

This Instrument Prepared By:

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AN AMENDMENT TO THE
DECLARATION OF PROTECTIVE COVENANTS FOR
WEATHERLY, ABERDEEN, SECTOR 18

AS RECORDED
IN INSTRUMENT NO. 1996-38572

Inst # 1996-39753
12/04/1996-39753
08:27 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEL 13.00

THIS AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS FOR WEATHERLY, ABERDEEN, Sector 18, originally filed in Instrument Number 1996-38572 is made and entered into as of the 3rd day of December, 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").

R E C I T A L S :

WHEREAS, Developer has heretofore executed and filed of record the Declaration of Protective Covenants for Weatherly, Aberdeen, Sector 18, dated November 21, 1996 and recorded in Instrument Number 1996-38572 in the Office of the Judge of Probate of Shelby County, Alabama (the "Original Covenants"); and

NOW THEREFORE, Developer hereby amends the Declaration of Protective Covenants for Weatherly, Aberdeen, Sector 18 to read as follows:

Section 1.02 No structure shall be erected, altered, placed or permitted to remain on any Lot other than one (1) single-family dwelling not to exceed two and one-half (2 1/2) stories, or forty (40) feet in height, and a private garage. No mobile home or modular housing is allowed. Separate garage buildings are not permitted. No outbuildings will be allowed.

Section 1.04 Subject to the provisions of Articles VII and VIII below and the rights retained below by the Committee, each unit built on an interior lot shall conform to the following front and rear setback requirements and any building or other structure constructed or placed on any exterior Lot shall conform to the following front, side and rear setback requirements:

Front: Twenty (20) feet from dedicated road right-of-way;

Side: One side - minimum of three (3) feet from lot line
and one side a minimum of thirteen (13) feet from
lot line; total of sixteen (16) feet between
buildings.
Rear: Twenty (20) feet from the rear lot line.

The Committee reserves and shall have the right to grant
variances to the foregoing setback requirements. No structure
(other than the residential townhome dwelling) may be constructed.
Any gazebos or decks built on any townhome Lot must conform to a
certain design and must be approved by the Committee.

IN WITNESS WHEREOF, the Developer in Weatherly, Aberdeen,
Sector 18, subject to the Original Declaration of Protective
Covenants has executed this instrument on the 3rd day of December,
1996.

WEATHERLY LANDS, 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 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 3rd day of
December, 1996.

B. Lynn McLaughly
NOTARY PUBLIC

My Commission Expires: 7-15-99

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