

STATE OF ALABAMA)


SHELBY COUNTY)

MODIFICATION OF DECLARATION OF RESTRICTIVE COVENANTS
FOR TWIN OAKS

KNOW ALL MEN BY THESE PRESENTS; that, the undersigned, Bill Brantley and Applegate Realty Inc collectively have been denominated the Developer as set forth in Declaration of Restrictive Covenants for Twin Oaks as recorded in instrument # 1997-22950 Office of the Judge of Probate in Shelby County, Alabama. Randall H. Goggans has executed this document in his capacity as the fee simple owner of certain real properties located within Twin Oaks as recorded in Map Book 22, page 108, Office of the Judge of Probate of Shelby County, Alabama.

The undersigned, by their signatures hereto, expressly modify the aforementioned Declaration of Restrictive Covenants of Twin Oaks pursuant to the provisions of Article V, paragraph 19, to specifically do the following: (1) Allow Lot 1, Twin Oaks as recorded in Map Book 22, page 108, Office of the Judge of Probate of Shelby County Alabama to be encumbered by easement as described on Exhibit A attached hereto and incorporated by reference herein. Also, the undersigned expressly authorized the use by the real property on Exhibit B attached hereto and incorporated by reference herein of Twin Oaks Way, a public roadway as shown in Map Book 22, page 108, Office of the Judge of Probate of Shelby County, Alabama.

Done this 4th day of August 1997.


Bill Brantley

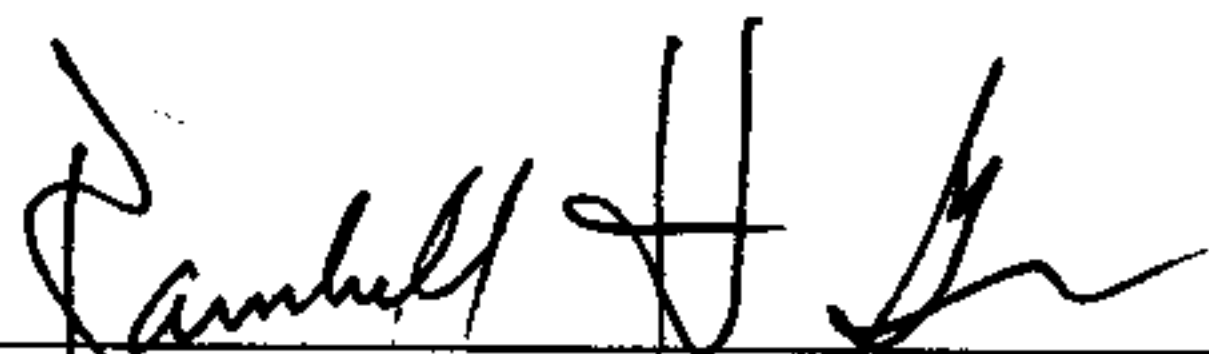
Applegate Realty

By: 
Randall H. Goggans ; President

Inst # 1997-25038

08/07/1997-25038
03:46 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 HCB 18.50

Inst # 1997-25038



Randall H. Goggans; Individually

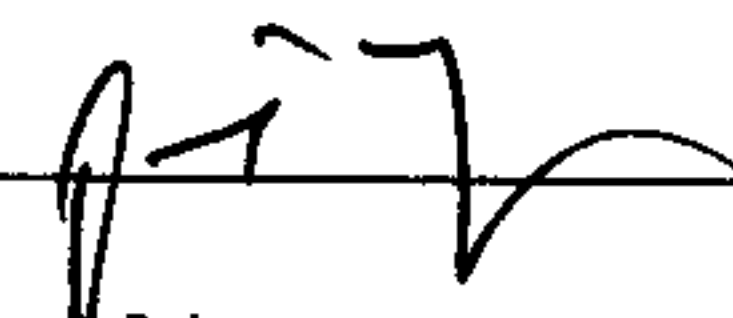
General Acknowledgment

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, JAMES F. BURFORD, III, a Notary Public in and for said County in said State, hereby certify that BILL BRANTLEY & RANDALL H. GOGGANS, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 4 day of AUGUST, 1997.



Notary Public
My Commission Expires: 3.1.98

Corporate Acknowledgment

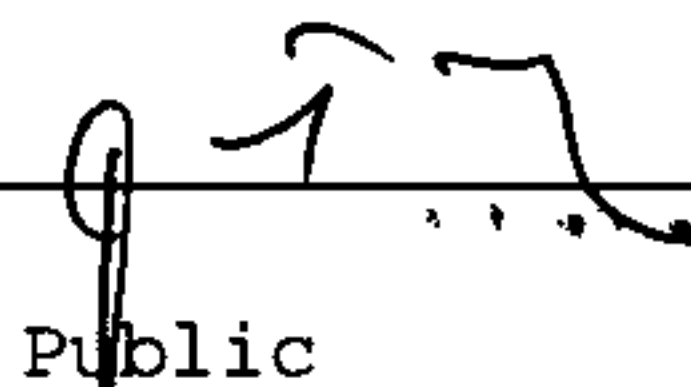
STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, JAMES F. BURFORD III a Notary Public in and for said County in said State, hereby certify that Randall H. Goggans as President of Applegate Realty Inc., a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer

and will full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 4 day
of August, 1997.



Notary Public

My Commission Expires: 3.1.98

EXHIBIT A

STATE OF ALABAMA
SHELBY COUNTY

JULY 18, 1997

EASEMENT

A PARCEL OF LAND LOCATED IN THE NE1/4-NW1/4 OF SECTION 34, TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF LOT 2, TWIN OAKS, AS RECORDED IN MB 22, PG 108, IN THE OFFICE OF THE JUDGE OF PROBATE, SHELBY COUNTY, ALABAMA; THENCE N 42DEG 02' 23" E A DISTANCE OF 30.99' TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG LAST DESCRIBED COURSE A DISTANCE OF 19.61'; THENCE N 80DEG 15' 09" E A DISTANCE OF 55.35'; THENCE S 16DEG 13' 04" E A DISTANCE OF 54.54'; THENCE N 60DEG 35' 13" W A DISTANCE OF 40.11'; THENCE N 79DEG 41' 42" W A DISTANCE OF 48.77' TO THE POINT OF BEGINNING.

EXHIBIT 'B'

A parcel of land situated in the NE 1/4 of the NW 1/4 of Section 34, Township 19 South, Range 1 West, more particularly described as follows:

Commence at the SW corner of the NE 1/4 of the NW 1/4 of Section 34, Township 19 South, Range 1 West; thence North 00 deg. 07 min. 39 sec. West for a distance of 401.27 feet to the point of beginning; thence North 00 deg. 07 min. 39 sec. West for a distance of 263.73 feet; thence North 00 deg. 10 min. 20 sec. West for a distance of 630.33 feet; thence North 88 deg. 05 min. 47 sec. East for a distance of 371.67 feet; thence South 01 deg. 55 min. 47 sec. East for a distance of 69.00 feet; thence South 41 deg. 48 min. 10 sec. East for a distance of 139.13 feet; thence South 35 deg. 04 min. 28 sec. East for a distance of 466.61 feet; thence South 73 deg. 16 min. 29 sec. West for a distance of 66.87 feet; thence South 16 deg. 12 min. 08 sec. East for a distance of 195.00 feet; thence South 26 deg. 11 min. 08 sec. East for a distance of 109.16 feet; thence South 21 deg. 33 min. 41 sec. West for a distance of 63.88 feet to a point on a curve to the left having a central angle of 89 deg. 50 min. 10 sec. and a radius of 55.00 feet, said curve subtended by a chord bearing North 28 deg. 15 min. 05 sec. West and a chord distance of 77.67 feet; thence along the arc of said curve for a distance of 86.24 feet to the end of said curve; thence North 26 deg. 12 min. 04 sec. West for a distance of 78.95 feet; thence North 16 deg. 13 min. 04 sec. West for a distance of 85.64 feet; thence South 80 deg. 15 min. 09 sec. West for a distance of 55.35 feet; thence South 42 deg. 02 min. 23 sec. West for a distance of 50.60 feet; thence South 81 deg. 17 min. 19 sec. West for a distance of 228.73 feet; thence South 20 deg. 02 min. 10 sec. West for a distance of 75.43 feet; thence North 80 deg. 37 min. 46 sec. West for a distance of 92.45 feet; thence South 71 deg. 52 min. 33 sec. West for a distance of 231.61 feet to the point of beginning; being situated in Shelby County, Alabama.

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