who is known to me as the President of Huber Building and Construction Management, Inc. d/b/a Huber Builders acknowledged before me on this day that, being informed of the contents of such instrument, he executed the same voluntarily.

Given under my hand and official seal this 20th day of January, 1995.


Notary Public

My Commission Expires: 9-13-95

IN WITNESS WHEREOF, this Amendment to the Declaration of Protective Covenants of Emerald Lake Subdivision has been executed by David "Spud" Bishop Contractor, Inc. effective the 23rd day of January, 1995.

DAVID "SPUD" BISHOP
CONTRACTOR, INC.

David W. Bishop
David W. Bishop
ITS:
Owner of Lot 10

STATE OF ALABAMA

COUNTY OF SHELBY

I, Sharon Ware, a notary public in and for said County in said State, hereby certify that Michael Huber's name is signed to the foregoing instrument and who is known to me as the President of David "Spud" Bishop Contractor, Inc. acknowledged before me on this day that, being informed of the contents of such instrument, he executed the same voluntarily.

Given under my hand and official seal this 23rd day of January, 1995.

Sharon Ware
Notary Public

My Commission Expires: 9-13-95

THIS INSTRUMENT PREPARED BY:
Courtney Mason & Associates, P.C.
P.O. Box 360187
Birmingham, Alabama 35236

Inst # 1995-02453

7

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