

STATE OF ALABAMA )  
SHELBY COUNTY )

AMENDMENTS TO THE DECLARATION OF PROTECTIVE COVENANTS  
FOR CHANDALAR TOWNHOMES FIRST ADDITION

KNOW ALL MEN BY THESE PRESENTS, That:

WHEREAS, SAVANNAH DEVELOPMENT, INC. (herein the "Developer") is the owner of the following described real property:

Lots 1-16, 28, 29, and 39-47, Chandalar Townhomes, First Addition, as recorded in Map Book 24, Page 18, in the Probate Office of Shelby County. (referred to Herein as "Chandalar" or the "Property").

WHEREAS, OLD SOUTH BUILDERS, INC. is the owner of the following described real property:

Lots 17-27 and 30-38, Chandalar Townhomes, First Addition, as recorded in Map Book 24, Page 18, in the Probate Office of Shelby County. (referred to Herein as "Chandalar" or the "Property").

WHEREAS, Developer and Old South Builders, Inc. desire to amend the Declaration of Protective Covenants of Chandalar Townhomes First Addition as recorded in Instrument Number 1997-15761, in the Probate Office of Shelby County, Alabama. This amendment is only intended to modify provisions that are incorrect.

NOW, THEREFORE Developer and Old South Builders, Inc. do hereby proclaim, publish and declare that the Property shall be held, conveyed, hypothecated or encumbered, rented, used, occupies and improved subject to the following Amendment to the Declaration of Protective Covenants of Chandalar Townhomes First Addition (which is described by Article as it appears on the original Declaration), which shall run with the land and shall be binding upon all parties having or acquiring any right, title or interest in any part of the property:

Article 16.

There are no common areas in Chandalar Townhomes First Addition. There is no Homeowners' Association. There are no assessment for the purpose of landscaping or maintenance of the property. Maintenance and upkeep of the property, including lawncare such as lawn mowing and shrubbery trimming, shall be the responsibility of each individual lot owner. Although it is prohibited to change the front landscaping, lot owners may add to the landscaping of their rear yard. All fencing must be approved prior to the start of its construction. A plot plan showing the location proposed for the fence and a list of materials to be used should be sent to: Savannah Development, Inc., 2086 Valleydale Terrace, Birmingham, Alabama 35244. No fence taller than six feet will be approved.

IN WITNESS WHEREOF, the said developer and lot owners have executed this instrument on the 16<sup>th</sup> day of December, 1998.

OLD SOUTH BUILDERS, INC.

BY: CHUCK GAGAN  
ITS: Vice-President

Given under my hand and seal this the 16 day of December, 1998.

MY COMMISSION EXPIRES:

Given under my hand and seal this the 16 day of December, 1998.

MY COMMISSION EXPIRES

COMMISSION EXPENSES  
Inst. # 1998-0005

12/16/1998-50103  
11:07 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 HEL 11.00