

This Instrument Prepared By:

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AN AMENDMENT TO THE
DECLARATION OF PROTECTIVE COVENANTS FOR
WEATHERLY COMMERCIAL SUBDIVISION

AS RECORDED
IN INSTRUMENT NO. 1996-37138

Inst # 1996-38575
11/21/1996-38575
04:09 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 14.00

THIS AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR WEATHERLY COMMERCIAL SUBDIVISION, originally filed in instrument number 1996-37138 is made and entered into as of the 7th day of November, 1996 by Weatherly Joint Venture, 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 Commercial Subdivision.

R E C I T A L S :

WHEREAS, Paragraph 5.04 of the above named Restrictive Covenants is hereby amended to read as follows: The amount of the annual assessment shall be established by the Association in accordance with its rules, regulations and ByLaws; provided however that the amount of the annual assessment for the commercial lots shall not exceed an annual equal to one and one-half times the amount of the assessments for estate lots.

WHEREAS, All other provisions of the said Restrictive Covenants shall remain in full force and effect.

IN WITNESS WHEREOF, the Developer, and the Owners of all other Lots, subject to the Original Covenants, have executed this instrument on the 21ST day of November, 1996.

WEATHERLY JOINT VENTURE, L.L.C.

By: Thomas J. Thornton
THOMAS J. THORNTON
Managing Member

By: *Jack H. Harrison*
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 Joint Venture, 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 21ST day of November, 1996.

B. S. McLaughlin
NOTARY PUBLIC

My Commission Expires: 7-15-99

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