

****This is an amended and corrected Exhibit "B", pages 1 and 2, to the "Third Amendment of Declaration of Condominium of Providence Park, a Condominium, previously recorded on March 2, 2006 as Instrument Number 20060302000097880 in the Probate Court of Shelby County, Alabama. Filed by the Developer, Providence Park Partners, L.L.C.****

**Third Amendment to Declaration of Condominium
of
Providence Park, A Condominium**

This Amendment to Declaration of Condominium made this 22nd day of February, 2006, by Providence Park Partners, L.L.C., an Alabama Limited Liability Company ("Developer"), for itself and its respective successors, grantees and assigns, pursuant to the provisions of the Alabama Uniform Condominium Act of 1991, Code of Alabama 1975 35-8A-101 et seq. (the "Act") for the purpose of expanding Providence Park, a Condominium located in Shelby County, Alabama.

WITNESSETH:

Whereas the Developer previously executed the Declaration of Condominium (the "Declaration") which is recorded as Instrument #20040802000426220 et seq and providing for the submission of certain land owned by Developer and described in Exhibit "A" and Exhibit "C" to said Declaration, together with the improvements included thereon to the provisions of the Alabama Uniform Condominium Act of 1991 Code of Alabama 1975 35-8A-101, et seq., and thereby establishing the Condominium known as Providence Park, a Commercial Office Condominium(the "Condominium"); and

Whereas the Developer executed and filed for record a First Amendment to Declaration of Condominium of Providence Park which is recorded in Instrument 20050113000020340 on January 13, 2005, all of which expands the Condominium to include Phase II property as more specifically described therein; and

Whereas the Developer executed and filed for record a Second Amendment to Declaration of Condominium of Providence Park which is recorded in Instrument 20050819000428280, on August 19th, 2005, which expands the Condominium to include Phase III property as more specifically described therein; and

Whereas the Developer, as provided in Article II, Section 2.02 of the original Declaration of Condominium has reserved the sole and exclusive right to expand the Condominium from time to time by adding thereto all or any portion of the real property that the Developer owns adjacent to the property described in Exhibit "A" to the Declaration of Condominium (the subsequent Phased Land); and to change or alter the boundaries between units; and

Whereas the Developer is the owner in fee of certain real property adjacent to that certain real property previously submitted to Providence Park as depicted in Exhibit "C", Page 5, to Declaration of Condominium of Providence Park as described above and located in Shelby County, Alabama and which is further described in Exhibit A-1 attached hereto and made a part hereof as if set out in full and is subject to the easements, rights of way and other restrictions set forth in the Amended Map of Providence Park Phase I, which includes Phase IV Property, dated February 6, 2006, prepared by Carr & Associates Engineers, Inc., a copy of which is being filed simultaneously herewith and recorded in Map Book 36, Page 98, in the Office of the Judge of Probate of Shelby County, Alabama and made a part hereof as if set out in full (the "Amended Map of Providence Park Phase I") which includes the Phase IV property; and

Whereas, Developer has improved the real property on the Amended Map of Providence Park Phase I, which includes the Phase IV Property by constructing thereon One (1) Office Condominium Building containing Four (4) Office Condominium Units in the One (1) Building (Building 2201)

as well as construction of other improvements e.g. common elements, limited common elements, if any, of the Amended Map of Providence Park Phase I, which includes the Phase IV Property, which improvements have been fully and accurately depicted as to layout, location, unit numbers, dimensions, identifying the common elements, limited common elements, if any, private elements as-built by the Survey and Plans identified on the Survey for the Amended Map of Providence Park Phase I, which includes the Phase IV Property, dated February 6, 2006, consisting of 6 pages and bearing a certificate that said Amended Map of Providence Park Phase I (which includes Phase IV) is filed in the Office of the Judge of Probate of Shelby County, Alabama, and which is being filed simultaneously herewith and in addition to the site plan and floor plans, paving, driveways, parking areas, walk ways, curbs and gutters, cross sections of the Building and the location, elevation, area and dimensions of the units with reference to established geographical points and which is made a part thereof as if set out in full; and

Whereas, the undersigned Developer has changed the layout and dimensions of Units 100 and 150 of Building 2101 from the original layout and dimensions of Phase I Providence Park, both Units being owned by the Developer and unencumbered and said changes being noted and described in the Amended Map of Providence Park Phase I and filed for record simultaneously herewith; and

Whereas, Developer has reallocated the undivided interest in the Common elements and Limited Common elements if any as contemplated by the Declaration and is attached hereto as Exhibit "B" and made a part hereof as if set out in full; and

NOW THEREFORE, the undersigned Developer, Providence Park Partners, L.L.C., hereby, adopt, make, report, consent and agree to the following Amendments to the said Declaration:

(1) the Declaration is hereby amended by submitting the Amended Map of Providence Park

Phase I, which includes Phase IV Property and Phase IV Units, together with all other improvements constructed or to be constructed on or within the Amended Map of Providence Park Phase I, which includes Phase IV Property, and all easements, rights, interest appurtenant thereto to the condominium form of Ownership and to all terms, conditions, Restrictions and Limitations under the Declaration and as otherwise provided for under the Act.

(2) Units 100 and 150, Building 2101 Providence Park are hereby modified and shall hereafter be described as shown and described in this Amended Map of Providence Park Phase I on page 4 of 6.

(3) the Declaration is hereby further amended by adding the following Exhibits which are incorporated herein for all purposes.

A) Exhibit A-1 legal description of Phase IV Property;.

B) Reallocation of interest to include Phase I, Phase II, Phase III and Phase IV Property (Phase IV Property now being a part of Amended Map of Providence Park Phase I), and all Units;

C) Graphic Description of Phase IV Property which is included in and made a part of Amended Map of Providence Park Phase I; and

D) Certificate of Architect.

(4) Except as hereby amended, the Declaration remains in full force and effect, and is hereby ratified and affirmed.

In Witness Whereof, the said Developer, Providence Park Partners, L.L.C., has caused this Amendment to Declaration of Condominium to be executed as of the day and year first written above.

**Providence Park Partners, L.L.C.
an Alabama Limited Liability Company**

Byrom Building Corp., an Alabama Corporation

By: Marty Byrom
Marty Byrom, its President
Its Member

AND

J-Mar Properties, LLC, an Alabama Limited Liability Company

By: James R. Moncus, Jr.
James R. Moncus, Jr., its Member
Its Member

State of Alabama)
Jefferson County)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Marty Byrom, whose name as President of Byrom Building Corp., an Alabama Corporation, is signed to the foregoing Third Amendment Declaration of Condominium, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Declaration of Condominium, he, as such Officer and with full authority, executed the same voluntarily on the date the same bears date.

Given under my hand and official seal this the 31st day of July, 2006.

Shelby F. Hunt
Notary Public

My Commission Expires: March 13, 2010

State of Alabama)
Jefferson County)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James R. Moncus, Jr., whose name as Member of J-Mar Properties, LLC, an Alabama Limited Liability Company, is signed to the foregoing Third Amendment to Declaration of Condominium, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Declaration of Condominium, he as such Member and with full authority, executed the same voluntarily on the date the same bears date.

Given under my hand and official seal this the 31st day of July, 2006.

Shelby F. Hunt
Notary Public

My Commission Expires: March 13, 2010

PROVIDENCE PARK PHASE IV

A parcel of land located in the Northeast Quarter of Section 15, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the SW corner of the SW 1/4 of the NE 1/4 of said Section 15; thence in a Northerly direction along the westerly line of said 1/4 - 1/4 section, a distance of 316.55 feet; thence continue Northerly along the same course 639.07 feet to a point to the Southeasterly right of way line of Buckton Road; thence an interior angle left of 131 degrees 08 minutes 35 seconds left in a Northeasterly direction along said Southeasterly right of way line, a distance of 4.18 feet to the beginning of a curve to the left having a radius of 312.26 feet and a central angle of 22 degrees 03 minutes 10 seconds; thence continue in a Northeasterly direction along arc of said curve and right of way line, a distance of 120.19 feet to end said curve; thence continue in a Northeasterly direction along line tangent to said curve and right of way line a distance 195.50 feet to the beginning of a curve to the left having radius of 424.18 feet and a central angle of 14 degrees 27 minutes 30 seconds; thence continue in a Northeasterly direction along arc of said curve and right of way line, a distance of 107.05 feet to the end of said curve; thence continue in a Northeasterly direction and along a line tangent to said curve and right of way line, distance of 28.48 feet; thence 45 degrees 17 minutes 50 seconds right in a Northeasterly direction and along said right of way line a distance of 70.34 feet to a point on the Southerly right of way line of Valleydale Road; thence 45 degrees 17 minutes 50 seconds right in a Southeasterly direction and along said southerly right of way line, a distance of 166.82 feet to the PC of a curve to the left having a radius of 1185.91 feet and a central angle of 12 degrees 17 minutes 47 seconds; thence continue in a Northeasterly direction along arc of said curve 255.51 feet; thence an interior angle left of 120 degrees 17 minutes 37 seconds Southeasterly 307.56 feet to the POINT OF BEGINNING; thence with an angle right of 180 degrees Northwesterly back along the previous course a distance of 50.23 feet; thence with a deflection angle right of 90 degrees 03 minutes 26 seconds Northeasterly a distance of 51.71 feet; thence an interior angle left of 89 degrees 52 minutes 31 seconds Southeasterly 114.86 feet; thence an interior angle right of 90 degrees 00 minutes 00 seconds Northeasterly 24.95 feet; thence an interior angle left of 90 degrees 00 minutes 00 seconds Southeasterly a distance of 344.52 feet to the Northerly line of WINDWOOD CIRCLE SUBDIVISION as recorded in Map Book 6, Page 154 in the Probate Office of Shelby County, Alabama; thence an interior angle left of 95 degrees 29 minutes 54 seconds Southwesterly 161.61 feet along the Northerly line of WINDWOOD CIRCLE SUBDIVISION; thence an interior angle left of 77 degrees 45 minutes 42 seconds Northwesterly 371.67 feet; thence an interior angle left of 133 degrees 37 minutes 45 seconds Northeasterly a distance of 50.91 feet to the Point of Beginning.

This description is prepared without the benefit of a field survey on December 16, 2004.

EXHIBIT "B" PAGE 1

<u>UNIT DESCRIPTION</u>	<u>VOTES AND ASSIGNED SQUARE FOOTAGE</u>	<u>%OF COMMON ELEMENTS OWNERSHIP AND LIABILITIES</u>
Building 1000 Unit 100	1052	.0181%
Building 1000 Unit 150	1052	.0181%
Building 1000 Unit 200	1052	.0181%
Building 1000 Unit 250	1052	.0181%
Building 1701 Unit 100	1052	.0181%
Building 1701 Unit 150	1052	.0181%
Building 1701 Unit 200	1052	.0181%
Building 1701 Unit 250	1052	.0181%
Building 1900 Unit 100	1228	.0212%
Building 1900 Unit 150	1228	.0212%
Building 1900 Unit 200	1228	.0212%
Building 1900 Unit 250	1228	.0212%
Building 2000 Unit 100	1228	.0212%
Building 2000 Unit 150	1228	.0212%
Building 2000 Unit 200	1228	.0212%
Building 2000 Unit 250	1228	.0212%
Building 2001 Unit 100	4200	.0723%
Building 2100 Unit 100	1432	.0247%
Building 2100 Unit 150	1432	.0247%
Building 2100 Unit 200	1432	.0247%
Building 2100 Unit 250	1432	.0247%
Building 2101 Unit 100	2114	.0364%
Building 2101 Unit 150	1469	.0253%
Building 2101 Unit 200	3760	.0647%

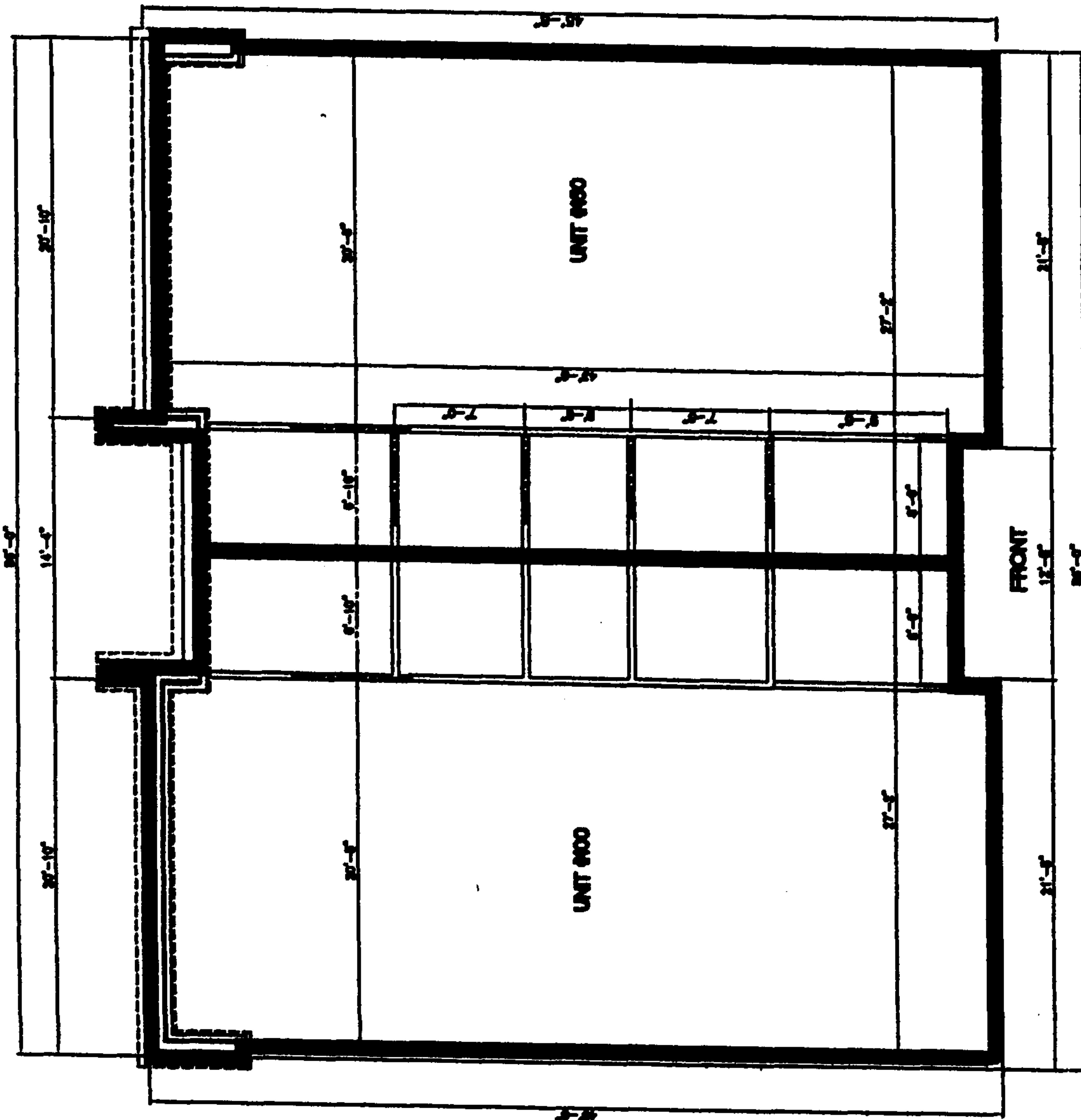
EXHIBIT "B" PAGE 2

<u>UNIT DESCRIPTION</u>	<u>VOTES AND ASSIGNED SQUARE FOOTAGE</u>	<u>%OF COMMON ELEMENTS OWNERSHIP AND LIABILITIES</u>
Building 1200 Unit 100	1052	.0181%
Building 1200 Unit 150	1052	.0181%
Building 1200 Unit 200	1052	.0181%
Building 1200 Unit 250	1052	.0181%
Building 1401 Unit 100	1228	.0212%
Building 1401 Unit 150	1228	.0212%
Building 1401 Unit 200	1228	.0212%
Building 1401 Unit 250	1228	.0212%
Building 1601 Unit 100	1432	.0247%
Building 1601 Unit 150	1432	.0247%
Building 1800 Unit 100	1432	.0247%
Building 1800 Unit 150	1432	.0247%
Building 1800 Unit 200	1432	.0247%
Building 1800 Unit 250	1432	.0247%
Building 2201 Unit 100	1228	.0212%
Building 2201 Unit 150	1228	.0212%
Building 2201 Unit 200	1228	.0212%
Building 2201 Unit 250	1228	.0212%
TOTAL SQUARE FOOTAGE	58,135	

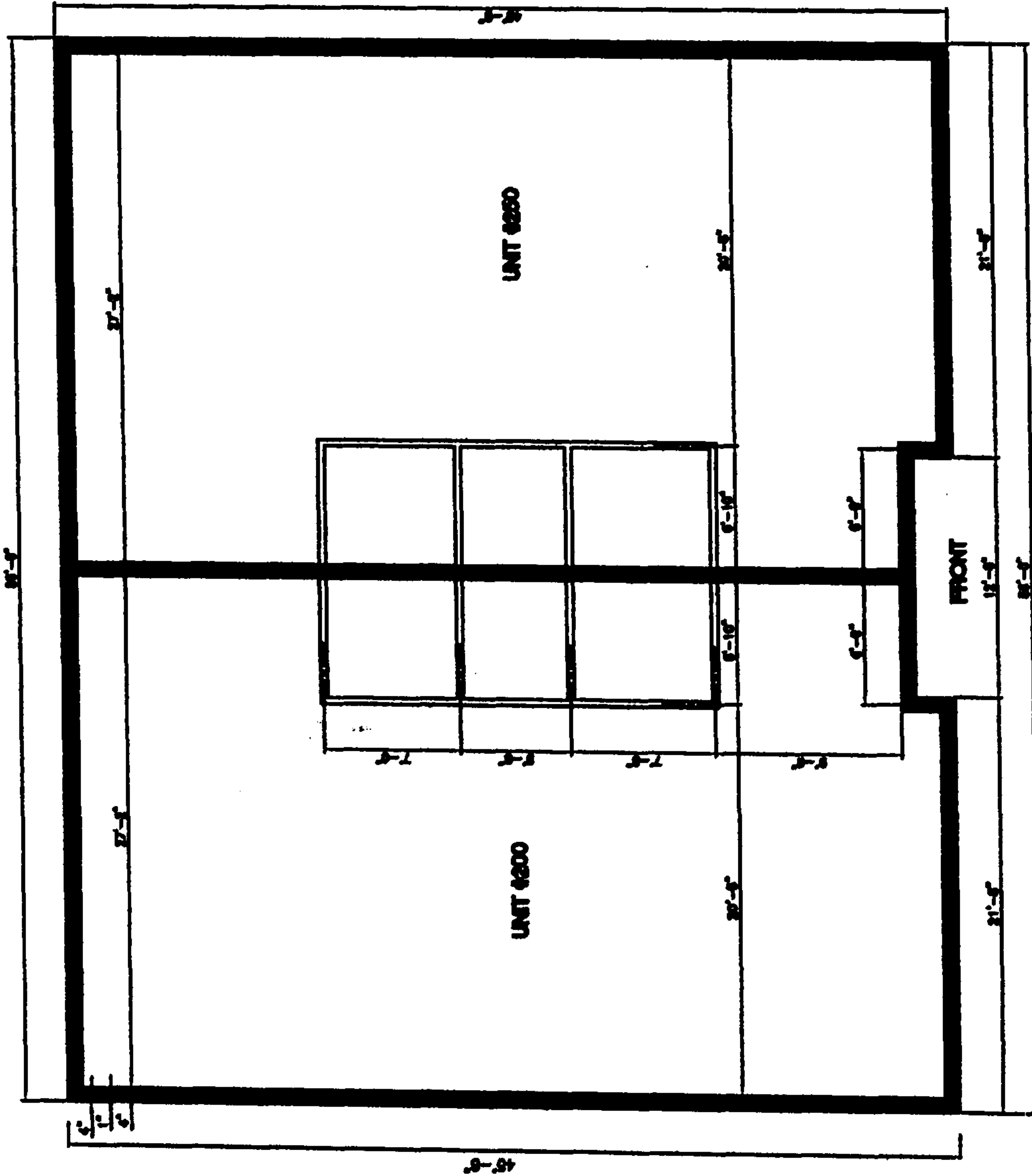
PROVIDENCE PARK
PHASE IV

A CONDOMINIUM SUBDIVISION SITUATED IN THE
NORTHEAST 1/4 OF SECTION 16
TOWNSHIP 19 SOUTH, RANGE 2 WEST
SHELBY COUNTY, ALABAMA

Prepared by
CNS
CNS Engineering, Inc.
1000 11th Avenue, Suite 100
Birmingham, AL 35203
(205) 988-1100 FAX (205) 988-1101
WWW.CNS-ENGINEERING.COM



FIRST FLOOR
102 SF / FLOOR AREA / UNIT
SCALE: 1/4" = 1'-0"



SECOND FLOOR
102 SF / FLOOR AREA / UNIT
SCALE: 1/4" = 1'-0"

BUILDING NO. 2201

COMMON AREA WALLS
BUILDING PLAN "B"

20060803000376750 10/11 \$41.00
Shelby Cnty Judge of Probate, AL
08/03/2006 03:17:59PM FILED/CERT

Exhibit D Page 1

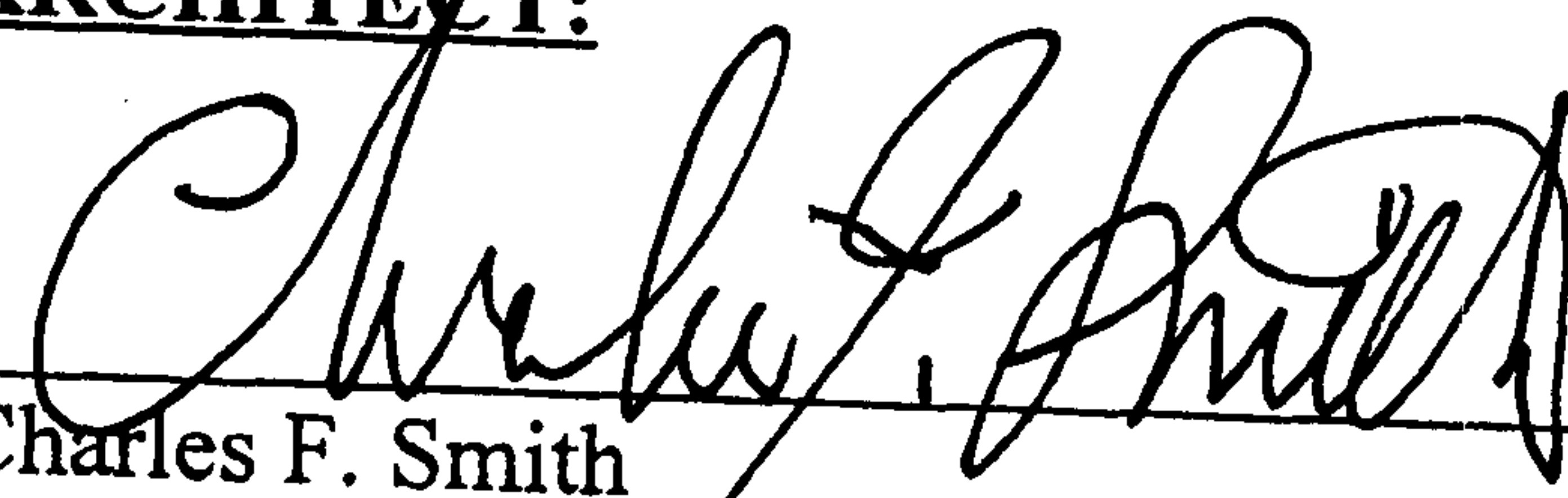
STATE OF ALABAMA)

COUNTY OF SHELBY)

CERTIFICATION OF ARCHITECT

I, the undersigned, Charles F. Smith, a registered architect in the State of Alabama, Number 2150, hereby certify that the **SITE PLAN AND FLOOR PLANS** labeled Exhibit C to the Third Amendment to Declaration of Condominium of Providence Park Condominiums, a condominium, which contain 2 pages, and the **PLANS** for Providence Park Condominiums, a condominium, which contain 2 pages and which are filed for record in the Office of the Judge of Probate of Shelby County, Alabama, show the layout, location, UNIT numbers and dimensions of the UNITS and the improvements and the UNITS "as built" and that the improvements shown on the PLANS are substantially complete. I further certify that the PLANS, together with the survey prepared by Carr & Associates Engineers, Inc., and recorded simultaneously herewith, contain all of the information required by 35-8A-209 *Code of Alabama* (1975).

ARCHITECT:


Charles F. Smith

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, Marcia H. Hendrix, a notary public in and for said county in said state, hereby certify that Charles F. Smith, whose name as Architect, 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 such instrument, he, as such officer with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 5th day of December, 2005.

[Notary Seal]


Notary Public
My Commission Expires: 2/28/08