

STATE OF ALABAMA )  
SHELBY COUNTY )

SCRIVENER'S AFFIDAVIT

Before me the undersigned authority, a Notary Public in and for said County, in said State, personally appeared J. Steven Mobley, who is known to me, and who, being by me first duly sworn, deposes and says as follows:

1. My name is J. Steven Mobley. I am over the age of nineteen (19) years and have personal knowledge of the facts set out herein.

2. I am President of Mobley Development, Inc., the developer for the subdivision known as Stonehaven.

3. Mobley Development, Inc. has previously filed the Declaration of Protective Covenants for Stonehaven, as recorded in Map Book 21, Page 25, in the Probate Office of Shelby County, Alabama, such Declaration of Protective Covenants being recorded as Instrument No. 1996-20509.

4. I affirm the terms and provisions of the original Declaration of Protective Covenants in their entirety without any changes whatsoever, EXCEPT that the following provision from the original Declaration of Protective Covenants is hereby changed as follows:

I. EXCLUSIVE RESIDENTIAL USE AND IMPROVEMENTS

D. No building shall be located on any lot nearer to the front lot line than 35 feet or nearer to the side street than 35 feet as shown on the recorded plat. There shall be a minimum of 15 feet between any two houses, side to side; however, in no event shall any house be located closer than 7-1/2 feet to a side lot line. For the purpose of this covenant, eaves, steps and open decks or terraces shall not be considered as 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.

5. I declare that the provisions of the Declaration of Protective Covenants, as amended hereby, shall run with the land and be binding upon, and shall insure to the benefit of the subject property and all parties having or acquiring any right, title, or interest in and to the subject property or any part thereof, and their successors in interest.

05/09/1997-14488  
10:03 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 HEL 12.00

Inst # 1997-14488

J. Steven Mobley  
J. STEVEN MOBLEY  
President  
Mobley Development, Inc.

STATE OF ALABAMA   )  
SHELBY COUNTY       )

I, Kenneth W. Walker, a Notary Public in and for said County, in said State, hereby certify that J. Steven Mobley, president of Mobley Development, Inc., whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that, being informed of the contents of this affidavit, he, with full authority, executed the same voluntarily.

Given under my hand and seal on this 6th day of May, 1997.

(SEAL)

Kenneth W. Walker  
NOTARY PUBLIC  
My Commission Expires: 4/26/2001

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SHELBY COUNTY JUDGE OF PROBATE  
002 NEL 12.00