


STATE OF ALABAMA }
COUNTY OF SHELBY }


20040308000118320 Pg 1/5 26.00
Shelby Cnty Judge of Probate, AL
03/08/2004 13:45:00 FILED/CERTIFIED

**SUPPLEMENTARY DECLARATION OF
PROTECTIVE COVENANTS FOR
SAVANNAH POINTE
SECTOR VII
MAP BOOK 31, PAGE 101**

KNOW ALL MEN BY THESE PRESENTS THAT,

WHEREAS, Beacon Development, L.L.P., an Alabama Limited Liability Partnership has previously filed a Declaration of Protective Covenants in the Probate Office of Shelby County, Alabama, in Instrument #1999-25577, (the “Original Declaration”) for the benefit of certain real property situated in Shelby County, Alabama, which is part of a residential subdivision known as Savannah Pointe, and which is more particularly described in the Plat of Savannah Pointe, Sector I, Phase I; Sector II, Phase I ; Sector III, Phase I; Sector IV, Phase I, Sector III, Phase II; and Sector IV, Phase II; Sector V, and Sector VI, as respectively recorded in Map Book 25, Page 114, in Map Book 25, Page 115, in Map Book 25, Page 113, Map Book 26, Page 49, Map Book 27, Page 122, Map Book 27, Page 123, Map Book 30, Page 42, Map Book 30, Page 41, all in the Probate Office of Shelby County, Alabama.

WHEREAS, Beacon Development, L.L.P., an Alabama Limited Liability Partnership (hereinafter referred to as “Declarant”) is the owner of additional real property (the “Subject Property”) situated in Shelby County, Alabama, which has developed as part of Savannah Pointe, and which is more particularly described as: (i) the Plat of Savannah Pointe, Sector VII, as recorded in Map Book 31, Page 101, in the Probate Office of Shelby County,

Alabama.

WHEREAS, the Declarant desires to submit the Subject Property to the Original Declaration in accordance with and pursuant to Section 2.02 of the Original Declaration which permits the owner of any property, with the approval in writing of the Association (as defined in the Original Declaration), to submit such property to the Original Declaration by filing a Supplementary Declaration to that effect in the Office of the Judge of Probate of Shelby County, Alabama;

NOW THEREFORE, the Declarant, together with Savannah Pointe Residential Association, Inc. (the "Association") do, upon the recording hereof, declare and make the Subject Property and any portion thereof subject to the covenants, conditions, restrictions, uses, limitations and affirmative obligations of the Original Declaration, as heretofore amended and as amended hereby, all of which are declared to be in furtherance of a plan for the use and improvement 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 Original Declaration.

ARTICLE I

The Declarant hereby reaffirms and restates the terms and provisions of the Original Declaration as recorded in Instrument #1999-25577, in the Probate Office of Shelby County, Alabama, their entirety without any change whatsoever, except as follows:

1. The legal description of the property subject to the Original Declaration in Exhibit "A" thereof is hereby amended to include the Subject Property.
2. ARTICLE III of the Original Declaration is hereby amended to modify the restrictions on the size of the residential dwellings to be constructed on

certain Lots with the Subject Property by changing and adding the following as Section 3.07(b) thereof.

Paragraph 3.07(b): Notwithstanding the provisions of Section 3.07(b) of the Original Declaration, the size of each main residential building (exclusive of open porches, garages, basements and carports) to be constructed on any of the Lots in Savannah Pointe Sector II, Phase III, according to the plat thereof recorded in Map Book 29, Page 13 in the Probate Office of Shelby County, Alabama, shall be subject to the following minimum requirements: every dwelling building erected on any Lot in the Property, known as Savannah Pointe, Sector II, Phase III, exclusive of one-story open porches, garages, carports and other unairconditioned, unfinished spaces, shall each include a minimum of 1,300 square feet of enclosed, heated, habitable areas, (“finished space”) for a one-story home, and a minimum of 1,300 square feet for a one and one-half story or two story home, with a minimum of 850 square feet on the first floor.

ARTICLE II

The Association has joined in the execution of this Supplemental Declaration for the purpose of evidencing its written approval of the submission of the Subject Property to the Original Declaration as herein provided and does hereby authorize the filing of this Supplemental Declaration with the Office of the Judge of Probate of Shelby County, Alabama.

IN WITNESS WHEREOF, the undersigned have caused this Declaration to be
executed as of the 8th day of March, 2004.

DECLARANT:

Beacon Development, L.L.P.,

an Alabama Limited Liability Partnership

By: Curtis Hargen

Its: Partner

Savannah Pointe Residential Association, Inc.

By: [Signature]

Its: MEMBER

STATE OF ALABAMA }
COUNTY OF SHELBY }

I, the undersigned, a Notary Public in and for said County in said State, hereby
certify that Curtis Hargen, whose name as Partner of
Beacon Development, L.L.P., an Alabama Limited Liability Partnership, is signed to the
foregoing Supplemental 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 Supplemental Declaration of Protective Covenants, he, as such Partner
and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal of office this 8th day of ~~August~~ March, 2002. 2004

Kathy H. Tally
Notary Public

My Commission Expires: 5-8-07

STATE OF ALABAMA }
COUNTY OF SHELBY }

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Alan C. Howard, whose name as Member of Savannah Pointe Residential Association, Inc., an Alabama nonprofit corporation, is signed to the foregoing Supplemental Declaration of Protective Covenants, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Supplemental Declaration of Protective Covenants, 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 of office this 8th day of March, ~~August~~, 2004.

Kathy H. Tally
Notary Public

My Commission Expires: 5-8-07

This Instrument Prepared By:
Laurie Boston Sharp
1300 Corporate Drive
Birmingham, Alabama 35242