

# FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM OF SADDLE LAKE FARMS, A CONDOMINIUM

EnviroBuild, Inc., an Alabama corporation (the "Declarant"), as "Developer" under The Declaration of Condominium Of Saddle Lake Farms, A Condominium, filed with the Shelby County, Alabama Judge of Probate under Instrument Number 1995-17530 (the "Declaration": capitalized terms used herein and not otherwise defined have the meaning set forth in the Declaration) and Gerd Anderson and Roderick M. Nicholson, as President and Secretary, respectively, of the Association (the "Officers"), as first amended the 3rd of July 1996 and filed with the Shelby County, Alabama Judge of Probate under Instrument Number 1996-2191, and second amended the 26<sup>TH</sup> day of MAY, 2000 and filed with the Shelby County, Alabama Judge of Probate under Instrument Number 2000-17433, and Third amended the 10<sup>TH</sup> day of AUGUST, 2000 and filed with the Shelby County, Alabama Judge of Probate under Instrument Number 2001-33976 do hereby execute this Fourth Amendment To Declaration Of Saddle Lake Farms, A Condominium, ("Amendment") pursuant to Article XX of the Declaration, Section 35-8A-217 of the Act and the Resolution To Amend The Declaration Of Condominium Of Saddle Lake Farms, A Condominium, adopted by all of the Unit Owners of the Condominium with an Effective date of June 23, 1996, (the "Resolution") a copy of which is incorporated in the above amendment adopted the 3<sup>rd</sup> day of July, 1996, the terms of which are incorporated in this Amendment by reference, and the Second Amendment to Declaration of Condominium of Saddle Lake Farms, a Condominium, adopted pursuant to the authority granted in the Resolution, with an Effective date of 7-3-1996, a copy of which is incorporated in the above amendment adopted the 26<sup>TH</sup> day of MAY, 2000, the terms of which are incorporated in this Amendment by reference, and the Third Amendment to Declaration of Condominium of Saddle Lake Farms, a Condominium, adopted pursuant to the authority granted in the Resolution, with an Effective date of 7-3-1996, a copy of which is incorporated in the above amendment adopted the 10<sup>TH</sup> day of AUGUST, 2001, the terms of which are incorporated in this Amendment by reference.

Inst # 2001-50962

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SHELBY COUNTY JUDGE OF PROBATE  
005 CH 26.00

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## **RECITALS**

By execution of the Resolution the Unit Owners authorized and directed the Declarant and the Officers of the Association to execute and record this Amendment; and,

The execution of this Amendment pursuant to the terms of the Resolution and as otherwise provided for in this Amendment is authorized pursuant to the applicable provisions of the Act and the Declaration referenced above.

## **WITNESSETH**

NOW THEREFORE, in consideration of which is acknowledged by all parties hereto, it is hereby agreed as follows:

1. Pursuant to the authority granted in the Resolution, Declarant is authorized to acquire the real property described in Exhibit "A" ("Phase Three through Seven of Second Addition") attached hereto and made a part hereof as a portion of the New Land to be added by the Declarant to the existing Land of the Condominium. The Addition shall consist of seventy-two (72) Units as represented in the plat attached hereto as Exhibit "B" and made a part hereof.

2. The Declaration is Amended to permit the boundaries and area of a Unit or more than one Unit to be adjusted by the Declarant to satisfy the requirements and regulations of the Shelby County Department of Health and the Alabama Department of Health as needed to provide on site disposal of affluent. Any such adjustment shall be evidenced by an amended plat filed with the Shelby County, Alabama Judge of Probate and incorporated as an exhibit to the Declaration and made a part thereby without requirement of additional amendment to the Declaration.


3. The fractional interest of each Unit Owner in the Common Elements and Common Expense is hereby reduced from 1/112 undivided fractional interest and obligation to a 1/184 undivided interest and obligation.

4. All provisions contained in this amendment relating to Declarant shall inure to the benefit of and be binding upon Declarant and its successors and assigns. All references herein to the authority of Declarant to amend the Declaration shall be deemed to also include the power and authority of Declarant to execute and record corresponding amendments to the Bylaws, Articles and Rules and Regulations as may be necessary or desirable, in the discretion of Declarant, to render the terms thereof consistent in all respects with each such amendment to the Declaration. As amended hereby, the Declaration remains in full force and effect.

IN WITNESS WHEREOF, EnviroBuild, Inc., as Declarant and Gerd Anderson and Roderick M. Nicholson, in their capacity as President and Secretary, respectively, of the Association, have caused this instrument to be executed as of the 23<sup>rd</sup> day of November, 2001.

ENVIROBUILD, INC.

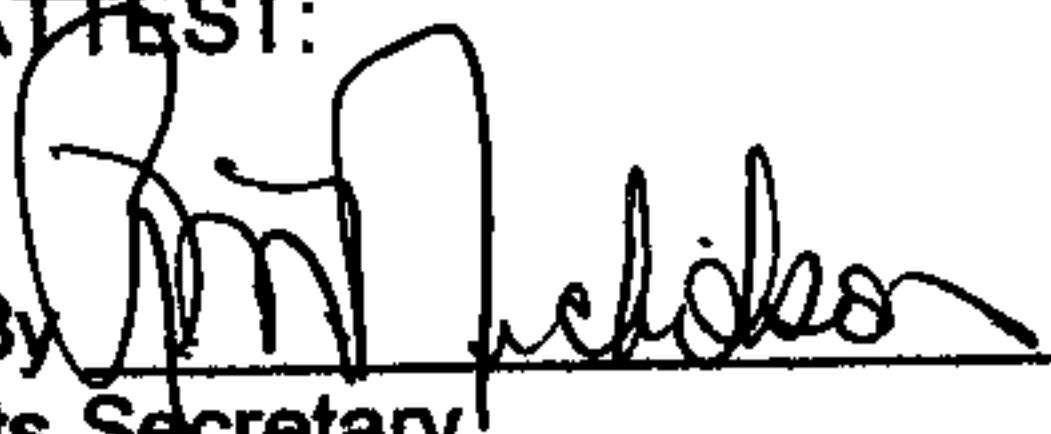
ATTEST:

By:   
Its Secretary

By:   
Its President

APPROVED:  
SADDLE LAKE FARMS ASSOCIATION,  
INC. a non-profit corporation

ATTEST:

By:   
Its Secretary

By:   
Its President

### ACKNOWLEDGMENT

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

Before me, DONALD NELSON GUTHRIE, a Notary Public for said County, in said State, certify that Gerd Anderson whose name as President of EnviroBuild, Inc., a Corporation, 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my official seal, this the 23<sup>rd</sup> day of November, 2001.

  
NOTARY PUBLIC  
My Commission Expires 11/22/04



## **EXHIBIT "A"**

**A parcel of land situated in the Southwest 1/4 of the Northwest 1/4 of Section 4 and the Southeast 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 5, all lying in Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:**

**Commence at the Southeast Corner of the Southwest 1/4 of the Northwest 1/4 of section 4, Township 21 South, Range 2 West, Shelby County, Alabama said point being the POINT OF BEGINNING; thence North 87° 59' 20" West along the Southerly 1/4-1/4 line a distance of 498.49 feet; thence North 02° 00' 40" East a distance of 300.00 feet; thence South 87° 59' 20" East a distance of 18.46 feet to a point lying on the Southerly Right of Way line of Thoroughbred Lane (50' Right of Way) as recorded in Map Book 29, page 26; thence North 02° 00' 40" East and along said Right of Way a distance of 50.00 feet to a point lying on the Northerly Right of Way line of the above mentioned Thoroughbred Lane; thence continue along the last described course and leaving said Right of Way a distance of 156.33 feet; thence North 82° 16' 43" West a distance of 442.19 feet; thence South 71° 16' 16" West a distance of 186.14 feet; thence South 73° 23' 14" West a distance of 164.36 feet; thence South 77° 38' 19" West a distance of 243.70 feet; thence North 74° 24' 37" West a distance of 309.03 feet; thence North 89° 42' 51" West a distance of 568.50 feet to a point lying on the Westerly Right of Way line of Shetland Trail (50' Right of Way) as recorded in Map Book 28, page 76; thence South 00° 04' 11" West, and leaving said Right of Way, a distance of 22.90 feet ; thence North 89° 55' 49" West a distance of 320.48 feet; thence North 01° 06' 53" West a distance of 925.09 feet; thence North 01° 09' 03" West a distance of 664.20 feet; thence South 87° 17' 54" East a distance of 1341.12 feet; thence South 00° 49' 41" East a distance of 660.19 feet; thence South 88°21' 54" a distance of 1330.42 feet; thence South 00° 28' 33" East along the Easterly 1/4-1/4 line a distance of 1314.46 feet to the POINT OF BEGINNING. Said parcel containing 77.89 acres more or less.**

Mass Book 29 page 34

