

This instrument was prepared by:
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STATE OF ALABAMA)
COUNTY OF SHELBY)

FIRST AMENDMENT TO DECLARATION
OF PROTECTIVE COVENANTS OF
WINDCHASE, A RESIDENTIAL SUBDIVISION

Inst # 2000-37357

10/27/2000-37357
01:12 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MMB 20.00

KNOW ALL MEN BY THESE PRESENTS THAT,

WHEREAS, WINDCHASE DEVELOPMENT CO., INC. (formerly known as Windmere Development Co., Inc.) Has previously filed a Declaration of Protective Covenants in the Probate Office of Shelby County, Alabama in Instrument #1994-10992, (the "Original Declaration") for the benefit of certain real property situated in Shelby County, Alabama, which is a residential subdivision known as Windchase, and which is more particularly described in the Plat of Windchase in Map Book 18 at Pages 55A and 55B in the Probate Office of Shelby County, Alabama;

WHEREAS, the Declarant desires to amend the Original Declaration in accordance with and pursuant to Section 10.01 and 10.03 of the Original Declaration, so long as such amendment does not materially and adversely affect or alter any Owner's right to use his Lot (as defined in the Original Declaration);

NOW THEREFORE, the Declarant hereby amends and alters the Original Declaration as follows:

Paragraph 6.02(a) is hereby amended beginning with the fourth line "So long as" to read as follows: So long as any Lots sold by the Developer have not been built upon by the purchaser of such Lot(s) within the property, the ARB shall be designated by the Developer and the powers and duties of the ARB shall remain under the control of the Developer until the last dwelling is constructed or until the Developer relinquishes control of the ARB to the Association and the Developer appoints a new ARB from the members of the Association.

Declarant hereby declares that said provisions of the Original Declaration as so amended shall run with the land and be binding upon, and inure 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.

IN WITNESS WHEREOF, the undersigned Declarant has caused this Declaration to be executed as this the 30th day of August , 2000.

Declarant:

Windchase Development Co., Inc.

By: 

Concetta Givianpour,

Its: Vice-President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Concetta Givianpour, whose name as Vice-President of Windchase Development Co., inc., an Alabama Corporation, is signed to the foregoing Amendment to Declaration of Protective Covenants, and who is know to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Amendment, she, as such office and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and official seal of office this the 30th day of August, 2000.00


NOTARY PUBLIC

My Commission Expires: 12/2/00

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