

THIS INSTRUMENT PREPARED BY  
AND UPON RECORDING RETURN TO:

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STATE OF ALABAMA )  
COUNTY OF SHELBY )

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

*(Lookout Point Sector, Phase 8)*

**WHEREAS** the undersigned **D.R. HORTON, INC.-BIRMINGHAM**, an Alabama corporation (the "Developer") is the declarant under that certain 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 and to the Original Declaration (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 and recorded as Instrument No. 20030522000218000 in said Probate Office (the "First Supplemental Declaration") and by that certain Second Supplemental Declaration of Protective Covenants for the Lookout Point Sector, Phase 7 (the "Second Supplemental Declaration") and recorded as Instrument Number 20030522000318010 in said Probate Office and by that certain Third Supplemental Declaration of Protective Covenants for Lookout Point Sector, Phase 5 and Summit Place Sector, Phase 6 (the "Third Supplemental Declaration"); and recorded as Instrument Number 20040224000094790 in said Probate Office.

**WHEREAS**, the Original Declaration, as amended by the First Supplemental Declaration, Second Supplemental Declaration and Third 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 the following subdivision plats prepared by Robert C. Farmer, P.L.S., with respect to the certain sectors of the Property being developed by the Developer (all of said property as shown on said plats being collectively referred to herein as the "Subject Property")

"High Ridge Village (Lookout Point), Phase 8," recorded in Map Book 33, Page 105 in the Office of the Judge of Probate of Shelby County, Alabama; 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 Supplemental Covenant to be executed by its duly authorized officer on this the 12<sup>th</sup> day of November, 2004.

**DEVELOPER:**

**D.R. HORTON, INC.-BIRMINGHAM**

an Alabama corporation

By: 

Michael R. Inman

Vice President 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 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 12<sup>th</sup> day of November, 2004.

  
NOTARY PUBLIC

My Commission Expires: February 11, 2008

Notary Public, State At Large, Alabama.



**EXHIBIT A**  
**LEGAL DESCRIPTION**

A parcel of land located in the SW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$ -NW  $\frac{1}{4}$  of Section 25, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the SE corner of the NE  $\frac{1}{4}$ -SW  $\frac{1}{4}$  of said Section 25; thence North  $0^{\circ}08'19''$  E along the east line of said Section for a distance of 1336.04'; thence N $0^{\circ}04'30''$  E along the East line of the SE  $\frac{1}{4}$  - NW  $\frac{1}{4}$  a distance of 999.67'; thence N  $88^{\circ}08'06''$  W a distance of 728.62'; thence S  $23^{\circ}26'16''$  W a distance of 660.03'; thence N  $74^{\circ}43'35''$  W a distance of 130.0'; thence S  $15^{\circ}16'25''$  W a distance of 445.17' to a point lying on the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence N $88^{\circ}56'54''$  W along said  $\frac{1}{4}$ - $\frac{1}{4}$  line a distance of 123.35'; thence S  $1^{\circ}04'48''$  W a distance of 121.73'; thence N $88^{\circ}46'16''$  W a distance of 41.40'; thence S  $15^{\circ}36'51''$  W a distance of 133.03'; thence S  $88^{\circ}46'16''$  E a distance of 195.56'; thence S  $1^{\circ}9'56''$  W a distance of 54.23'; thence S  $88^{\circ}54'16''$  E a distance of 36.96'; thence S  $15^{\circ}49'05''$  W a distance of 669.31' to a point lying on the northerly right of way line of Shelby County Highway #68 (variable right of way); thence S  $63^{\circ}47'20''$  E along said right of way line a distance of 180.63' to the beginning of a curve to the right having a radius of 450.0' and subtended by a chord which bears S  $48^{\circ}08'14''$  E a chord distance of 242.81'; thence along the arc of said curve and said right of way line a distance of 245.85' to a point; said point being the intersection of the northerly right of way of said Shelby County Highway #68 and the centerline of Wilson Road; said point also lying on a curve to the left having a radius of 60.0' and subtended by a chord which bears N $5^{\circ}16'10''$  E a chord distance of 26.51'; thence along the arc of said curve and said centerline, a distance of 26.73' to the end of aforesaid curve and the bearing of a curve to the left having a radius of 286.22' and subtended by a chord which bears N  $16^{\circ}29'42''$  W a chord distance of 89.56'; thence along the arc of said curve and said centerline a distance of 89.93' to the end of said curve; thence N  $25^{\circ}29'47''$  W along the approximate centerline of said Wilson Road a distance of 86.32'; thence N $71^{\circ}49'59''$  W along said approximate centerline a distance of 100.44'; thence leaving said centerline, N  $15^{\circ}36'16''$  E a distance of 188.18'; thence S  $78^{\circ}20'53''$  E a distance of 79.09'; thence N  $15^{\circ}40'30''$  E a distance of 331.15'; thence S  $74^{\circ}19'30''$  E a distance of 210.0'; thence S  $15^{\circ}40'30''$  W a distance of 750.0'; thence S  $85^{\circ}49'06''$  W a distance of 23.26' to a point lying on the Northeasterly right of way line of Shelby County Highway #68; said point also lying on a reverse compound curve to the right having a radius of 450.0' and subtended by a chord which bears S  $17^{\circ}56'56''$  E a chord distance of 60.02'; thence along the arc of said curve and said right of way line a distance of 60.06' to the end of aforesaid curve and the beginning of said compound curve to the left having a radius of 431.63' and subtended by a chord which bears S  $26^{\circ}18'26''$  E a chord distance of 182.17'; thence along the arc of said curve and said right of way line a distance of 183.55' to the end of aforesaid curve and the beginning of a curve to the left having a radius of 260.68' and subtended by a chord which bears S  $52^{\circ}22'08''$  E a chord distance of 125.07'; thence along the arc of said curve and said right of way line a distance of 126.30' to the end of said curve; thence S  $66^{\circ}14'55''$  E along said right of way line a distance of 230.64' to the beginning of a curve to the right having a radius of 442.50' and subtended by a chord which bears S  $40^{\circ}03'20''$  E a chord distance of 390.64'; thence along the arc of said curve and said right of way line a distance of 404.58'; thence leaving said right of way line S  $89^{\circ}58'06''$  E a distance of 140.51'; thence N  $0^{\circ}01'54''$  E along a line 200.0' west of and parallel to the east line of the SE  $\frac{1}{4}$  - SW  $\frac{1}{4}$  of Section 25, a distance of 600.0'; thence S  $88^{\circ}58'42''$  E a distance of 200.0' to the point of beginning. Containing 64.05 acres, more or less.