

This Instrument was prepared by:

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STATE OF ALABAMA)

COUNTY OF SHELBY)

Inst # 2001-17640

05/03/2001-17640

04:07 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

003 C31 20.00

FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS OF EAGLE POINT
GARDEN HOMES RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF
SHELBY COUNTY, ALABAMA IN INSTRUMENT NO. 1994-06783,

KNOW ALL MEN BY THESE PRESENTS THAT,

WHEREAS, Reamer Development Corp. an Alabama Corporation, has previously filed a Declaration of Protective Covenants of Eagle Point Garden Homes in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument No. 1994-06783, (the "Original Declaration") for the benefit of certain property situated in Shelby County, Alabama, as shown by that certain map and plat recorded in Map Book 18, Page 2, as recorded in the Office of the Judge of Probate of Shelby County, Alabama;

WHEREAS, Reamer Development Corp. desires to amend the Original Declaration in accordance with and pursuant to Section 11.1 of the Original Declaration which permits Reamer Development Corp. to change, modify, amend, alter or terminate the Original Declaration;

NOW THEREFORE, Reamer Development Corp. hereby amends and alters the Original Declaration as follows:

Section 11.1 is hereby deleted and the following substituted therefor to be effective upon the recording of this instrument, to-wit:

Section 11.1 The covenants and restrictions shall run with the land and can be changed, modified, amended, altered or terminated

only by a duly recorded written instrument executed by Reamer Development Corp., its successors or assigns, or in the alternative, by a duly recorded written instrument executed by the Eagle Point Homeowner's Association which shall contain a certification that at least 70% of the membership of the Eagle Point Homeowner's Association has voted for such change, modification, amendment, alteration or termination of this Declaration.

All other terms and conditions of the Original Declaration, as amended and supplemented, shall remain in full force and effect unaltered except as amended herein.

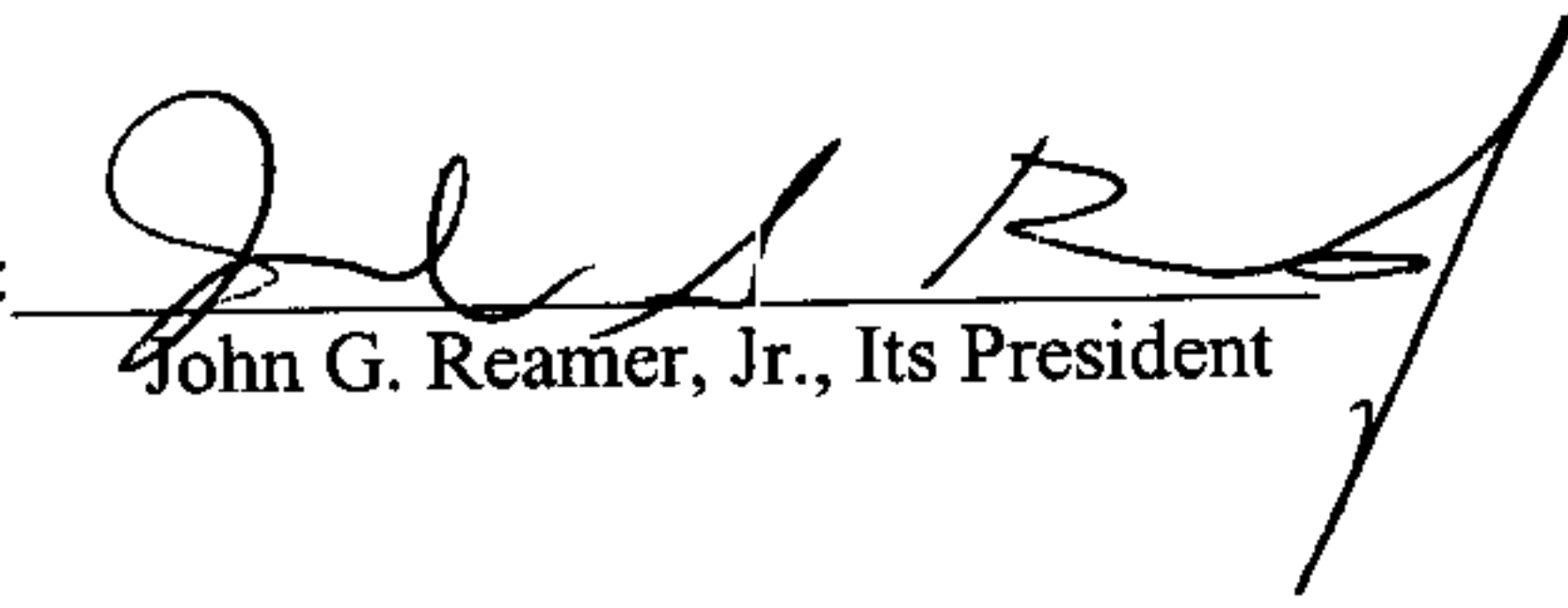
Reamer Development Corp. hereby declares that said provisions of the Original Declaration as so amended and supplemented shall run with the land and be binding upon, and shall inure to the benefit of, the Subject Property, and any future additions thereto, and all parties having or acquiring any right, title or interest in and to the Subject Property or any part thereof, and their successors in interest.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed as of the 3rd day of May, 2001.

DECLARANT:

Reamer Development Corp.

By:


John G. Reamer, Jr., Its President

CORPORATE ACKNOWLEDGMENT

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public, in and for said County, in said State, do hereby certify that on this the 3rd day of May, 2001, personally appeared before me John G. Reamer, Jr. whose name as President of Reamer Development Corp. an Alabama Corporation, is signed to the foregoing First Amendment to Declaration of Protective Covenants, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Instrument, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and official seal this the 3rd day of May, 2001.

Kim M. Foster
Notary Public

My commission expires: 9-16-02

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