

STATE OF ALABAMA)

COUNTY OF SHELBY)

Inst # 2000-04911

02/16/2000-04911
10:55 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
13.50
003 MMS

**FIRST AMENDMENT TO GREYSTONE
LEGACY DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS**

THIS FIRST AMENDMENT TO GREYSTONE LEGACY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "First Amendment") is made and entered into as of the 9th day of February, 2000 by GREYSTONE DEVELOPMENT COMPANY, LLC, an Alabama limited liability company (the "Developer").

RECITALS:

Developer has heretofore executed the Greystone Legacy Declaration of Covenants, Conditions and Restrictions dated as of December 1, 1999 (the "Declaration") which has been recorded as Instrument No. 1999-50995 in the Office of the Judge of Probate of Shelby County, Alabama. *Capitalized terms not otherwise expressly defined herein shall have the same meanings given to them in the Declaration.*

Developer desires to submit Additional Property to the terms and provisions of the Declaration, as provided in Section 2.02 of the Declaration.

NOW, THEREFORE, in consideration of the premises, Developer does hereby amend the Declaration as follows:

1. **Additional Property.** Pursuant to the terms and provisions of Section 2.02 of the Declaration, Developer does hereby declare that the real property described in Exhibit A-1 attached hereto and incorporated herein by reference (the "Additional Property") shall be held, developed, improved, transferred, sold, conveyed, leased, occupied and used subject to all of the easements, covenants, conditions, restrictions, Assessments, charges, liens and regulations set forth in the Declaration, which shall be binding upon and inure to the benefit of all parties acquiring or having any right, title or interest in any portion of the Additional Property and their respective heirs, executors, administrators, personal representatives, successors and assigns. The Additional Property described in Exhibit A-1 attached hereto and the original Property described in the Declaration shall, for the purposes of the Declaration, collectively be referred to as the Property and all references in the Declaration to the Property shall mean the original Property as described in the Declaration and the Additional Property described herein.

2. **Full Force and Effect.** Except as specifically modified and amended herein, all of the terms and conditions of the Declaration, shall remain in full force and effect.

IN WITNESS WHEREOF, Developer has caused this First Amendment to be executed as of the day and year first above written.

DEVELOPER:

GREYSTONE DEVELOPMENT COMPANY, LLC
an Alabama limited liability company

By: Daniel Realty Corporation, an Alabama
Corporation, Its Manager

By: *D K Lloyd*

Its: *Se. Vice President*

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that *D K Lloyd*, whose name as *Se. Vice President* of DANIEL REALTY CORPORATION, an Alabama corporation, as manager of GREYSTONE DEVELOPMENT COMPANY, LLC, an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, in its capacity as manager of said limited liability company.

Given under my hand and official seal, this the *9th* day of *February*, 2000.

Margaret Dunaway
Notary Public
My Commission Expires: *2/2/2003*

This instrument prepared by and upon
recording should be returned to:
Stephen R. Monk, Esq.
Bradley Arant rose & White LLP
2001 Park Place, Suite 1400
Birmingham, AL 35203

EXHIBIT A-1

ADDITIONAL PROPERTY

A parcel of land situated in the Southwest quarter of Section 22, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at a 5/8 inch rebar found locally accepted to be the Northeast corner of said Southwest quarter; thence from the East line of said quarter section, turn an angle to the left of 128 degrees 48 minutes 57 seconds and run in a Southwesterly direction for a distance of 1,608.58 feet to an iron pin set at the point of beginning; thence turn an angle to the left of 136 degrees 22 minutes 26 seconds and run in a Southeasterly direction for a distance of 272.95 feet to an iron pin set; thence turn an angle to the right of 25 degrees 29 minutes 07 seconds and run in a Southeasterly direction for a distance of 89.22 feet to an iron pin set; thence turn an angle to the right of 19 degrees 21 minutes 44 seconds and run in a Southeasterly direction for a distance of 102.89 feet to an iron pin set; thence turn an angle to the right of 11 degrees 25 minutes 19 seconds and run in a Southeasterly direction for a distance of 84.75 feet to an iron pin set; thence turn an angle to the right of 11 degrees 10 minutes 49 seconds and run in a Southeasterly direction for a distance of 89.26 feet to an iron pin set; thence turn an angle to the right of 09 degrees 32 minutes 19 seconds and run in a Southeasterly direction for a distance of 43.27 feet to an iron pin set; thence turn an angle to the left of 12 degrees 42 minutes 57 seconds and run in a Southeasterly direction for a distance of 38.84 feet to an iron pin set; thence turn an angle to the left of 05 degrees 59 minutes 49 seconds and run in a Southeasterly direction for a distance of 58.41 feet to an iron pin set; thence turn an angle to the left of 06 degrees 07 minutes 03 seconds and run in a Southeasterly direction for a distance of 62.82 feet to an iron pin set; thence turn an angle to the left of 05 degrees 32 minutes 22 seconds and run in a Southeasterly direction for a distance of 64.15 feet to an iron pin set; thence turn an angle to the right of 55 degrees 50 minutes 53 seconds and run in a Southwesterly direction for a distance of 129.71 feet to an iron pin set, said iron pin set being on the Northwest corner of Lot 151 of Greystone Legacy, 1st Sector, as recorded in Map Book 26 on Page 79 A, B, & C, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the left of 17 degrees 48 minutes 02 seconds and run in a Southeasterly direction along the Southwest line of said Lot 151 for a distance of 328.27 feet to an iron pin set at the Southwest corner of said Lot 151, said iron pin set also being on a curve to the right having a central angle of 59 degrees 49 minutes 15 seconds and a radius of 629.69 feet; thence turn an angle to the right to the chord of said curve of 106 degrees 12 minutes 13 seconds and run in a Southwesterly to Northwesterly direction along the arc of said curve for a distance of 657.45 feet to an iron pin set; thence run tangent to last stated curve in a Northwesterly direction for a distance of 316.55 feet to an iron pin set on a curve to the left having a central angle of 12 degrees 14 minutes 45 seconds and a radius of 496.40 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 106.10 feet to an iron pin set at the Southeast corner of Lot 113 in said Greystone Legacy, 1st Sector; thence turn an angle to the right from the chord of last stated curve of 89 degrees 34 minutes 46 seconds and run in a Northeasterly direction along the Southeast line of Lots 113 and 112 in said Greystone Legacy, 1st Sector, for a distance of 297.47 feet to an iron pin set; thence turn an angle to the left of 49 degrees 28 minutes 15 seconds and run in a Northwesterly direction along the Northeast line of Lots 112 and 111 in said Greystone Legacy, 1st Sector, for a distance of 123.54 feet to an iron pin set; thence turn an angle to the right of 55 degrees 04 minutes 37 seconds and run in a Northeasterly direction along the Southeast line of Lots 111 and 110 in said Greystone Legacy, 1st Sector for a distance of 247.35 feet to the point of beginning. Said parcel containing 14.62 acres, more or less.

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