

STATE OF ALABAMA)
COUNTY OF SHELBY)

**SECOND SUPPLEMENTAL DECLARATION OF PROTECTIVE COVENANTS
FOR HIGH RIDGE VILLAGE, A RESIDENTIAL SUBDIVISION**

(LOOKOUT SECTOR, PHASE 7)

WHEREAS the undersigned **D.R. HORTON, INC.-BIRMINGHAM**, an Alabama corporation (the "Developer") has previously filed a Declaration of Covenants, Conditions and Restrictions for High Ridge Village, a Residential Subdivision, dated July 30, 2001, recorded as Instrument Number 2001/40042 in the Office of the Judge of Probate of Shelby County Alabama (the "Original Declaration") with respect to the property which is more particularly described by the metes and bounds legal description set forth on Exhibit A attached hereto (the "Property"); and

WHEREAS, the Original Declaration was amended by that certain Supplemental Declaration of Protective Covenants for The Lookout Point Sector and The Summit Place Sectors of High Ridge Village dated May 15, 2003 and recorded as Instrument No. * in said Probate Office (the "First Supplemental Declaration"). The First Supplemental Declaration covered the following property (all of which is located within the Property): High Ridge Village, Phase I, pursuant to plat recorded as Instrument Number 2001-04904 in said Probate Office; Resurvey of Lots 1 and 5, High Ridge Village, pursuant to plat recorded as Instrument Number 2001-20247 in said Probate Office; High Ridge Village, Phase 2, pursuant to plat recorded as Instrument Number 2001-38954; and Lookout Point Sector, pursuant to plat recorded as Instrument Number 2001-44777; and

* 20030522000318000

WHEREAS, the Original Declaration, as amended by the First Supplemental Declaration, is hereinafter collectively referred to as the "Declaration"; and

WHEREAS, the Developer has caused to be recorded in the Office of the Judge of Probate of Shelby County, Alabama that certain the following subdivision plat known as "High Ridge Village (Lookout Point Sector), Phase 7," prepared by Robert C. Farmer, P.L.S. and recorded in said Probate Office in Map Book 31, Page 39, with respect to the certain sectors of the Property being developed by the Developer (all of said Lots as shown on said plat being collectively referred to herein as the "Subject Property"); and

WHEREAS, the Subject Property is part of the Property which was subject to the Declaration and Developer desires to confirm that the Subject Property is and remains subject to the Declaration and constitutes a portion of the Property described in the Declaration.

NOW, THEREFORE, the Developer does, upon the recording hereof, declare and re-affirm that the Subject Property and any portion thereof is subject to the covenants, conditions, restrictions, uses, limitations, and affirmative obligations of the Declaration, all of which are declared to be in furtherance of a plan for the use and improvement of the Property (inclusive of the Subject Property) in a desirable and uniform manner suitable in architectural design and for the enforcement of such uniform standards and the maintenance and preservation of the common

amenities within the property subject to the Declaration. Developer hereby further reaffirms the terms and provisions of the Declaration in its entirety without any change whatsoever. Developer hereby further confirms that the provisions of the Declaration shall run with the land and be binding upon, and shall inure to the benefit of, the Property (inclusive of the Subject Property) and all parties having or acquiring any right, title, or interest in and to the Property (inclusive of the Subject Property) or any part thereof, and their successors in interest.

IN WITNESS WHEREOF, the Developer has caused this instrument to be executed by its duly authorized officer on this the 14th day of May, 2003.

DEVELOPER:

D.R. HORTON, INC.-BIRMINGHAM

an Alabama corporation

By: Michael R. Inman

Michael R. Inman

Vice President of the Company and
Division President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael R. Inman, whose name as Vice President of the Company and Division President of D.R. Horton, Inc.-Birmingham, an Alabama 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 hand and seal this the 14th day of May, 2003.

Gail L. Mills

NOTARY PUBLIC

My Commission Expires: 2/26/06

THIS INSTRUMENT PREPARED BY:

**GAIL LIVINGSTON MILLS, ESQ.
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