

This Instrument Prepared By:

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AN AMENDMENT TO THE
DECLARATION OF PROTECTIVE COVENANTS FOR
WEATHERLY, WARWICK VILLAGE, SECTOR 17

AS RECORDED
IN INSTRUMENT NO. 1995-32578

THIS AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR WEATHERLY, WARWICK VILLAGE, SECTOR 17, originally filed in instrument number 1995-32578 and amended by an amendment filed in instrument number 1995-34622 is made and entered into as of the 29th day of April, 1996 by Weatherly Lands, L.L.C., an Alabama Limited Liability Company (which, together with its successors and assigns, is hereinafter referred to as "Developer") and all additional parties who are owners of the land identified as Warwick Village, Sector 17.

R E C I T A L S :

WHEREAS, Developer has heretofore executed and filed of record the Declaration of Protective Covenants for Weatherly, Warwick Village, Sector 17, dated November 13, 1995 and recorded in instrument number 1995-32578 in the Office of the Judge of Probate of Shelby County, Alabama (the "Original Covenants"); and

WHEREAS, Developer amended those said covenants by an amendment thereto and recorded in instrument number 1995-34622 in the Office of the Judge of Probate of Shelby County, Alabama (the "Amended Covenants"); and

WHEREAS, Developers learned that the reference to the map book and page contained in both the original declaration and in the amendment thereto, was incorrect and is desirous of amending the original declaration and the amendment thereto by reflecting the correct map book and page of Weatherly, Warwick Village, Sector 17.

NOW THEREFORE, Developer and all owners of property in Weatherly, Warwick Village, Sector 17 hereby amend the Declaration of Protective Covenants for Weatherly, Warwick Village, Sector 17, and the Amendment to the Declaration of Protective Covenants for Weatherly, Warwick Village, Sector 17 as above described by

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Weatherly

amending all references to the map book and page of the subdivision of Weatherly, Warwick Village, Sector 17 which are contained in either the original Declaration or the Amendment thereto to read as follows:

MAP BOOK 20, PAGE 86

IN WITNESS WHEREOF, the Developer and the undersigned property owners in Weatherly, Warwick Village, Sector 17, subject to the Original Declaration of Protective Covenants and Amendments thereto have executed this instrument on the ____ day of _____, 1996.

PINNACLE BANK

By: _____

CARL SCHOETTLIN
Vice President

WEATHERLY LANDS, L.L.C.

By: _____

THOMAS J. THORNTON
Managing Member

By: _____

JACK H. HARRISON
Managing Member

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Thomas J. Thornton and Jack H. Harrison, whose names as Managing Members of Weatherly Lands, L.L.C., are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, as such Managing Members and with full authority to do so, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 29th day of April, 1996.

B. Lynn McLaughlin
NOTARY PUBLIC

My Commission Expires: 7-15-99

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Carl Schoettlin whose name as Vice President of Pinnacle Bank 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 Vici President and with full authority to do so, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 1 day of May, 1996.

Pamela C. Keld
NOTARY PUBLIC

My Commission Expires: _____

MY COMMISSION EXPIRES FEBRUARY 24, 1997

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