

LINWOOD ESTATES

THIRD AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS

WHEREAS, the undersigned, are the owners of a majority of the lots in that certain subdivision known as Linwood Estates as recorded in Map Book 11, Page 45, in the Probate Office of Shelby County, Alabama; and

WHEREAS, under the provision of Section III (I) of that certain Declaration of Protective Covenants (as amended, the "Declaration") filed in Book 168, Page 725, et seq., in the Probate Office of Shelby County, Alabama, a majority of the owners of lots in Linwood Estates have the authority to amend the restrictions of said protective covenants; and

WHEREAS, an Amendment to Declaration of Protective Covenants was recorded on July 5, 1988, in Book 192, Page 462, in the Probate Office of Shelby County; and

WHEREAS, an Amendment to Declaration of Protective Covenants was recorded on December 28, 1990, in Book 324, Page 14, in the Probate Office of Shelby County; and

WHEREAS, a sign is currently located on a portion of Lot 1 of Linwood Estates and a majority of the owners of lots in Linwood Estates, including the record owner of Lot 1, desire to amend the Declaration to provide that the sign may not be removed and to provide for maintenance for said sign and the immediately surrounding area.

NOW, THEREFORE, the undersigned do hereby amend the following protective covenants, conditions and limitations as set forth in Book 168, Page 725, et seq., as filed in the Probate Office of Shelby County, Alabama.

1. Section II.I is hereby amended to read as follows:

No sign of any kind shall be displayed to the public view on any lot except (i) one professional sign of not more than two (2) square feet, (ii) one sign of not more than six (6) square feet advertising property for sale or rent, (iii) signs used by a builder to advertise the property during the construction and sale period, and (iv) the brick monument sign currently situated in the Northwest corner of Lot 1 displaying the name of the subdivision, together with the landscaping around the monument as shown on Exhibit A attached hereto.

2. Section II is hereby amended by adding the following at the end of said Section:

S. The owners of the lots are responsible for the maintenance of the sign and immediately surrounding landscaping located on Lot 1 as shown in Exhibit A and any owner of Lot 1, whether the current owner or his successor and assigns, shall not remove or alter the sign or the landscaping in any way.

IN WITNESS WHEREOF, the undersigned, have caused this Amendment to Declaration of Protective Covenants to be executed ^{as of} this the 30th day of September, 2006.

EARL T. WALLER
Owner of Lot 1 Earl T. Waller

By: [Signature]
Printed Name: [Signature]
Title: [Signature]

Redmond Wheeler Fleming
Printed Name: Redmond Wheeler Fleming

John F. Boettner
Printed Name: JOHN F. BOETTNER

Kent Stump
Printed Name: KENT STUMP

Mark J. Richman
Printed Name: MARK RICHMAN

Mark Casey
Printed Name: MARK CASEY

Doug Hoffman
Printed Name: DOUG HOFFMAN

David B. Kennamer
Printed Name: DAVID B. KENNAMER

Tommy King
Printed Name: TOMMY KING

Harry Long
Printed Name: HARRY LONG

[Signature]
Printed Name: RANDY S. THOMAS

Pamela B. Thomas
Printed Name: Pamela B. Thomas

Nancy A. Fleming
Printed Name: Nancy A. Fleming

Kimberly Jo Boettner
Printed Name: KIMBERLY JO BOETTNER

Debbie Stump
Printed Name: Debbie Stump

Sheila Richman
Printed Name: Sheila Richman

Printed Name: _____

Pat Vander Meer
Printed Name: _____

Gretchen Kennamer
Printed Name: Gretchen Kennamer

Gwen King
Printed Name: GWEN KING

Sheri L. Long
Printed Name: SHERI LONG

Denise F. Zerkoff
Printed Name: Denise F. Zerkoff

Pete Zerkoff
Printed Name: PETE ZERKOFF

Claude D. Whittle, Jr.
Printed Name: CLAUDE D. WHITTLE, JR.

Teresa F. Whittle
Printed Name: TERESA F. WHITTLE

Susan McNabb
Printed Name: Susan McNabb

Robert C. McNabb
Printed Name: Robert C. McNabb

Printed Name: _____

Printed Name: _____

Printed Name: _____

Printed Name: _____

STATE OF ALABAMA

COUNTY OF SHELBY


I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Earl T. Waller, as _____, of N/A, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the said conveyance, he, ~~as such officer, and with full authority~~, executed the same voluntarily for and as the act of the said corporation.

GIVEN under my hand and seal this the 30th day of September, 2006.

Pamela B. Thomas
NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES JUNE 15, 2009


20070321000128550 3/5 \$50.00
Shelby Cnty Judge of Probate, AL
03/21/2007 10:16:26AM FILED/CERT

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Randy S. Thomas and Pamela B. Thomas, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said conveyance, they, executed the same voluntarily.

Given under my hand and official seal on this the 24th day of September, 2006.

Letitia S. Martin
NOTARY PUBLIC
My Commission Expires: _____

MY COMMISSION EXPIRES MAY 10, 2010

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Redmond Wheeler Flemming, Nancy A. Flemming, John F. Boettner, Kimberly Jo Boettner, Kent S. Stump, Debbie Stump, Mark J. Richman, Sheila Richman, Mark Carney, Doug Hoffman, Pat Vander Meer, David B. Dennamer, Gretchen Kennamer, Tommy King, Gwen King, Harry Long, Sheryl L. Long, Denise F. Zekoff, Pete Zekoff, Claude D. Whittle, Jr., Teresa F. Whittle, Susan McNabb and Robert C. McNabb, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said conveyance, they, executed the same voluntarily.

Given under my hand and official seal on this the 24th day of September, 2006.

Pamela B. Thomas
NOTARY PUBLIC
My Commission Expires: _____

MY COMMISSION EXPIRES JUNE 15, 2009


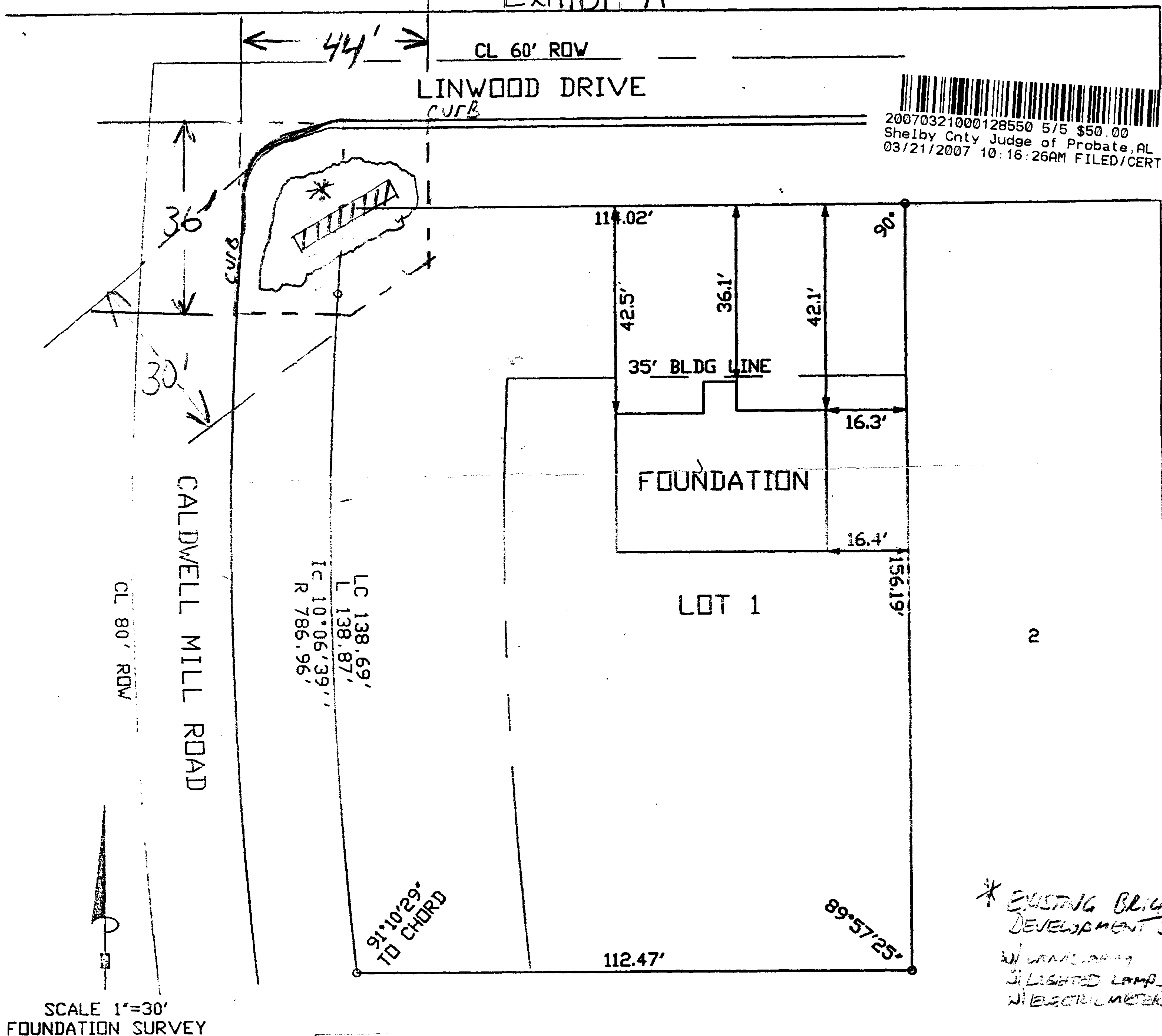

20070321000128550 4/5 \$50.00
Shelby Cnty Judge of Probate, AL
03/21/2007 10:16:26AM FILED/CERT

Exhibit A



20070321000128550 5/5 \$50.00
Shelby Cnty Judge of Probate, AL
03/21/2007 10:16:26AM FILED/CERT

* EXISTING BRICK
DEVELOPMENT SIGN
W/ LAMP
SILICATED LAMP
W/ ELECTRIC METER

SCALE 1"=30'
FOUNDATION SURVEY

STATE OF ALABAMA
SHELBY COUNTY

I, RANDY W. RICHARDSON, A REGISTERED LAND SURVEYOR, DO HEREBY STATE THAT THE FOREGOING IS A TRUE AND CORRECT MAP OR PLAT OF MY SURVEY OF LOT 1 LINWOOD ESTATES AS RECORDED IN MAPBOOK 11, PAGE 45, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. I FURTHER STATE THAT THE FOUNDATION NOW ERECTED ON SAID LOT IS WITHIN THE LINES OF SAME AND THAT THERE ARE NO RIGHT OF WAYS, EASEMENTS OR ENCROACHMENTS OVER OR ACROSS SAID LOT VISIBLE TO ME OR KNOWN TO EXIST, EXCEPT AS SHOWN ON MY SURVEY.

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. THIS IS TO STATE THAT I HAVE CONSULTED THE FEDERAL INSURANCE FLOOD HAZARD MAPS AND FOUND THAT THE ABOVE DESCRIBED LOT IS LOCATED IN FLOOD ZONE C ACCORDING TO COMMUNITY PANEL 010191 0045 B, SHELBY COUNTY. EFFECTIVE DATE 9-16-82.

THIS THE 7TH DAY OF MAY 2006.

STREET ADDRESS: _____

PURCHASER: _____

ATTORNEY: _____

SURVEYED BY: M. G. R.
DRAWN BY: M. G. R.



Randy W. Richardson
RANDY W. RICHARDSON REG. NO. 15153
R & R SURVEYING AND ENGINEERING CO., INC.
3503 BENT RIVER ROAD
BIRMINGHAM ALABAMA 35216
PHONE (205) 402-2486
FAX (205) 402-2487



JOB NUMBER 606-196