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Shelby Cnty Judge of Probate, AL
06/14/2006 08:00:22AM FILED/CERT

Belvedere Cove Phase III
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS
FOR
BELVEDERE COVE, PHASE III, A RESIDENTIAL SUBDIVISION

Amendment 1

KNOW ALL MAN BY THESE PRESENTS, THAT:

WHEREAS, D. R. Horton, Inc. – BIRMINGHAM, an Alabama Corporation, is the Owner and/or Developer (hereinafter referred to as the ("Developer")), of all lots in the Survey of Belvedere Cove Phase III, a plat of which is recorded in Map Book 36 Page 113 in the Probate Office of Shelby County, Alabama, said plat being made a part hereof by reference thereto, and

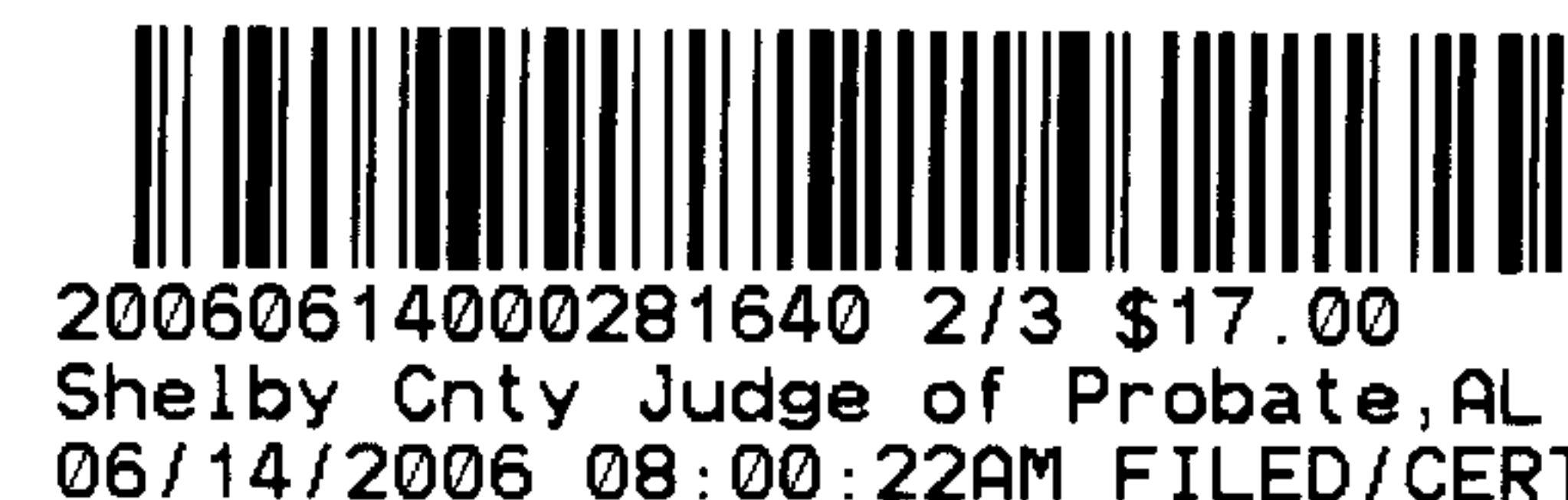
WHEREAS, the Developer has previously established certain general covenants, restrictions and easements applicable to all lots owned by it in the survey of said subdivision,

WHEREAS, the Developer has determined certain modifications are desirous in the benefit of the development due to the location of certain portions of the common area that will cause it to be difficult to access and maintain.

NOW THEREFORE, the Developer does hereby adopt, proclaim and publish Amendment 1 that makes changes to the general covenants, restrictions, and easements which changes are set forth following:

1. The attached drawing, Belvedere Cove, Phases III, Covenants Amendment 1 Drawing, is hereby incorporated into this document.
2. Lots 18 through 24 have certain portions of the common area as shown on the attached drawing. To facilitate maintenance of this common area, these lots' owners are responsible for maintaining the respective common area as shown on the attached drawing. Due to the maintenance responsibilities, these lots are allowed to fence in the respective portions of the common area as shown on the drawing.
3. No fence may be constructed to obstruct drainage away from or onto adjoining lots.

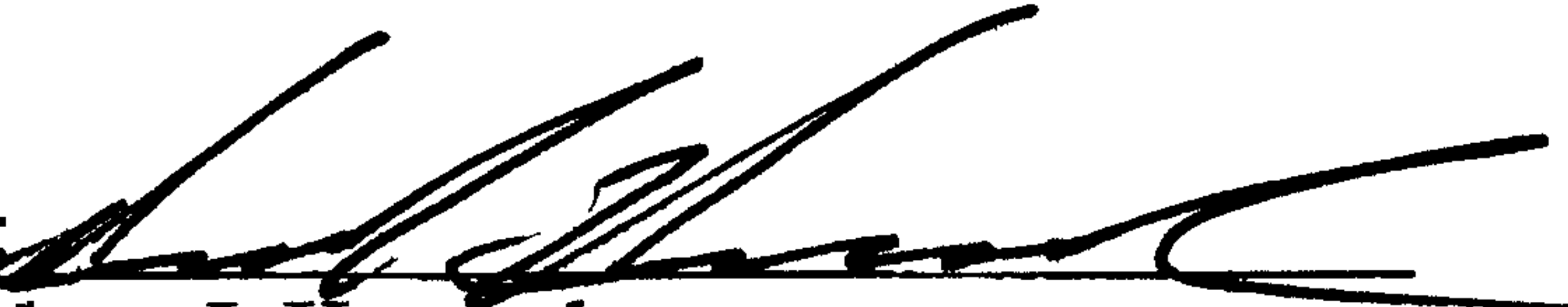
Invalidation of any one of these general covenants, restrictions, and easements by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.



IN WITNESS WHEREOF, the undersigned, Andrew J. Hancock, as City Manager of D. R. Horton, Inc. - Birmingham, has hereunto set his hand and seal on this 11 day of April, 2006.

DEVELOPER:

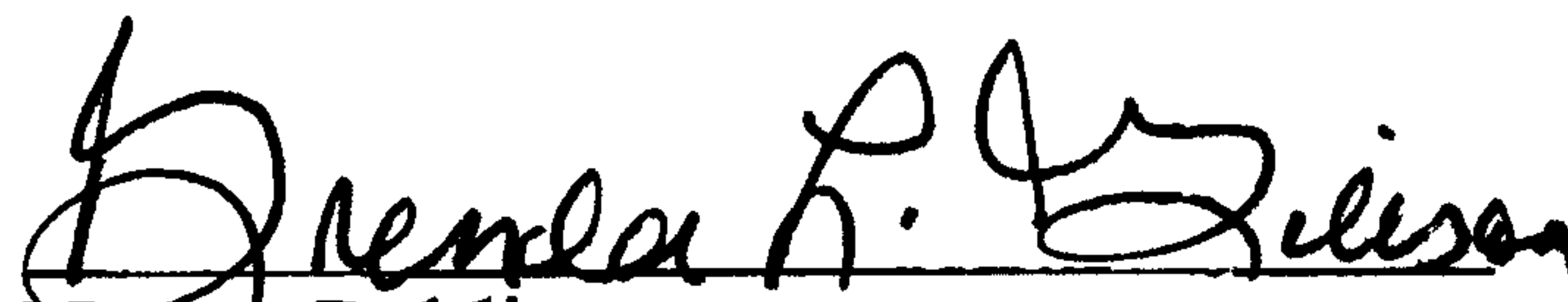
D. R. HORTON, INC. - BIRMINGHAM

By: 
Andrew J. Hancock
Its City Manager

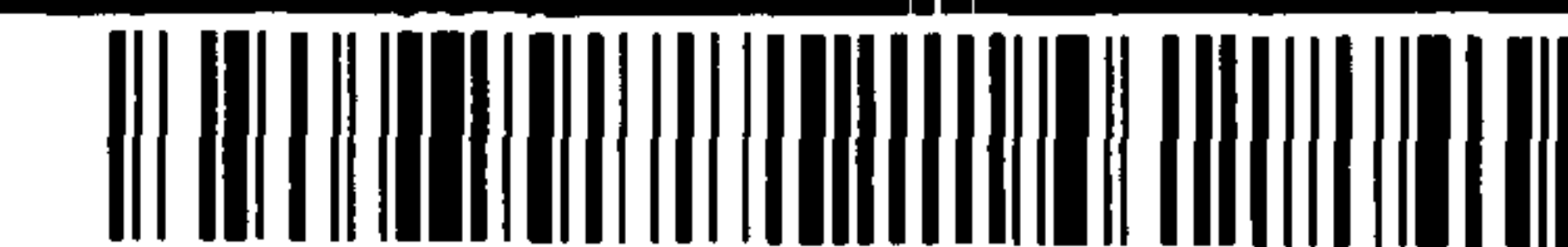
**STATE OF ALABAMA)
COUNTY OF SHELBY)**

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Andrew J. Hancock, as City Manager of D. R. Horton, Inc. - Birmingham, is signed to the foregoing instrument and who is known to me, acknowledged before me that, being informed of the contents of the instrument, he, as such officers, and with full authority, executed the same voluntarily for and as the act of said corporation, on the day the same bears date.

Given under my hand and official seal, this the 11th day of April, 2006. ^{AKS}


Notary Public

My Commission Expires 02-11-08



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1" = 60'

BELVEDERE COVE
PHASE III
COVENANTS AMENDMENT I

