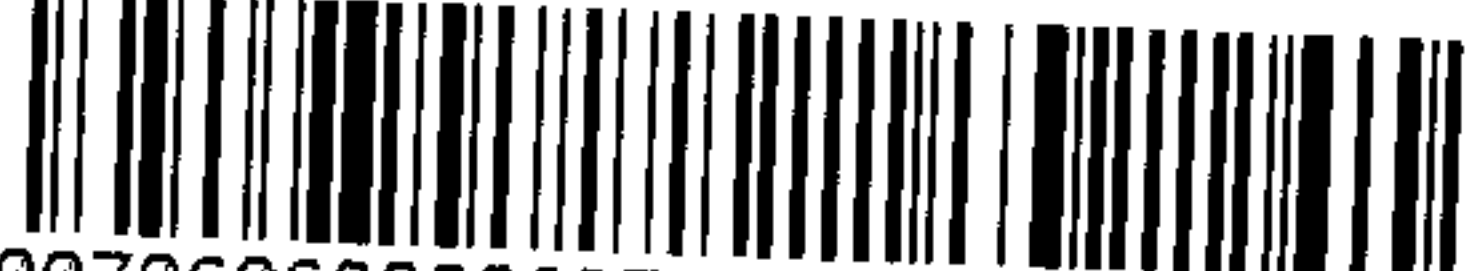


This Instrument Prepared by:

Kevin C. Gray
Balch & Bingham LLP
P.O. Box 18668
Huntsville, Alabama 35804
Tel. (256) 551-0171


20070606000263790 1/29 \$98.00
Shelby Cnty Judge of Probate, AL
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STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

**THIRD AMENDMENT TO DECLARATION OF EDENTON,
A CONDOMINIUM**

This Third Amendment to Declaration of Edenton, A Condominium (the "Amendment") is made this 6 day of June, 2007 by **CAHABA BEACH INVESTMENTS, LLC** (the "Declarant"), for itself, and for its successors, grantees and assigns, pursuant to the provisions of the Alabama Uniform Condominium Act of 1991, Section 35-8A-101, *et seq.*, *Code of Alabama* (1975), as amended (the "Act"), for the purpose of, among other things, exercising development rights to add units, re-allocating the percentage of undivided ownership interests in the Common Elements among the Units and substituting references to the Plat and Plans.

RECITALS

1. The Declarant entered into that certain Declaration of Edenton, A Condominium (the "Declaration") on April 20, 2007, for the purpose of establishing the condominium known as Edenton, A Condominium (the "Condominium"). The Declarant recorded the Declaration in the Office of the Judge of Probate of Shelby County, Alabama, on April 20, 2007, as Instrument Number 20070420000184480 for the purpose of submitting the lands described therein and the Condominium created thereby to the provisions of the Act.

2. Prior to recording the Declaration, the Declarant recorded the Condominium Plat of Edenton, A Condominium (the "Plat") in the Office of the Judge of Probate of Shelby County, Alabama, on April 20, 2007, as Instrument Number 20070420000184330. In conjunction with the Plans, recorded as Exhibit "C" to the Declaration, the Plat and Plans set forth the location, layout, identifying numbers and dimensions of the Units, the Limited Common Elements and the Common Elements of the Condominium.

3. On May 8, 2007, the Declarant entered into that certain First Amendment to Declaration of Edenton, A Condominium (the "First Amendment"), for the purpose of exercising certain development rights and special declarant rights to add Units to the Condominium and to amend the Plans attached to the Declaration as Exhibit "C." The Declarant recorded the First Amendment on May 8, 2007 in the Probate Office as Instrument Number 20070508000215560. All references to the Declaration shall mean

the Declaration as amended by the First Amendment, and all references to the Plans shall mean the Plans as amended by the First Amendment. All capitalized terms not otherwise defined herein shall have those meanings attributed to same in the Declaration.

4. On May 22, 2006 the Declarant entered into that certain Second Amendment to Declaration of Edenton, A Condominium (the "Second Amendment"), for the purpose of exercising certain development rights and special declarant rights to add Units to the Condominium and to amend the Plans attached to the Declaration as Exhibit "C." The Declarant recorded the Second Amendment on May 22, 2007 in the Probate Office as Instrument Number 20070522000237580. All references to the Declaration shall mean the Declaration as amended by the Second Amendment, and all references to the Plans shall mean the Plans as amended by the Second Amendment. All capitalized terms not otherwise defined herein shall have those meanings attributed to same in the Declaration.

5. The Declarant desires to exercise certain Development Rights reserved specially to the Declarant under Section 15.04 of the Declaration to add Buildings 1, 2, 5 and 6 to the Condominium containing an aggregate of nineteen (19) additional Units; which action shall necessitate the modification of the Plans as recorded and attached to the Declaration as Exhibit "C."

6. Pursuant to Section 35-8A-210 of the Act, a declarant of a condominium may exercise development rights reserved under Section 35-8A-205(a)(8) of the Act by preparing, executing and recording an amendment to the declaration.

7. Section 3.02(b) of the Declaration provides that the Declarant "shall have the unilateral right, privilege and option from time to time at any time (subject to the provisions of this Declaration) to amend this Declaration without the consent of any Unit Owner or any other Person in order to exercise any Development Rights and Special Declarant Rights so long as said amendment complies with the requirements of the Act."

8. Pursuant to Section 35-8A-210 of the Act and Section 15.04 of the Declaration, the Declarant may amend the Declaration to expand the Condominium and create additional Units, Common Elements and Limited Common Elements by preparing, executing and recording an amendment to the Declaration.

9. In conjunction with adding Units to the Condominium, the Declarant must further amend the Declaration to re-allocate the percentage of undivided ownership interests in the Common Elements among the Unit Owners as shown on Exhibit "D" of the Declaration to comply with the provisions of Section 35-8A-213(b) of the Act.

10. Pursuant to Section 35-8A-210 of the Act and Section 3.03(c) of the Declaration, the Declarant may amend the Declaration to re-allocate the undivided ownership interests in the Common Elements to comply with Section 35-8A-213(b) of the Act by preparing, executing and recording an amendment to the Declaration.

NOW THEREFORE, in consideration of these recitals, the Act and the Declaration, the Declarant does hereby amend the Declaration and the Plans with this First Amendment as follows:

I. Addition of Units, Common Elements and Limited Common Elements. The Declaration is hereby amended to add nineteen (19) Units (the "New Units"), together with their associated interests in Common Elements and Limited Common Elements to the Condominium. The aggregate number of Units currently comprising the Condominium is thirty three (33). The Declarant continues to reserve the right to create up to one hundred ninety-three (193) Units and to complete the Condominium in one or more phases.

II. Third Amendment to Plans. Exhibit "C" of the Declaration is hereby amended to add the Plans for the New Units to the existing Exhibit "C" of the Declaration. Exhibit "C" as attached to the Declaration shall remain in full force and effect and together with the supplemental Plans attached to this Amendment as Exhibit "C" shall constitute the Plans for the Condominium.

III. Third Amended and Restated Exhibit "D" of the Declaration. Exhibit "D" of the Declaration is hereby declared null and void and is deleted from the Declaration in its entirety, and a Third Amended and Restated Exhibit "D" of the Declaration is hereby substituted in lieu thereof, which Third Amended and Restated Exhibit "D" is attached hereto and incorporated herein for all purposes. Said Third Amended and Restated Exhibit "D" constitutes the percentage ownership of Common Elements, as revised in accordance with this Amendment.

IV. Remainder of Declaration to Remain in Full Force and Effect. Except as hereinabove specifically modified by this Amendment, all of the terms, provisions and conditions of the Declaration shall remain in full force and effect.

[Remainder of Page Intentionally Blank – Signature Page to Follow.]

CONSENT BY MORTGAGEE

Compass Bank, a banking corporation organized under the laws of the State of Alabama (the "Mortgagee"), does hereby consent to this First Amendment to Declaration of Edenton, A Condominium. Nothing contained herein shall be deemed or construed to make the Mortgagee the Declarant under the Declaration, the Amendment or the Condominium.

Acknowledged and agreed this 22 day
of May, 2007.

COMPASS BANK

By: [Signature]

Its: VICE President

STATE OF ALABAMA)

COUNTY OF Jefferson)

I, James H. Belcher, a Notary Public, in and for said County in said State, hereby certify that Ben Hendrix, whose name as Vice President of COMPASS BANK, an Alabama state banking 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 such instrument, she/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 22nd day of May, 2007.

[NOTARIAL SEAL]

[Signature]
Notary Public

My Commission Expires: 7/5/2010

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: July 5, 2010
BONDED THRU NOTARY PUBLIC UNDERWRITERS

IN WITNESS WHEREOF, the Declarant has caused this First Amendment to Declaration of Edenton, A Condominium to be executed this 6 day of ~~May~~ June, 2007.

DECLARANT:

CAHABA BEACH INVESTMENTS, LLC

By: Dwight A. Sandlin

Its: _____

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Dwight A. Sandlin, whose name as Manager of CAHABA BEACH INVESTMENTS, LLC, an Alabama limited liability company, 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 said instrument, he, as such Manager of CAHABA BEACH INVESTMENTS, LLC, and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this 6th day of ~~May~~ June, 2007.

Shretta Lynne White
Notary Public

[NOTARIAL SEAL]

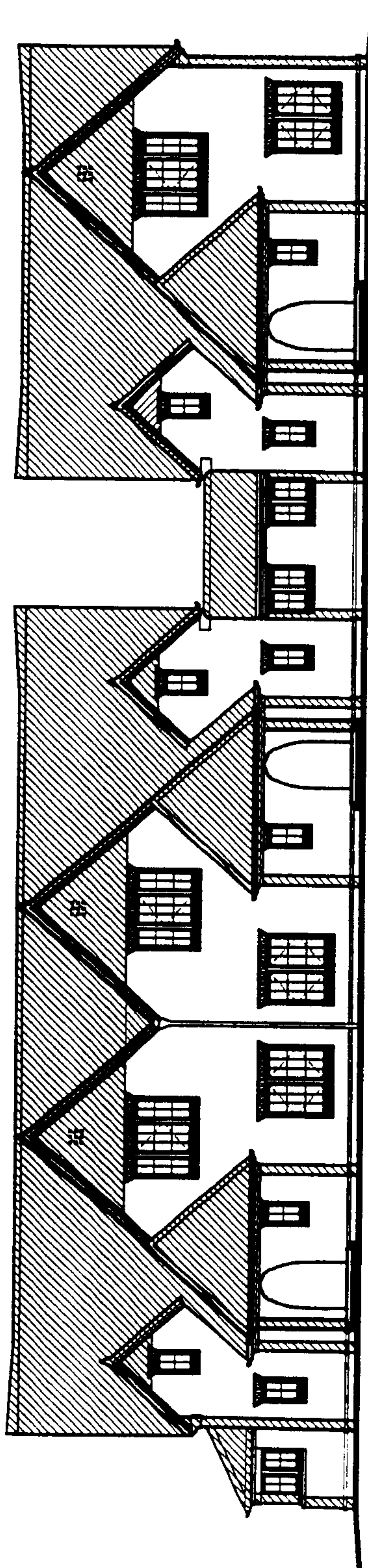
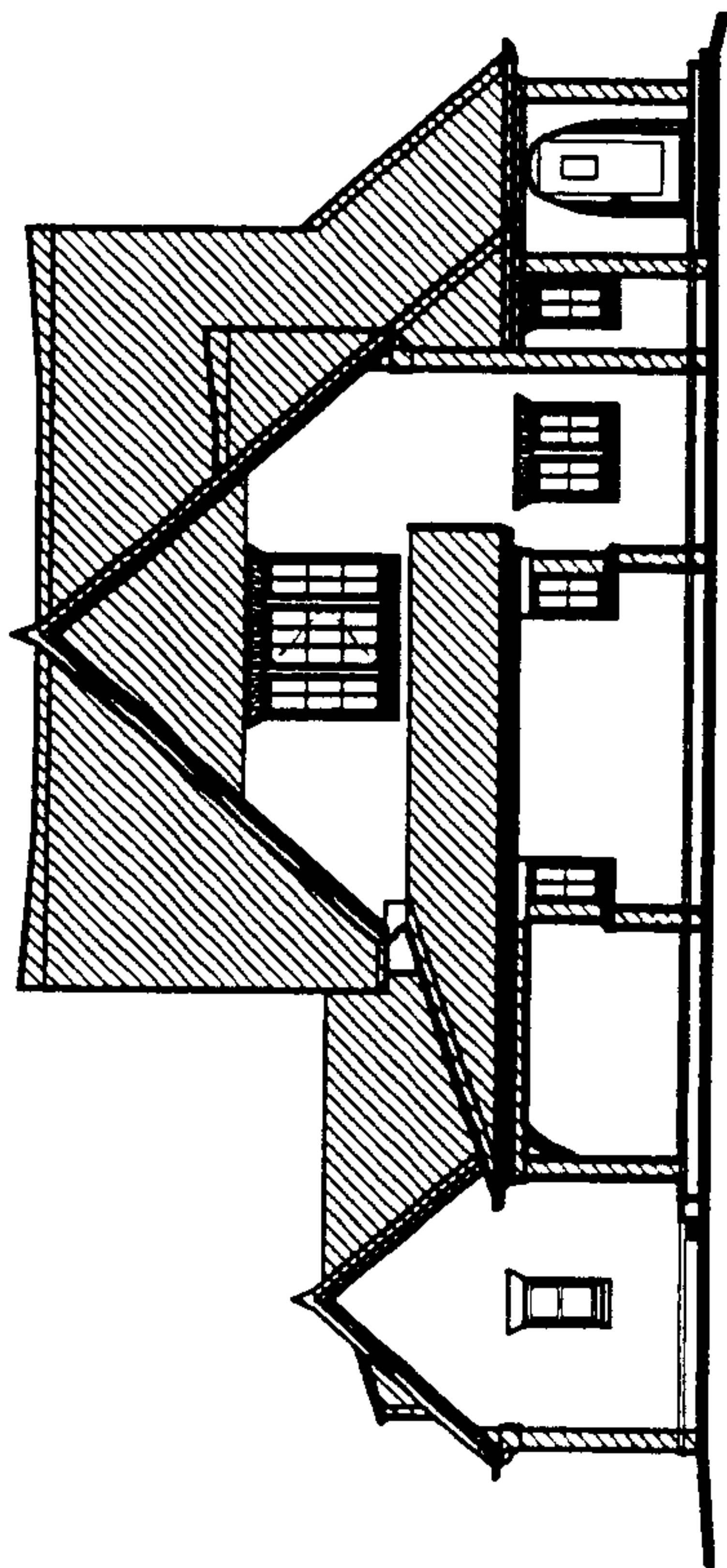
My Commission Expires: APR 13, 2010
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
BONDED THRU NOTARY PUBLIC UNDERWRITERS



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EXHIBIT "C" TO AMENDMENT
SUPPLEMENTAL PLANS TO DECLARATION

[ATTACHED]



1 Front and Side Elevations

Scale: N.T.S.

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Edenton Residential Condos Building 7

Units 26, 27, 28
Shelby County, Alabama
05023

LEGEND



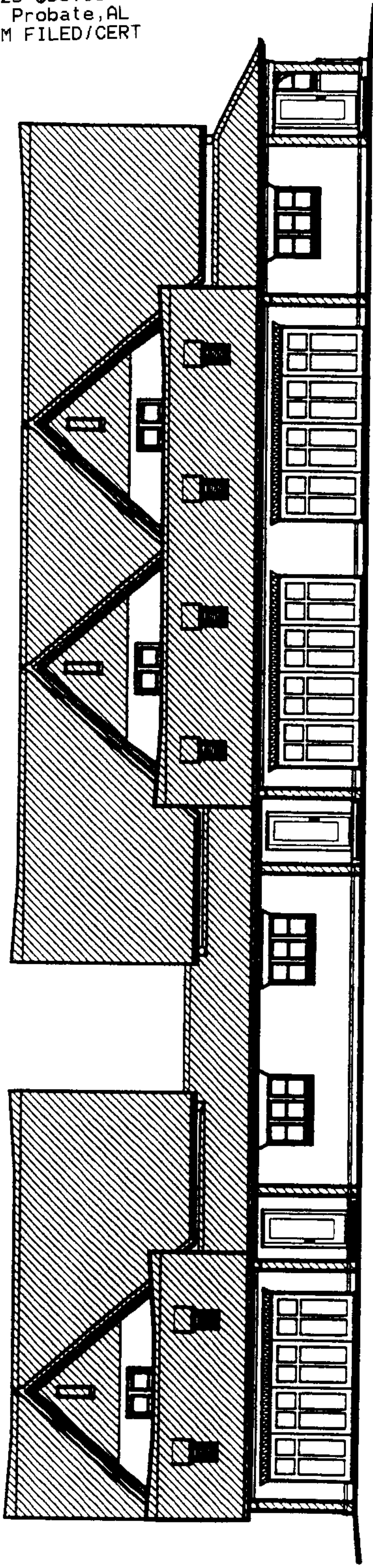
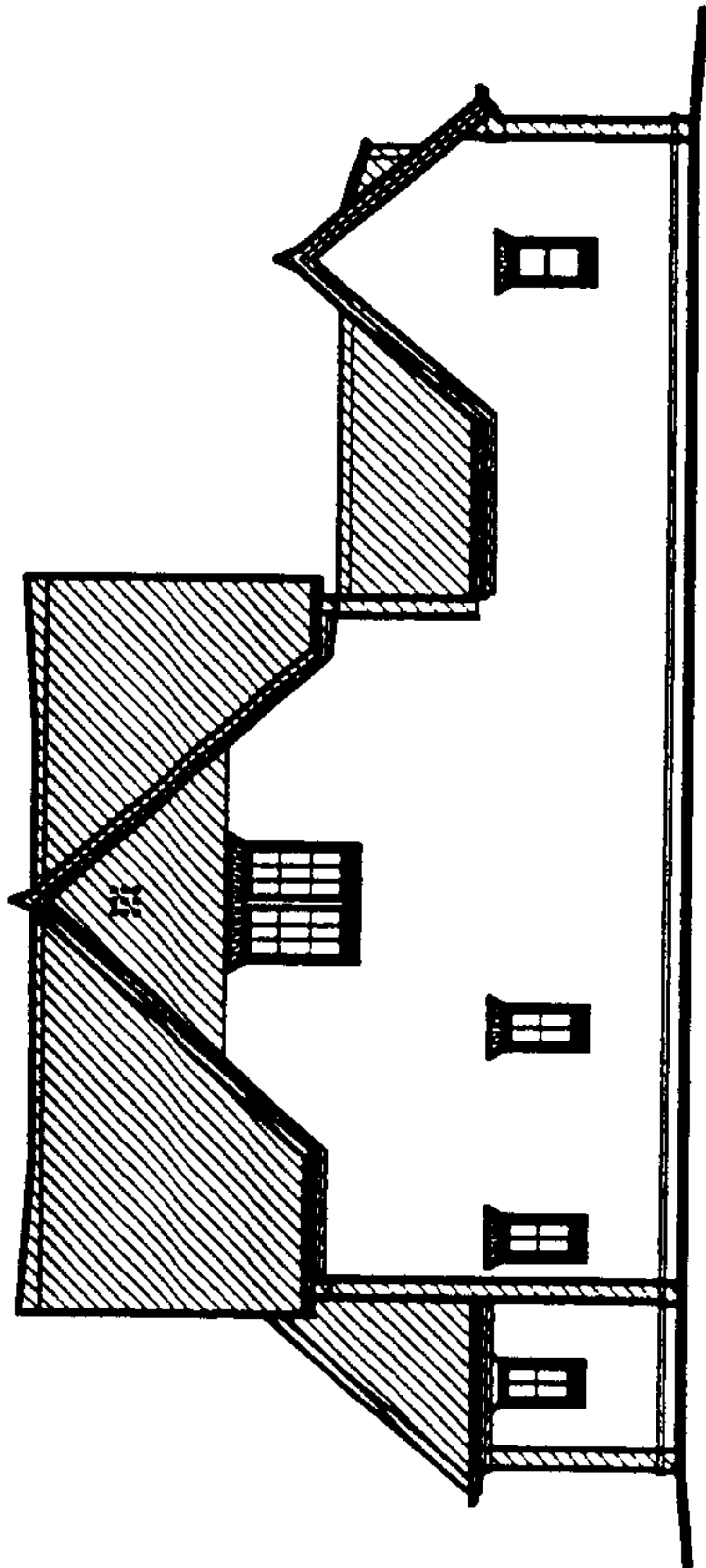
COMMON ELEMENT



LIMITED COMMON ELEMENT

**DUNGAN
NEQUETTE**
ARCHITECTS
2829 Second Avenue South
Suite 240
Birmingham, Alabama 35233
t 205.322.6455
f 205.322.6167
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1 Back and Side Elevations

Scale N.T.S.

Edenton Residential Condos
Building 7

Units 26, 27, 28
Shelby County, Alabama
05073

LEGEND



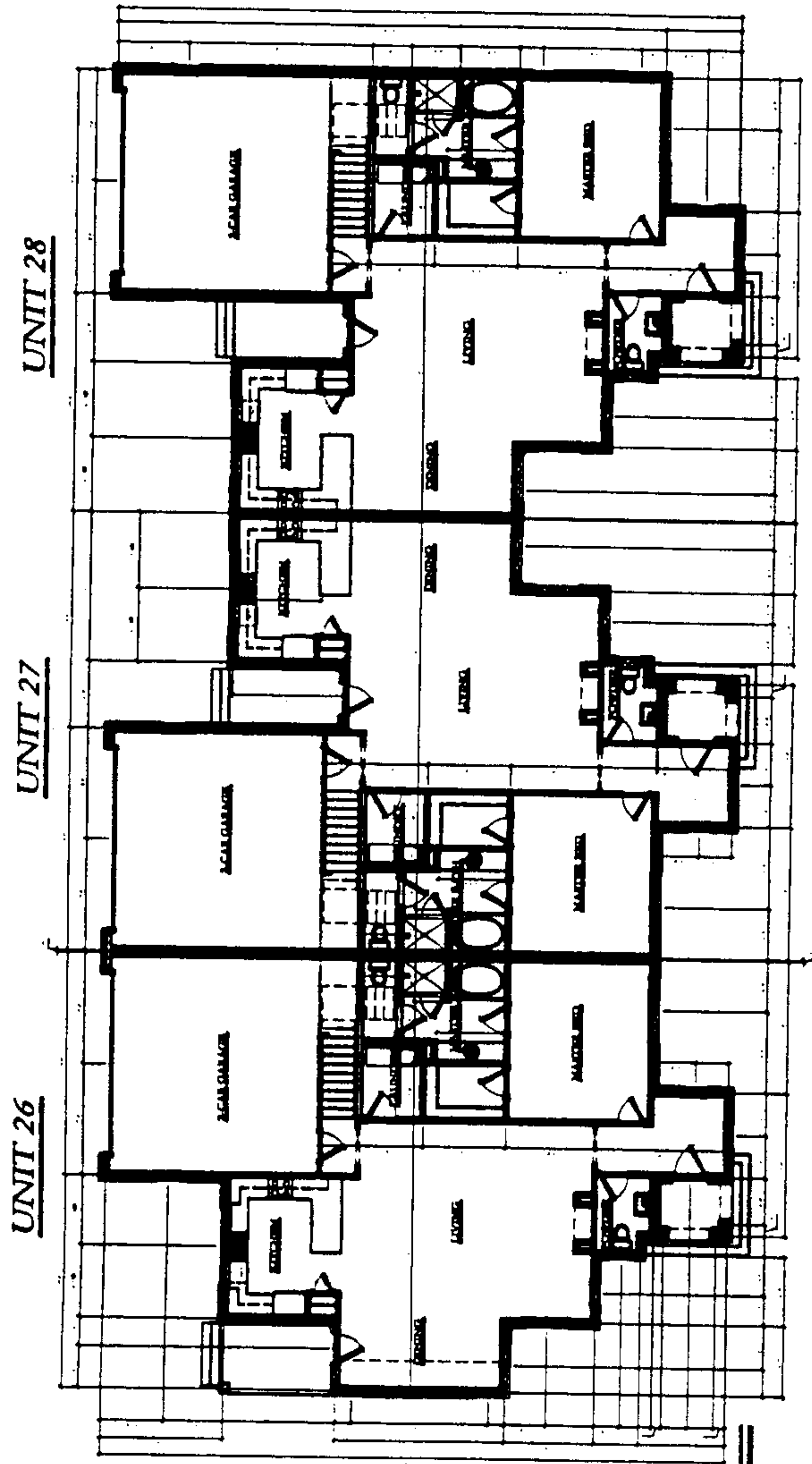
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LIMITED COMMON ELEMENT

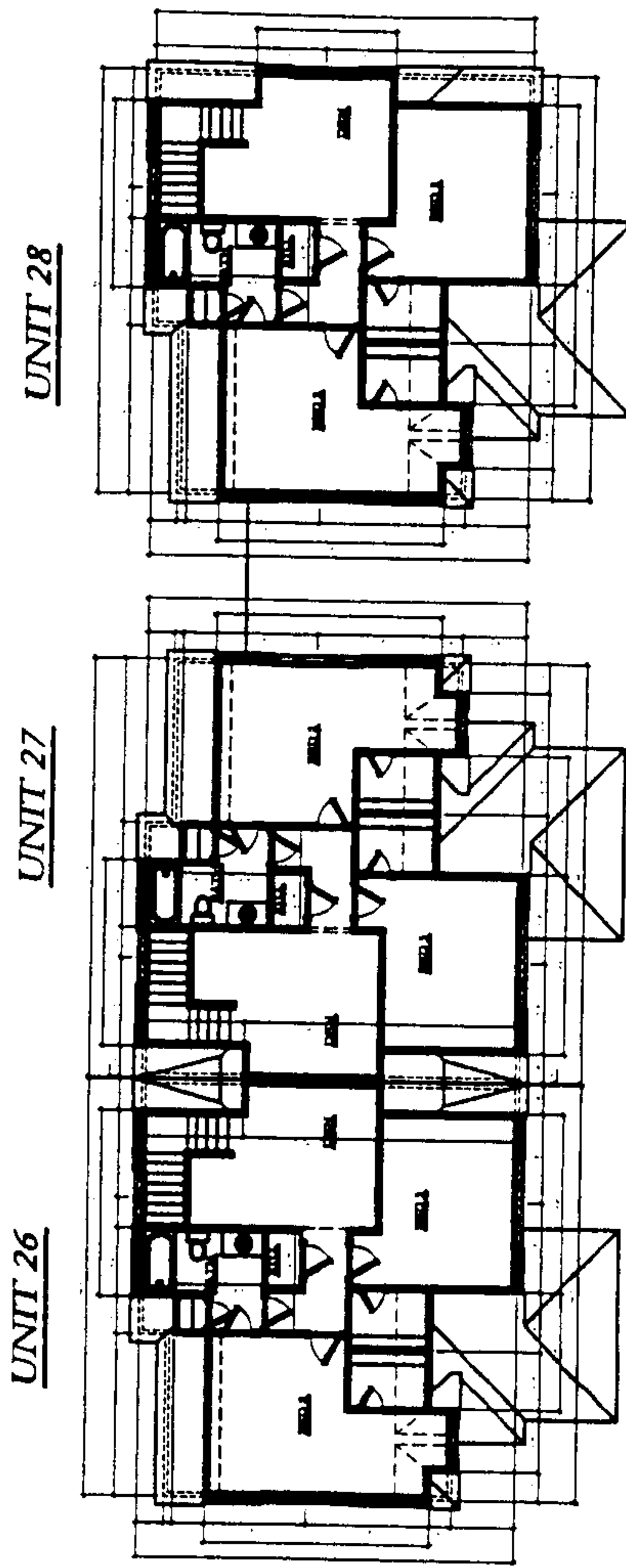
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First Floor

Scale: N.T.S.



Second Floor

Scale: N.T.S.

Edenton Residential Condos Building 7

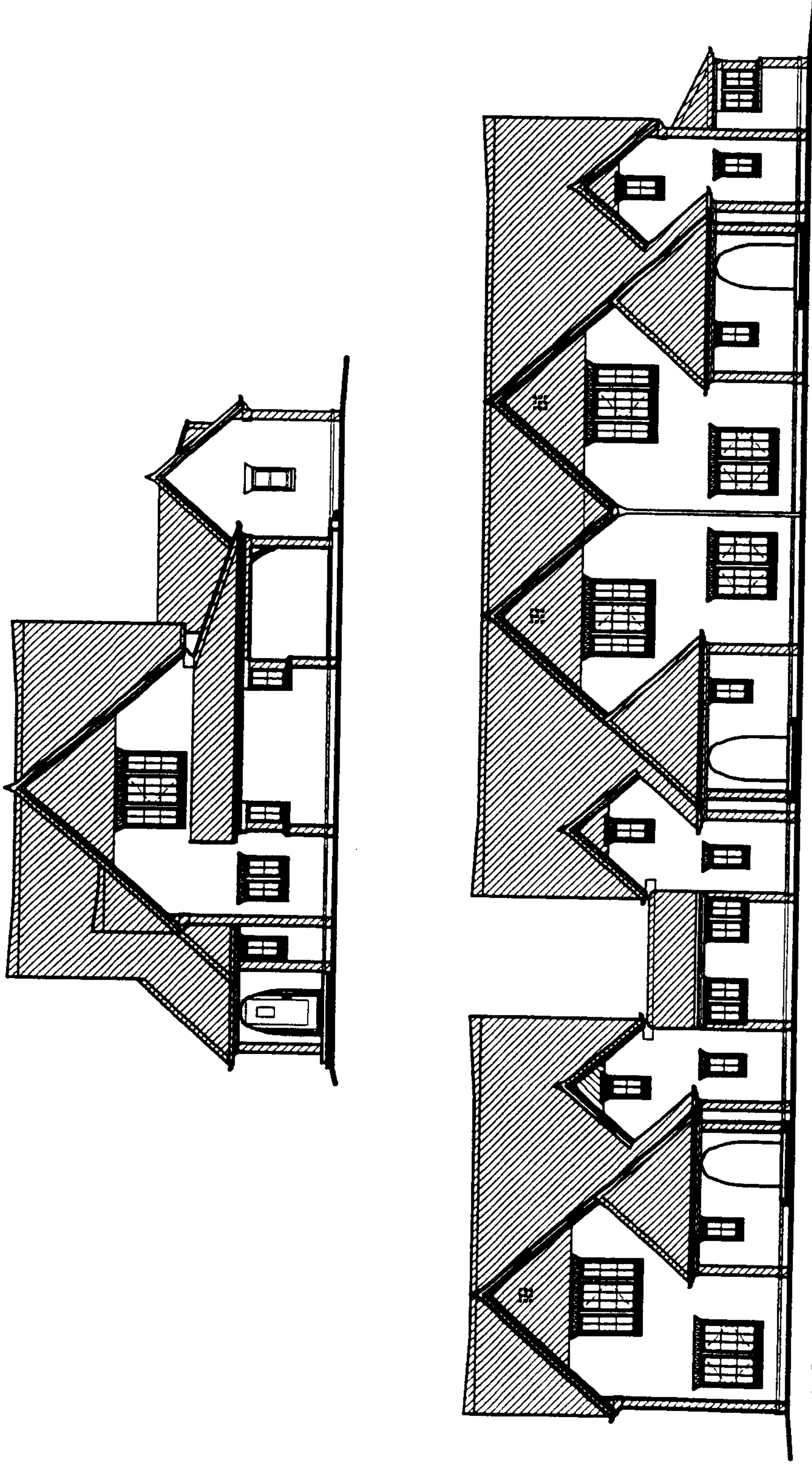
Units 26, 27, 28
 Shelby County, Alabama
 05023

LEGEND

COMMON ELEMENT

LIMITED COMMON ELEMENT

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 Suite 240
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 (205) 332-6455
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1 Front and Side Elevations
Scale: N.T.S.

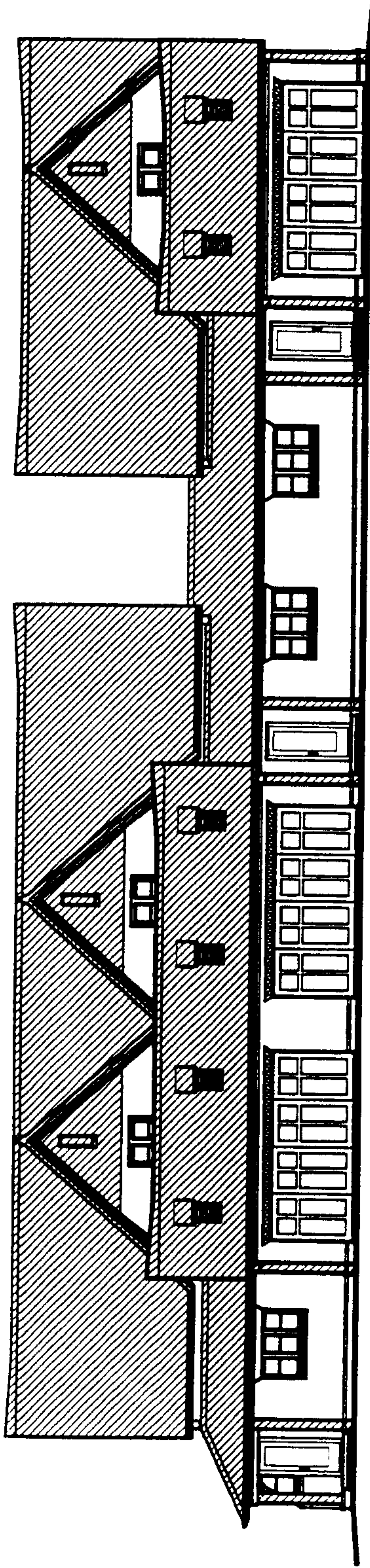
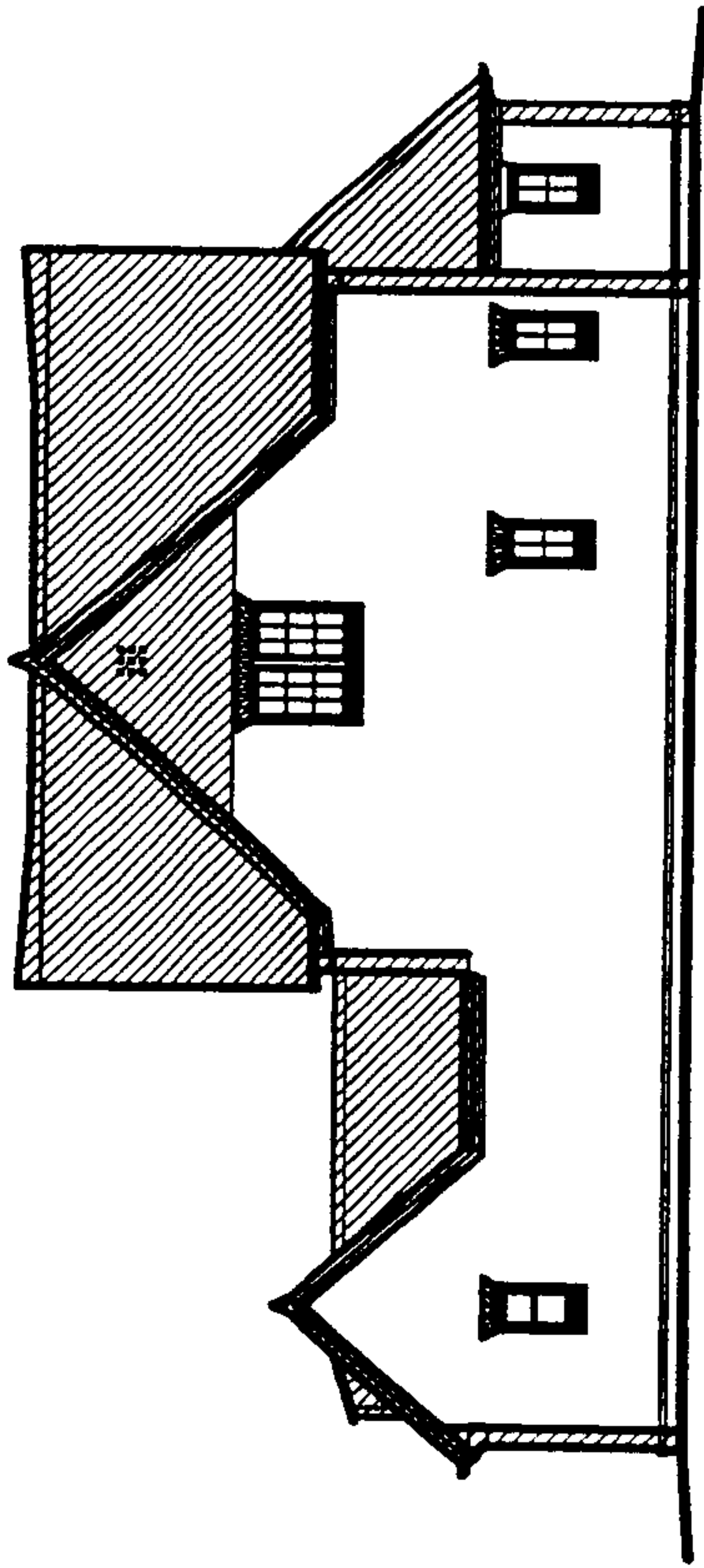
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Edenton Residential Condos
Building 9
Units 31, 32, 33
Shelby County, Alabama
05023

LEGEND

-  COMMON ELEMENT
-  LIMITED COMMON ELEMENT

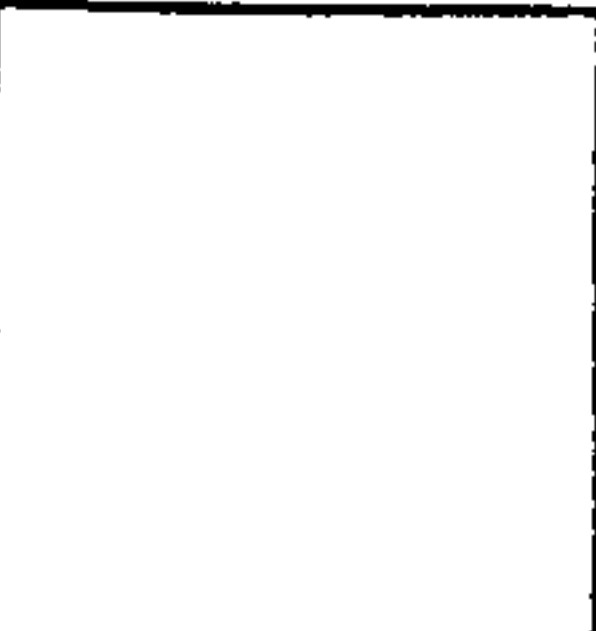
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f 205.322.6167
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1 Back and Side Elevations



Scale: 1/4" = 1'-0"

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Edenton Residential Condos
Building 9
Units 31, 32, 33
Shelby County, Alabama
05023

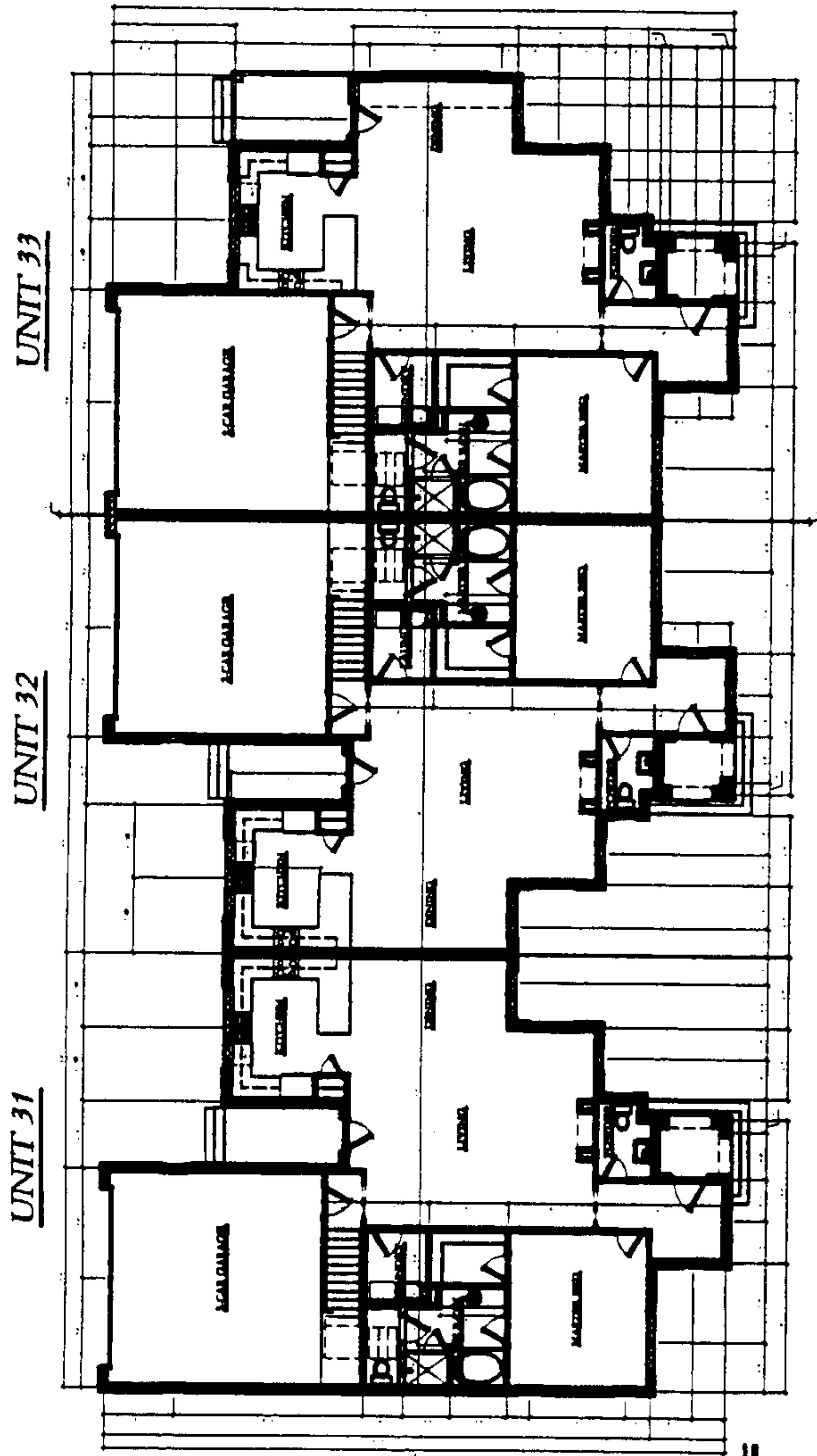
LEGEND

-  COMMON ELEMENT
-  LIMITED COMMON ELEMENT

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Birmingham, Alabama 35233
T 205.332.6433
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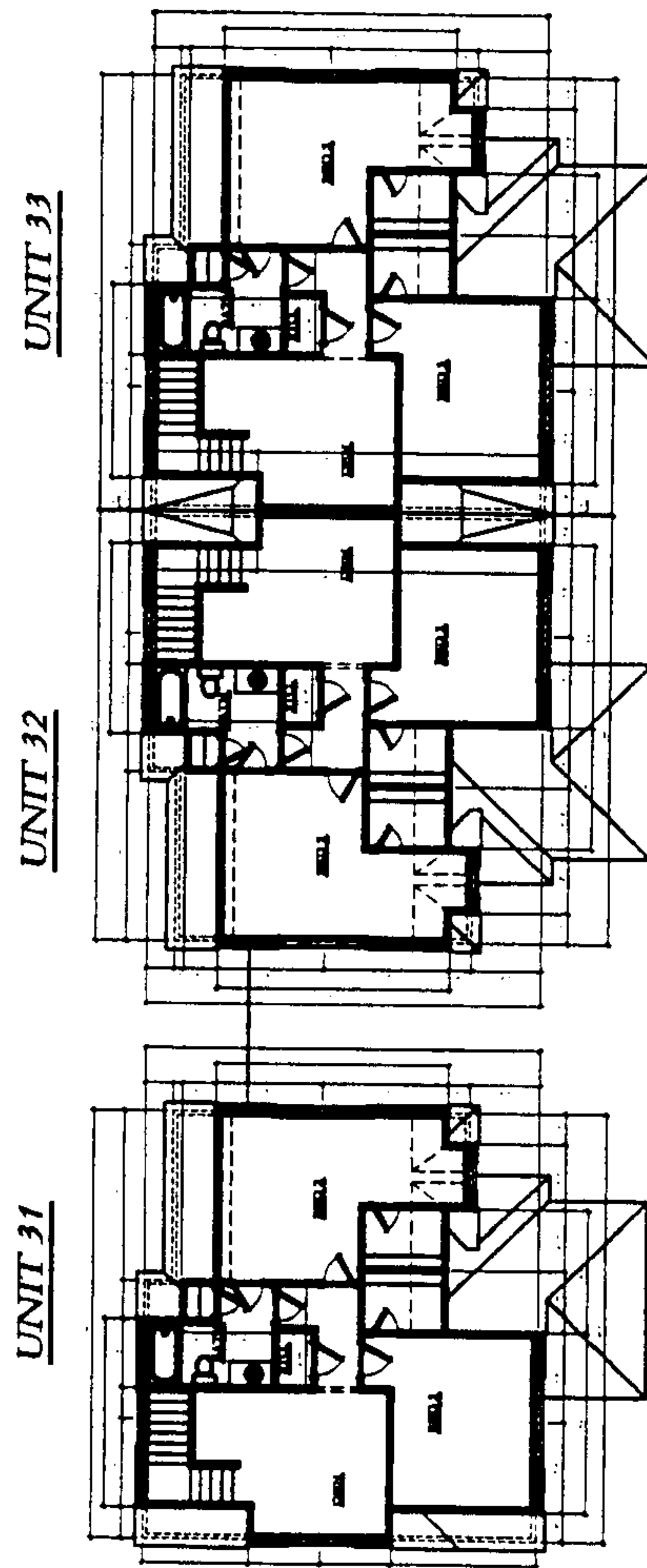
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1
First Floor

Scale: N.T.S.



2
Second Floor

Scale: N.T.S.

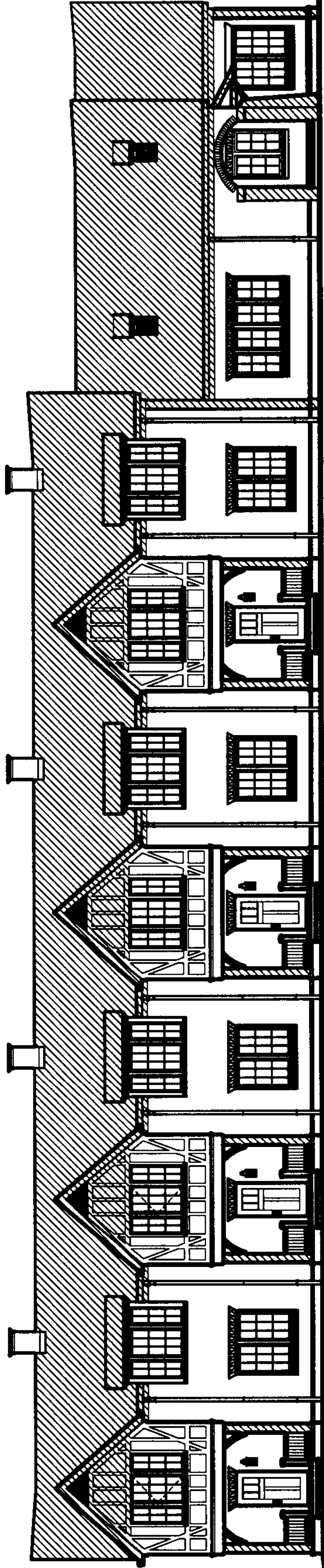
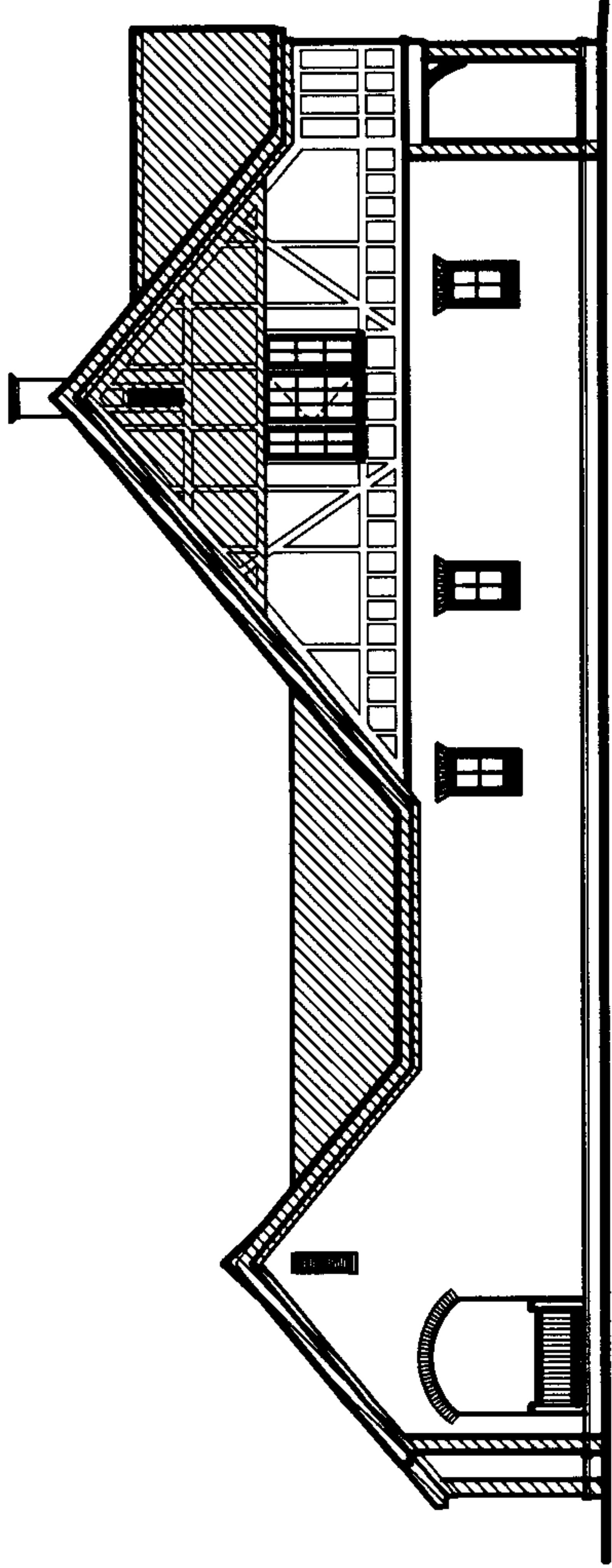
Edenton Residential Condos
Building 9
Units 31, 32, 33
Shelby County, Alabama
05023

LEGEND

COMMON ELEMENT

LIMITED COMMON ELEMENT

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Front and Side Elevations

Scale N.T.S.

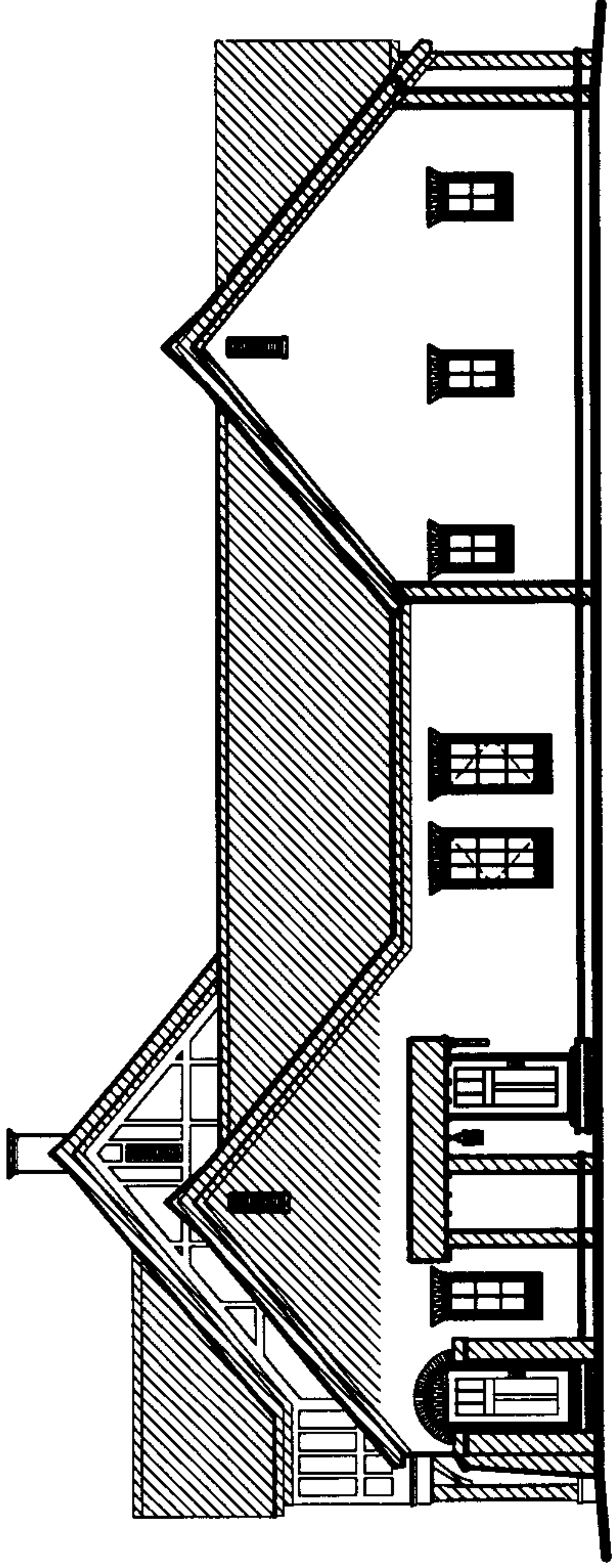
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Building 1
Units 1, 2, 3, 4, 5,
Shelby County, Alabama
05023

LEGEND

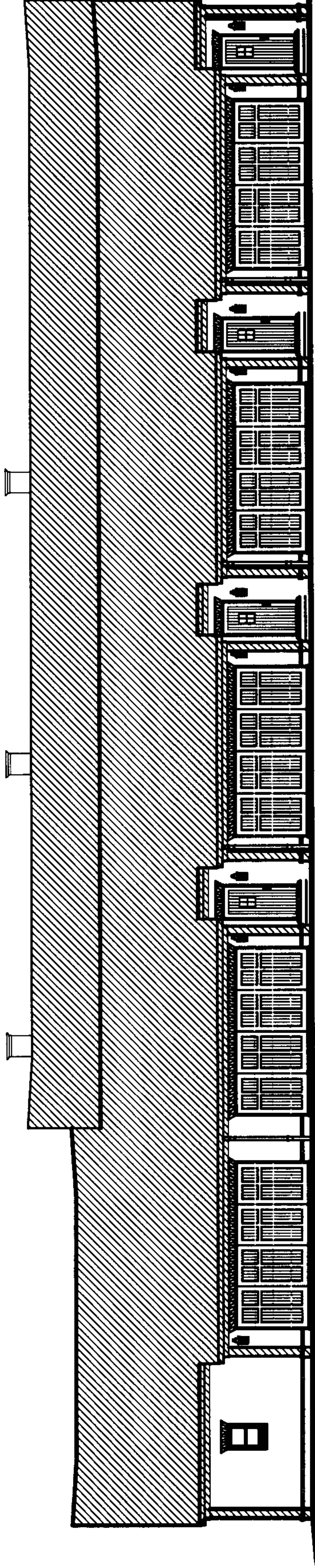
COMMON ELEMENT

LIMITED COMMON ELEMENT

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ARCHITECTS
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Suite 240
Birmingham Alabama 35233
t 205.322.6455
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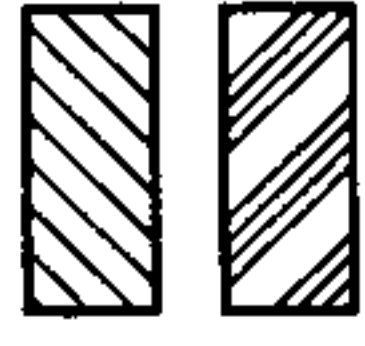


1 Back and Side Elevations

Scale N.T.S.

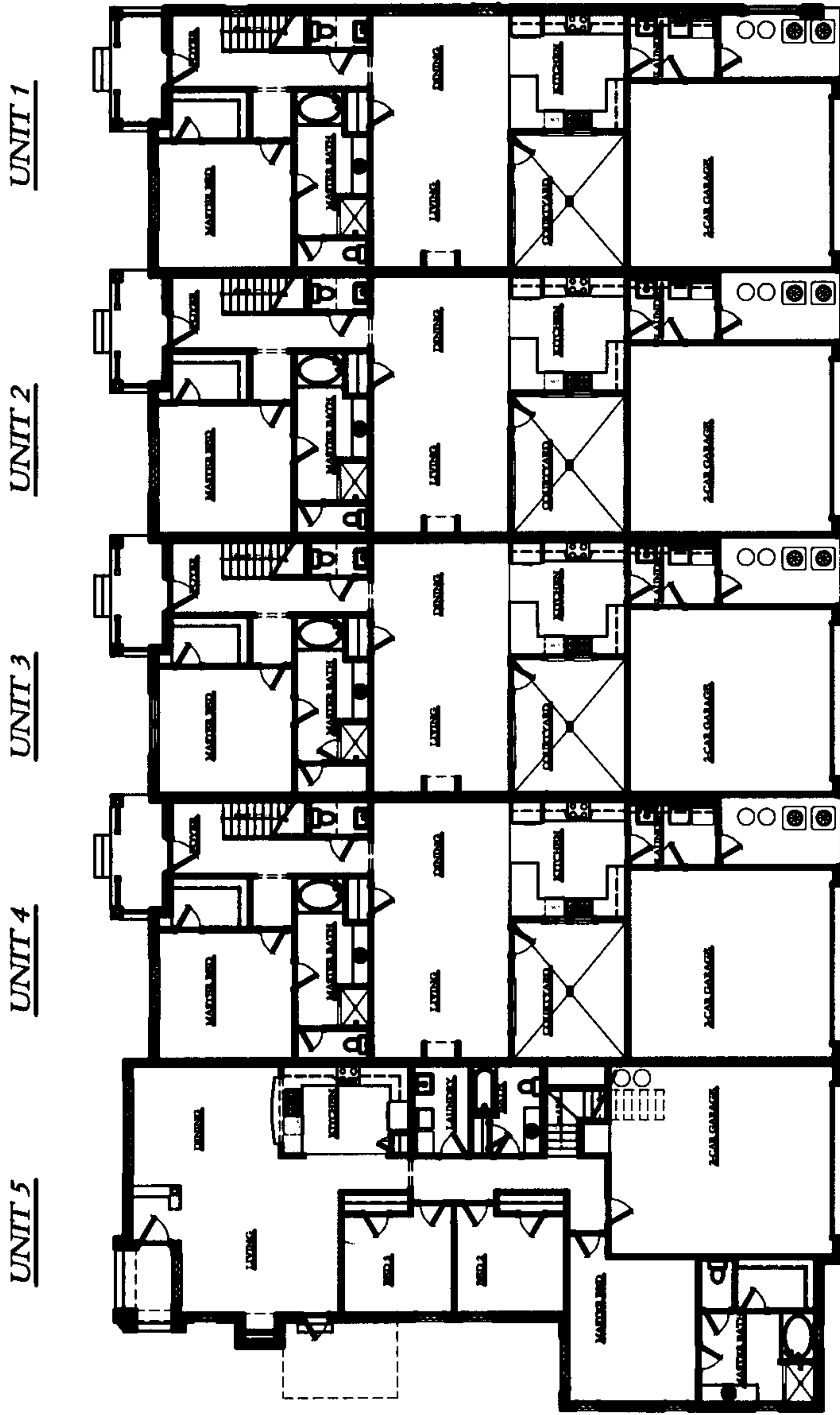
Edenton Residential Condos
Building 1
Units 1, 2, 3, 4, 5,
Shelby County, Alabama
05023

LEGEND



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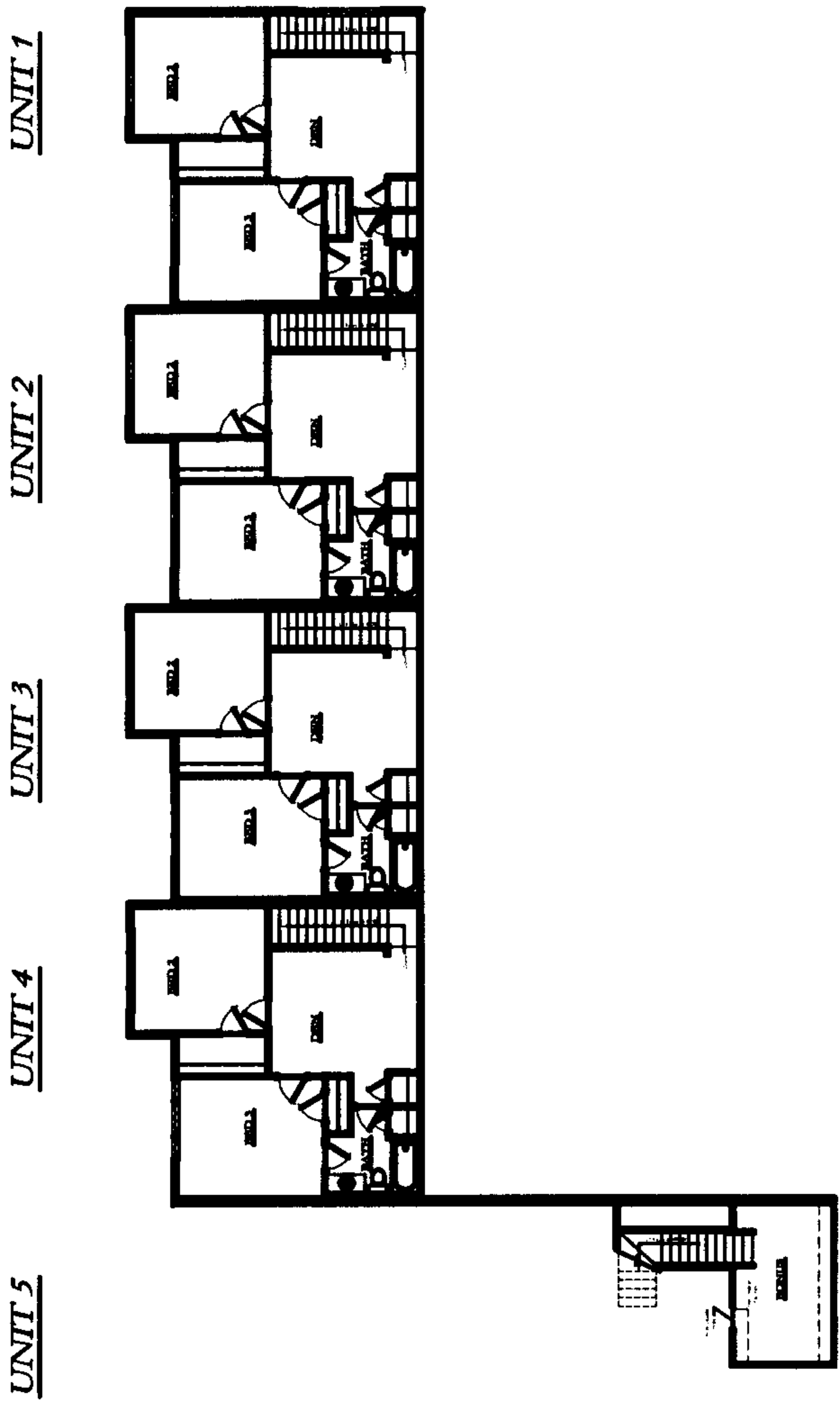


First Floor
Scale N.T.S.

Edenton Residential Condos
Building 1
Units 1, 2, 3, 4, 5,
Shelby County, Alabama
05023

LEGEND
COMMON ELEMENT
LIMITED COMMON ELEMENT

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P 205.322.6455
F 205.322.6167
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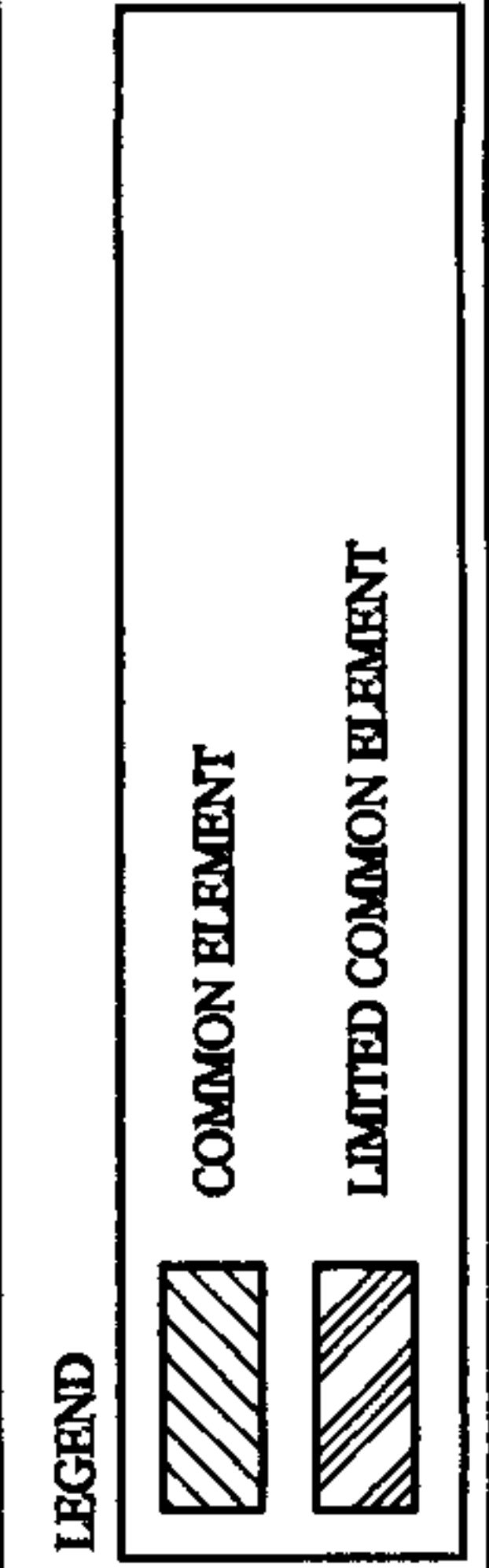


2 Second Floor
Scale N.T.S.

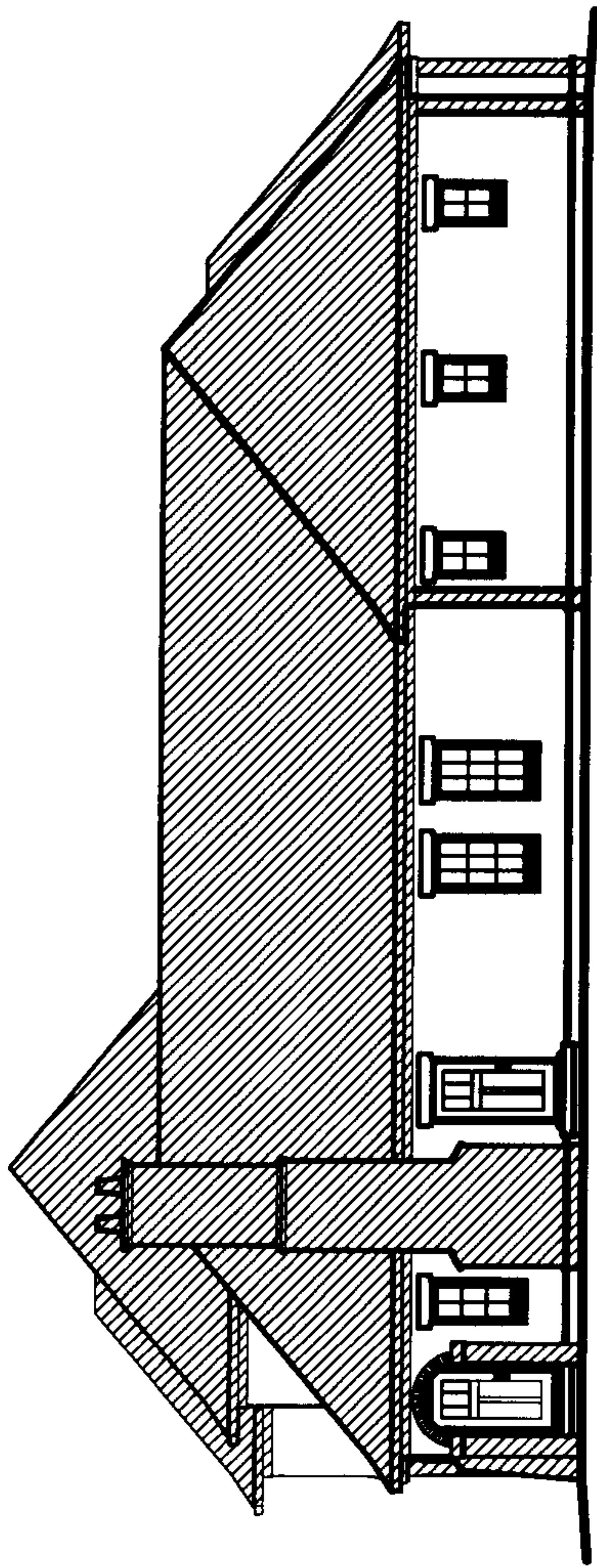
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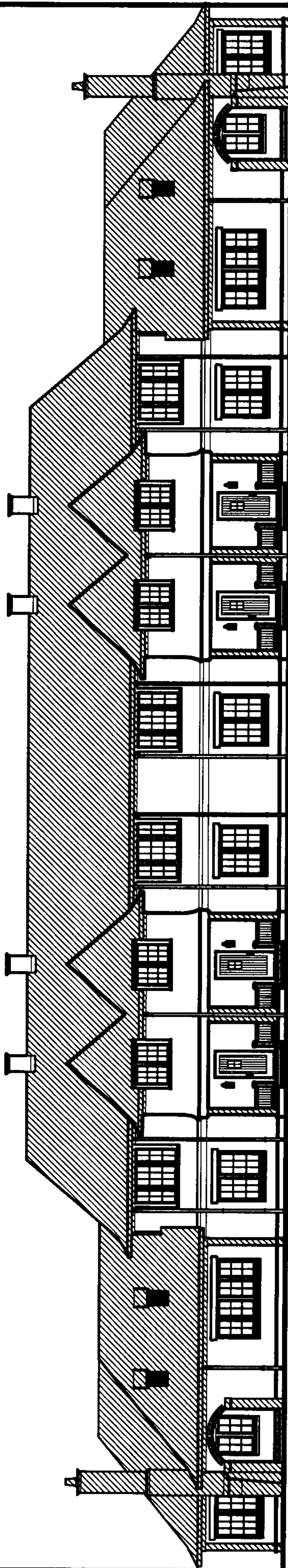
Edenton Residential Condos
Building 1
Units 1, 2, 3, 4, 5,
Shelby County, Alabama
05023



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1 Back and Side Elevations

Scale N.T.S.

Edenton Residential Condos Building 2

Units 6, 7, 8, 9, 10, 11
Shelby County, Alabama
05023

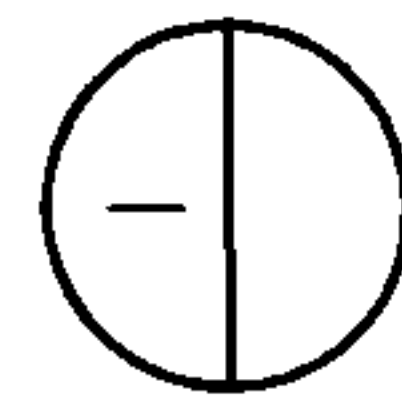
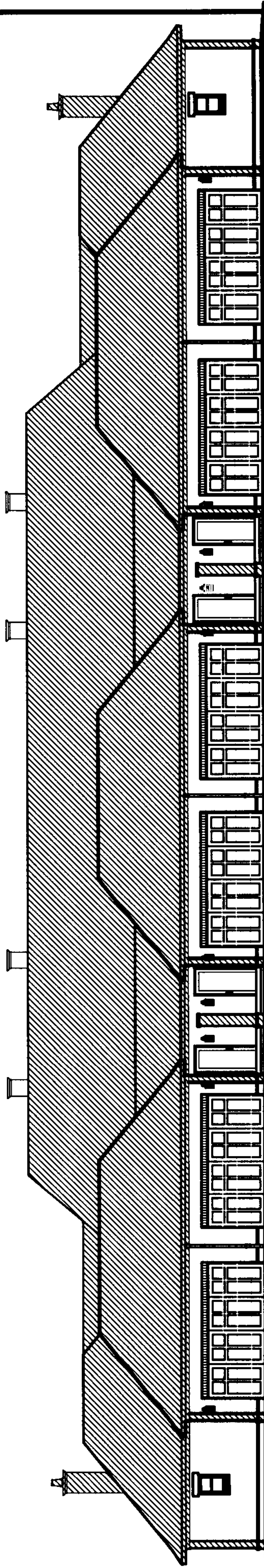
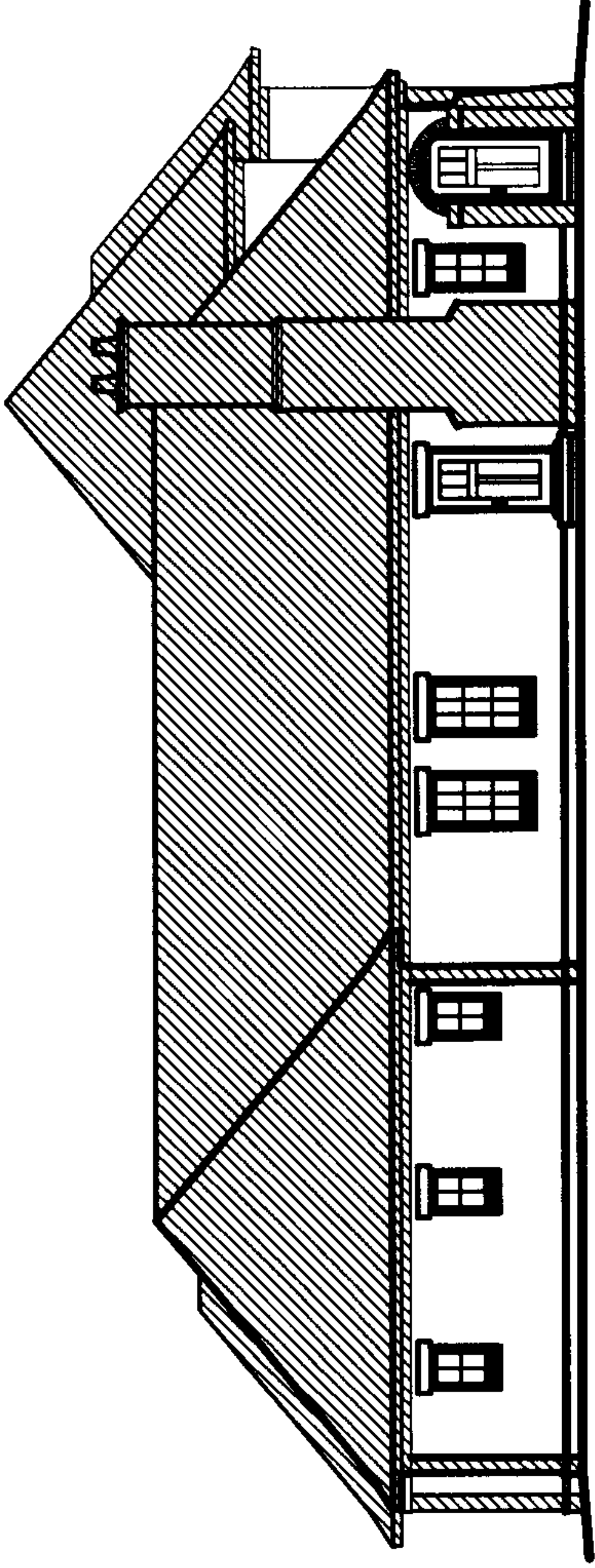
LEGEND

COMMON ELEMENT

LIMITED COMMON ELEMENT

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Front and Side Elevations

Scale N.T.S.

Edenton Residential Condos
Building 2
Units 6, 7, 8, 9, 10, 11
Shelby County, Alabama
05023

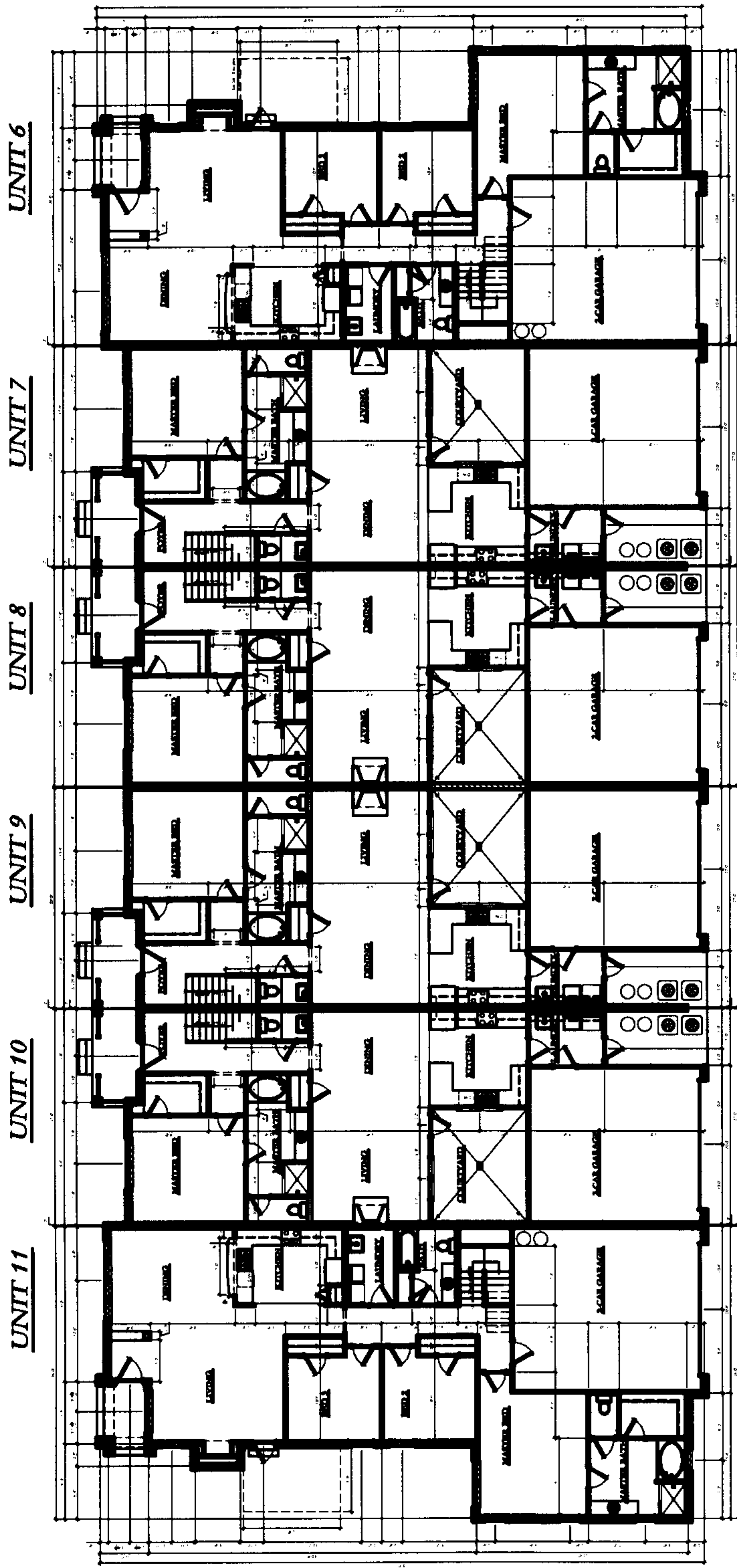
LEGEND

 COMMON ELEMENT

 LIMITED COMMON ELEMENT

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1 First Floor
Scale N.T.S.

Edenton Residential Condos
Building 2
Units 6, 7, 8, 9, 10, 11
Shelby County, Alabama
05023

LEGEND
COMMON ELEMENT
LIMITED COMMON ELEMENT

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Birmingham Alabama 35233
t 205.322.6455
f 205.322.6167
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UNIT 6

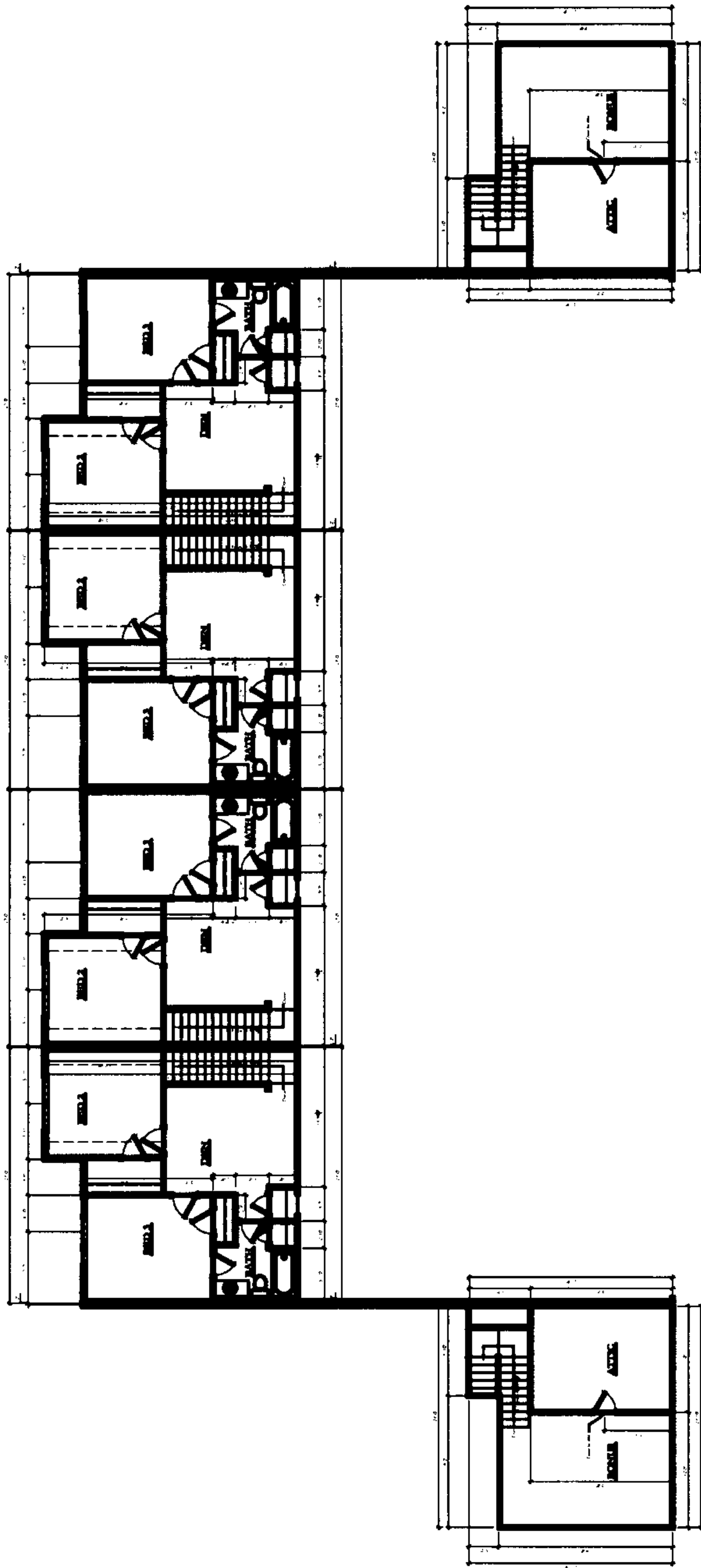
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UNIT 8

UNIT 9

UNIT 10

UNIT 11



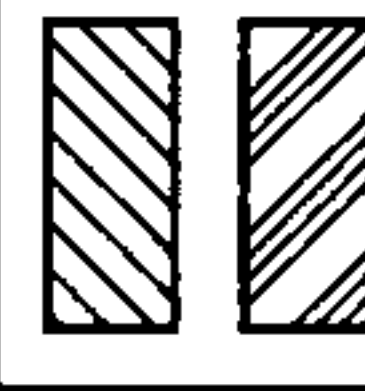
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Scale N.T.S.

Edenton Residential Condos
Building 2

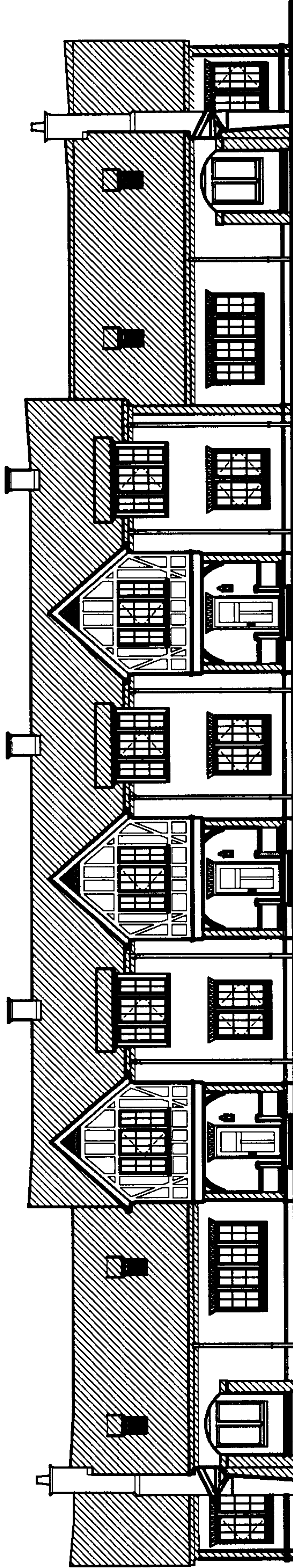
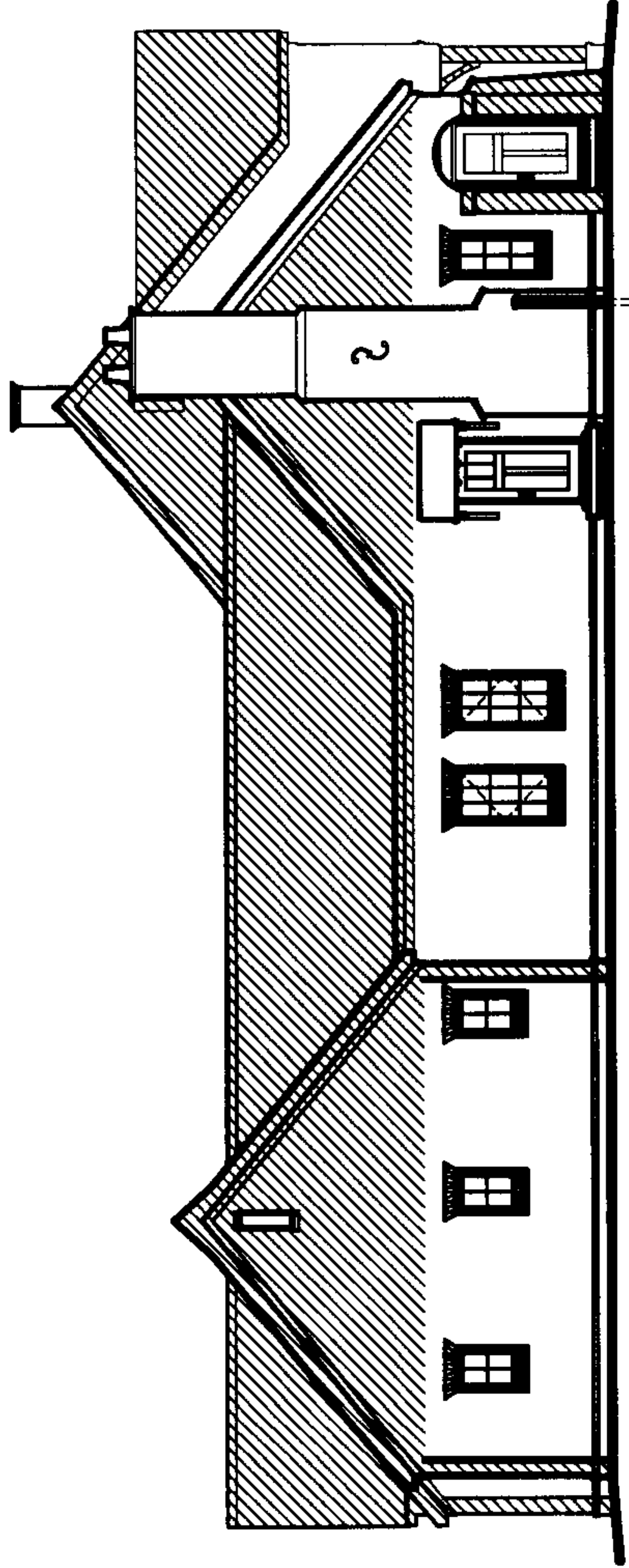
Units 6, 7, 8, 9, 10, 11
Shelby County, Alabama
05023

LEGEND



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f 205.322.6167
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Front and Side Elevations

Scale N.T.S.

Edenton Residential Condos Building 5

Units 18, 19, 20, 21, 22
Shelby County, Alabama
05023

LEGEND

COMMON ELEMENT

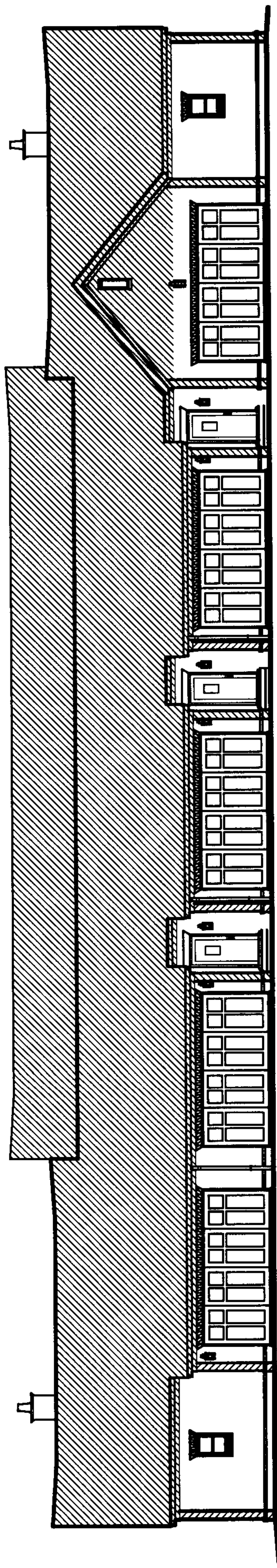
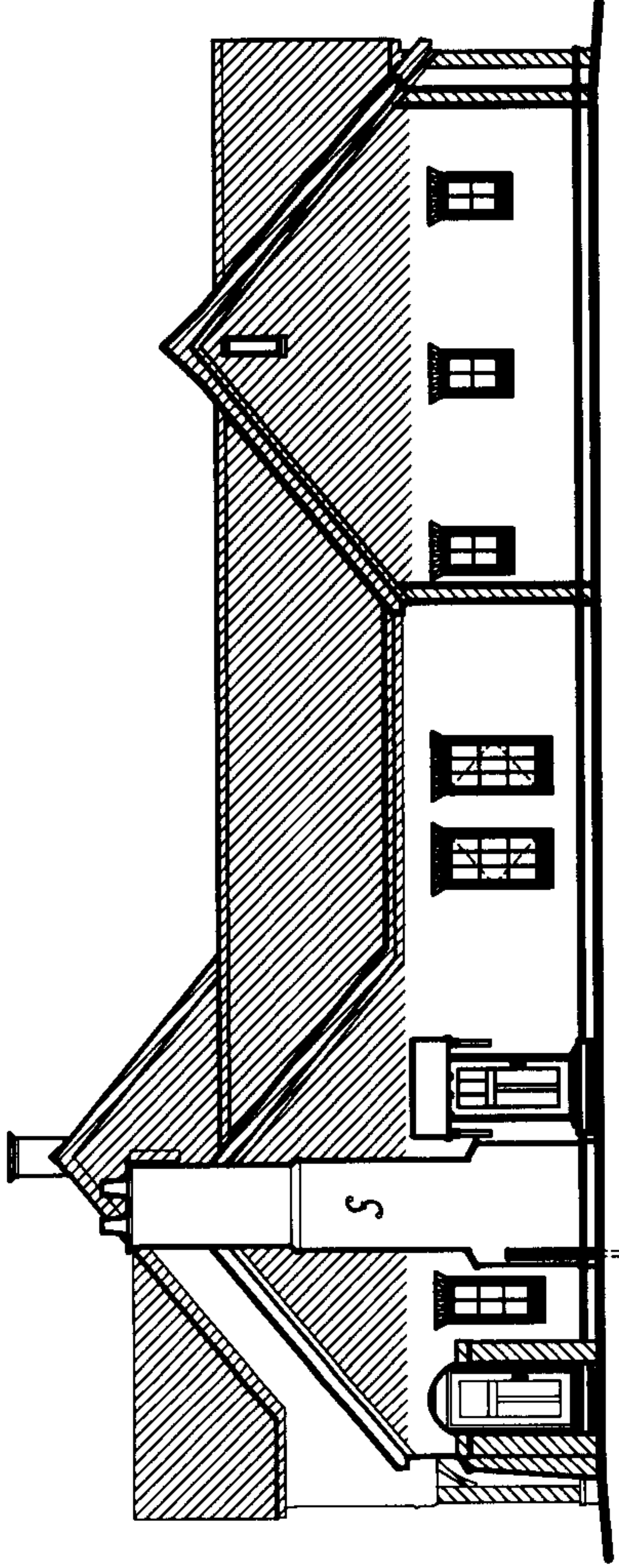


LIMITED COMMON ELEMENT



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2829 Second Avenue South
Suite 240
Birmingham Alabama 35233
t 205.322.6455
f 205.322.6167
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1 Back and Side Elevations

Scale N.T.S.

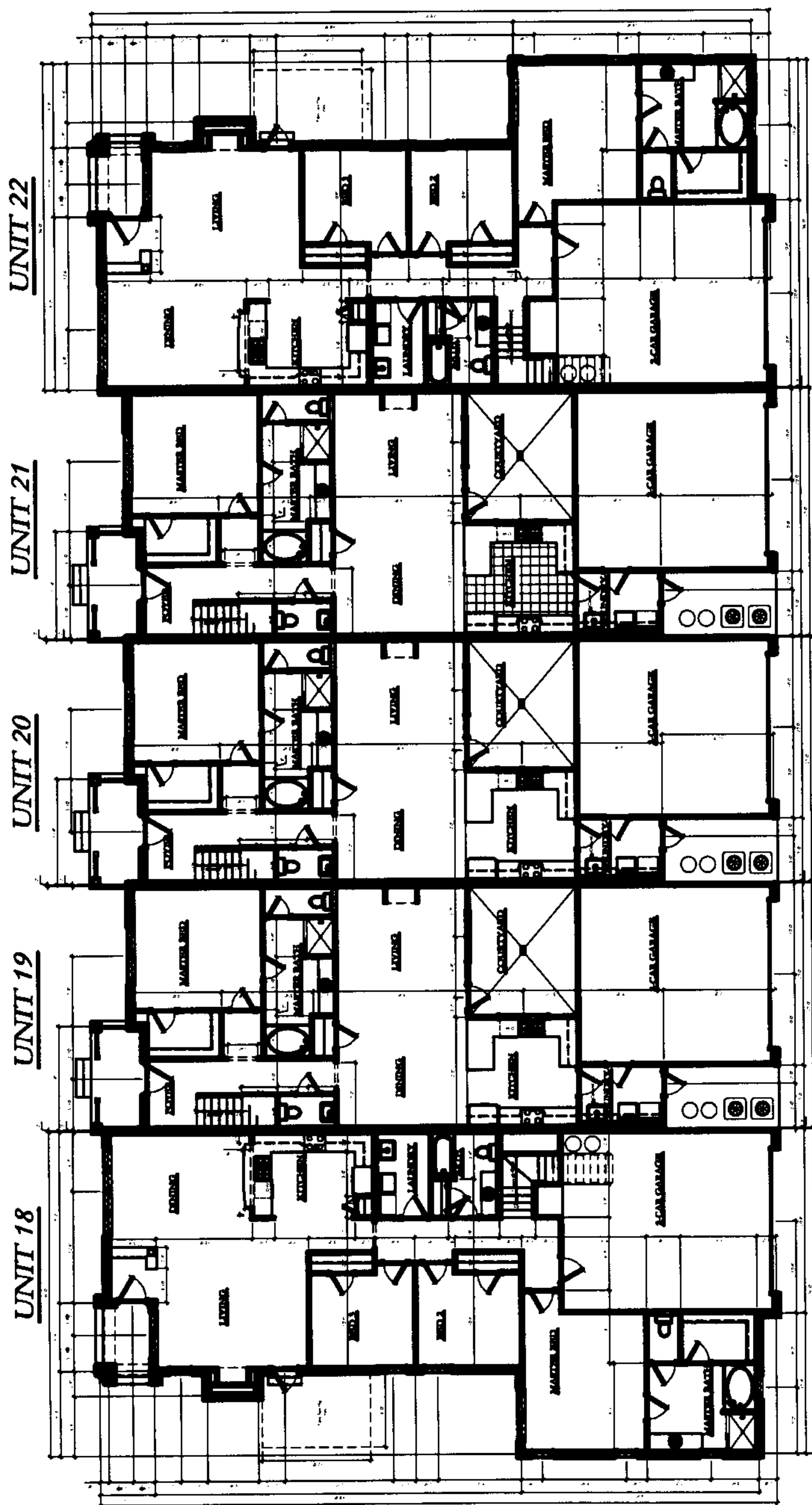
Edenton Residential Condos
Building 5
Units 18, 19, 20, 21, 22
Shelby County, Alabama
05023

LEGEND	
	COMMON ELEMENT
	LIMITED COMMON ELEMENT

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Birmingham Alabama 35233
t 205.322.6455
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Birmingham Alabama 35233
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f 205.322.6167
dungan-nequette.com



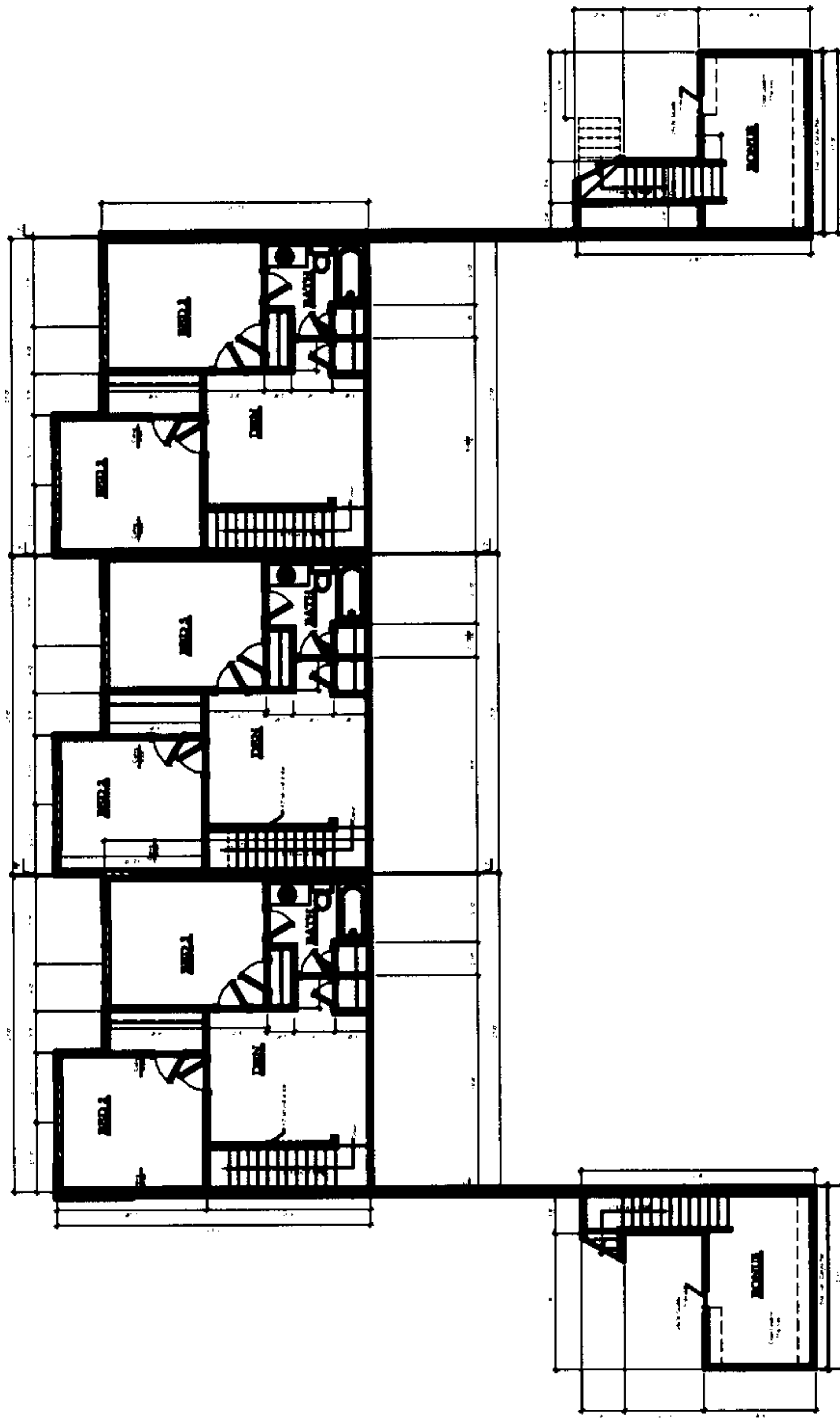
First Floor

Scale N.T.S.

Edenton Residential Condos
Building 5
Units 18, 19, 20, 21, 22
Shelby County, Alabama
05023

LEGEND
COMMON ELEMENT
LIMITED COMMON ELEMENT

UNIT 18 UNIT 19 UNIT 20 UNIT 21 UNIT 22



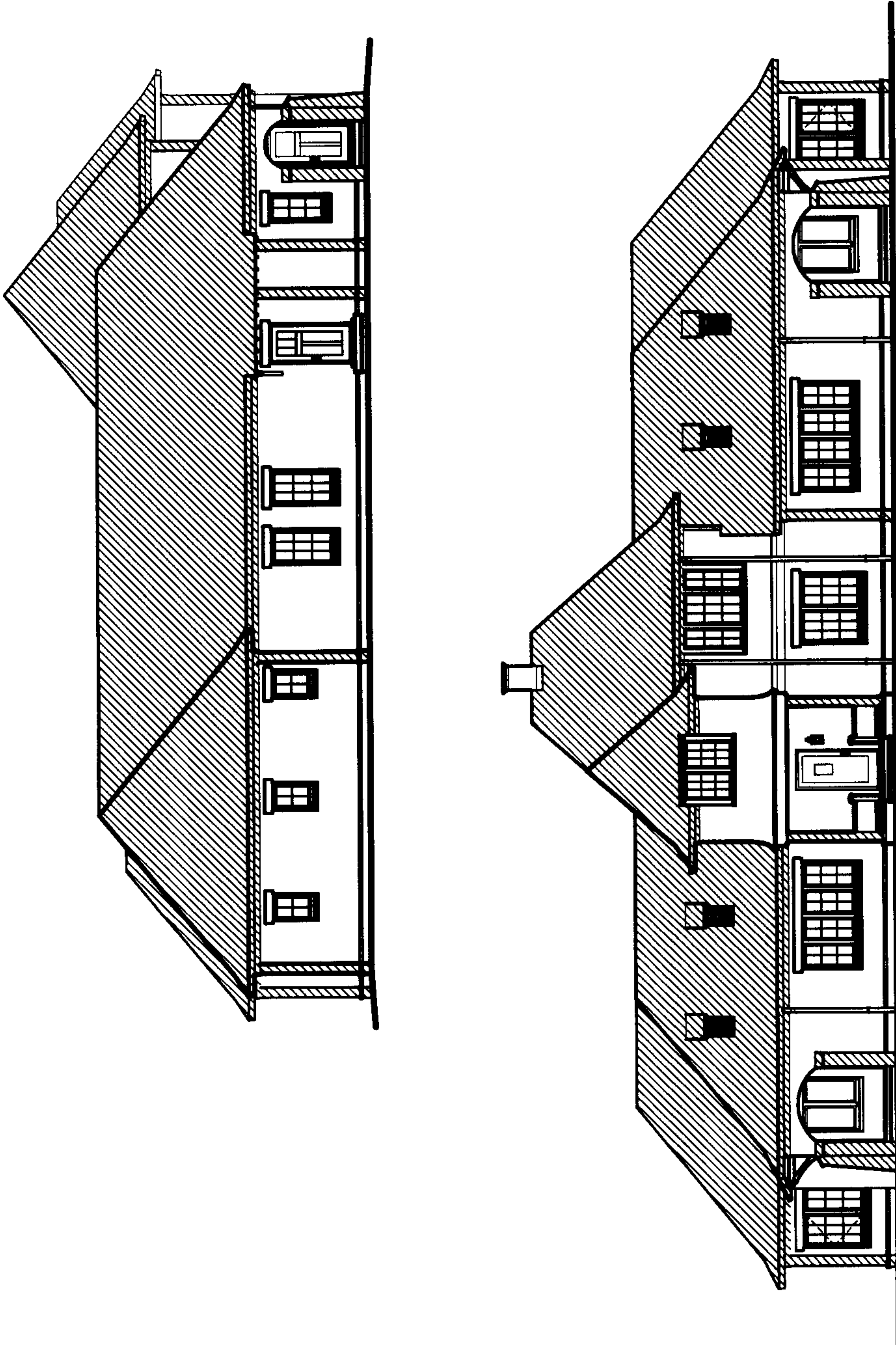
2 Second Floor
Scale: N.T.S.

20070606000263790 24/29 \$98.00
Shelby Cnty Judge of Probate, AL
06/06/2007 12:53:46PM FILED/CERT

**Edenton Residential Condos
Building 5**
Units 18, 19, 20, 21, 22
Shelby County, Alabama
05/023

LEGEND
COMMON ELEMENT
LIMITED COMMON ELEMENT

**DUNGAN
NEQUETTE**
ARCHITECTS
2829 Second Avenue South
Suite 240
Birmingham, Alabama 35233
t 205.322.6455
f 205.322.6187
dungan-nequette.com



1 Front and Side Elevations

Scale: N.T.S.

20070606000263790 25/29 \$98.00
Shelby Cnty Judge of Probate, AL
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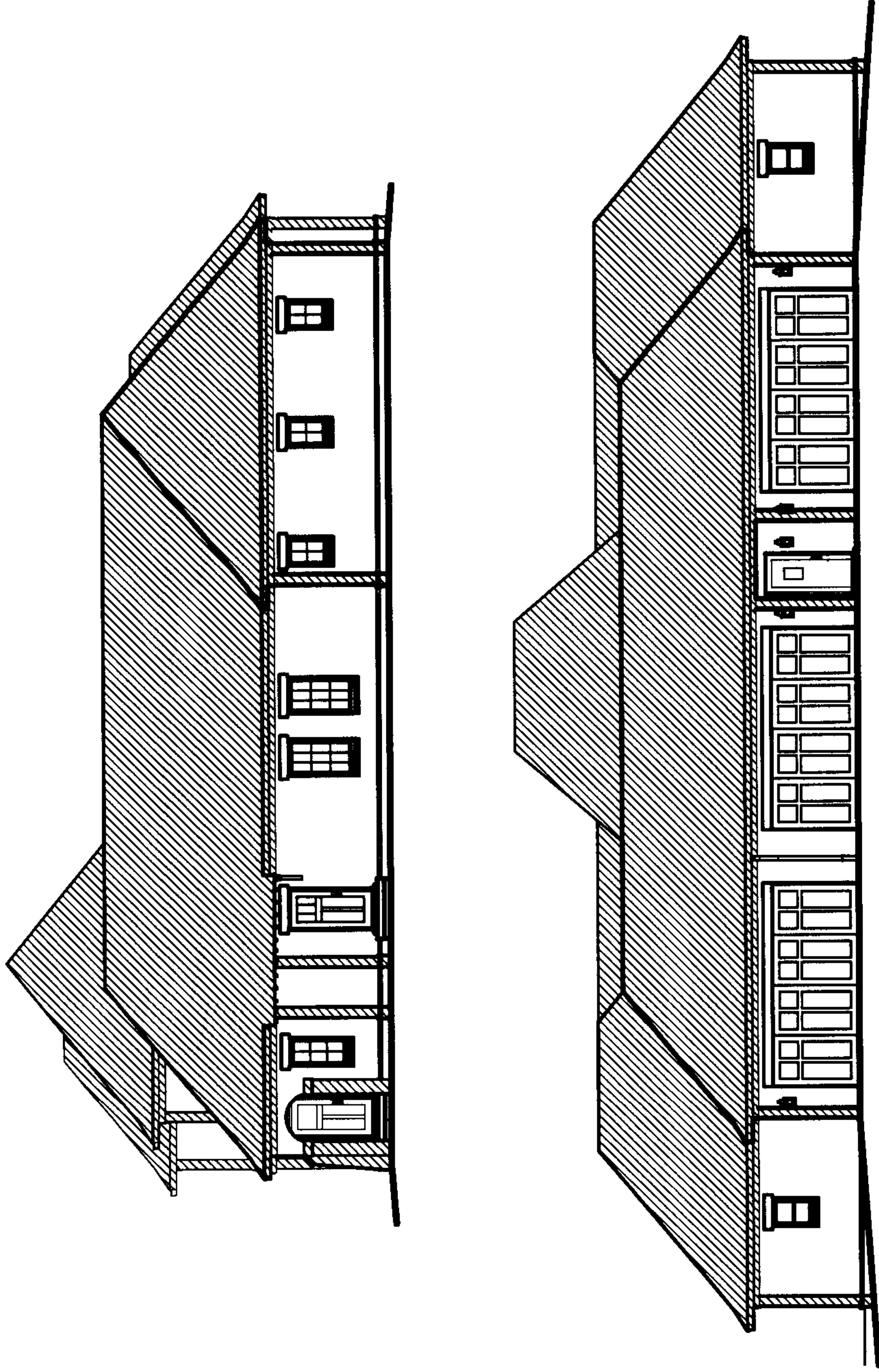


Edenton Residential Condos
Building 6
Units 23, 24, 25
Shelby County, Alabama
05073

LEGEND

	COMMON ELEMENT
	LIMITED COMMON ELEMENT

DUNGAN
NEQUETTE
ARCHITECTS
2829 Second Avenue South
Suite 240
Birmingham, Alabama 35233
P 205.322.6455
F 205.322.6167
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20070606000263790 26/29 \$98.00
Shelby Cnty Judge of Probate, AL
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Back and Side Elevations

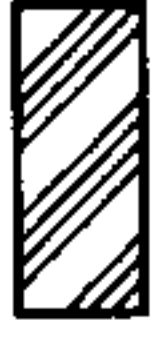
Scale N.T.S.

Edenton Residential Condos
Building 6
Units 23, 24, 25
Shelby County, Alabama
05023

LEGEND



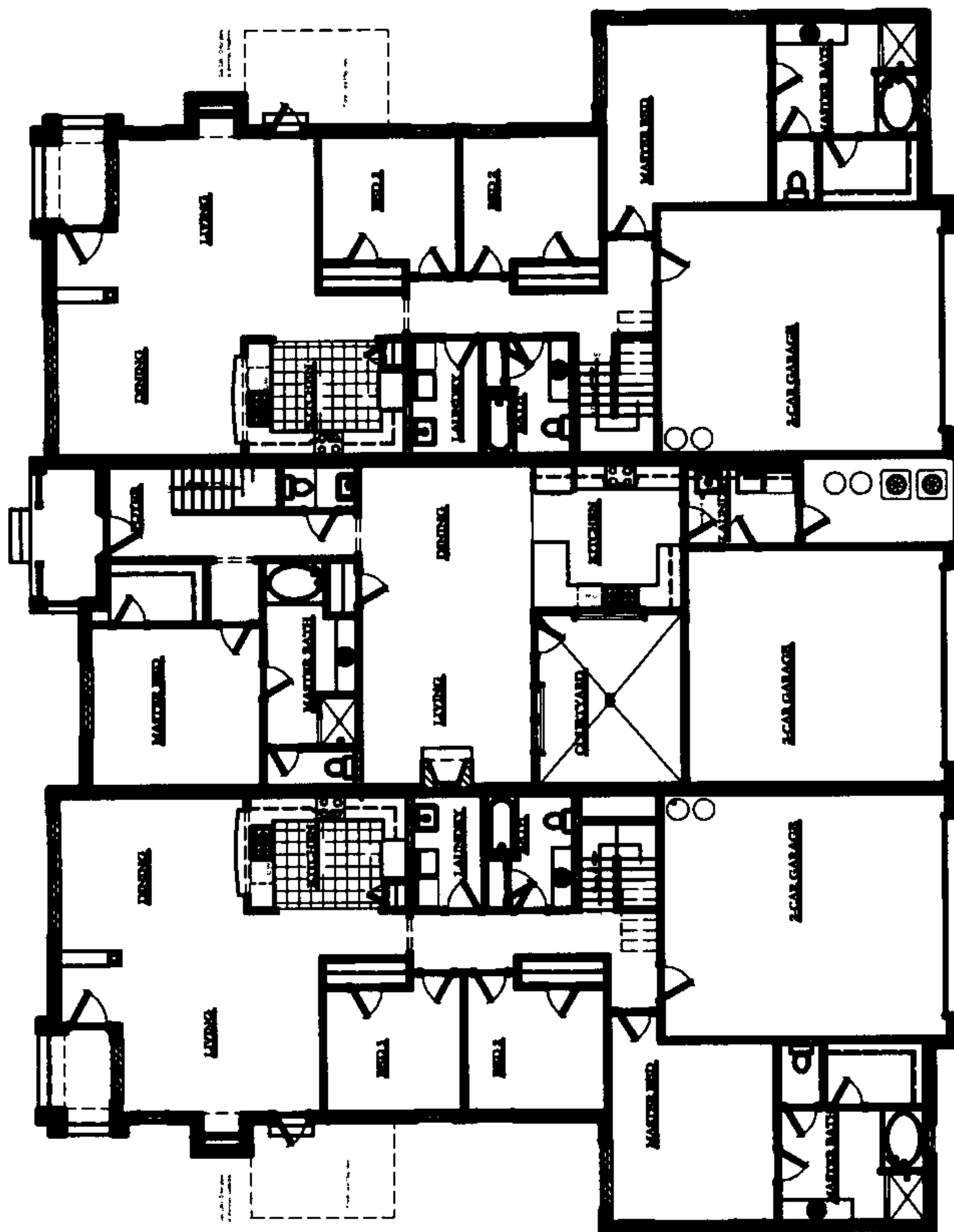
COMMON ELEMENT



LIMITED COMMON ELEMENT

DUNGAN
NEQUETTE
ARCHITECTS
2829 Second Avenue South
Suite 240
Birmingham, Alabama 35233
t 205.322.6455
f 205.322.6167
dungan-nequette.com

UNIT 25 UNIT 24 UNIT 23



First Floor

Scale: N.T.S.

20070606000263790 27/29 \$98.00
Shelby Cnty Judge of Probate, AL
06/06/2007 12:53:46PM FILED/CERT

Edenton Residential Condos
Building 6
Units 23, 24, 25
Shelby County, Alabama
05025

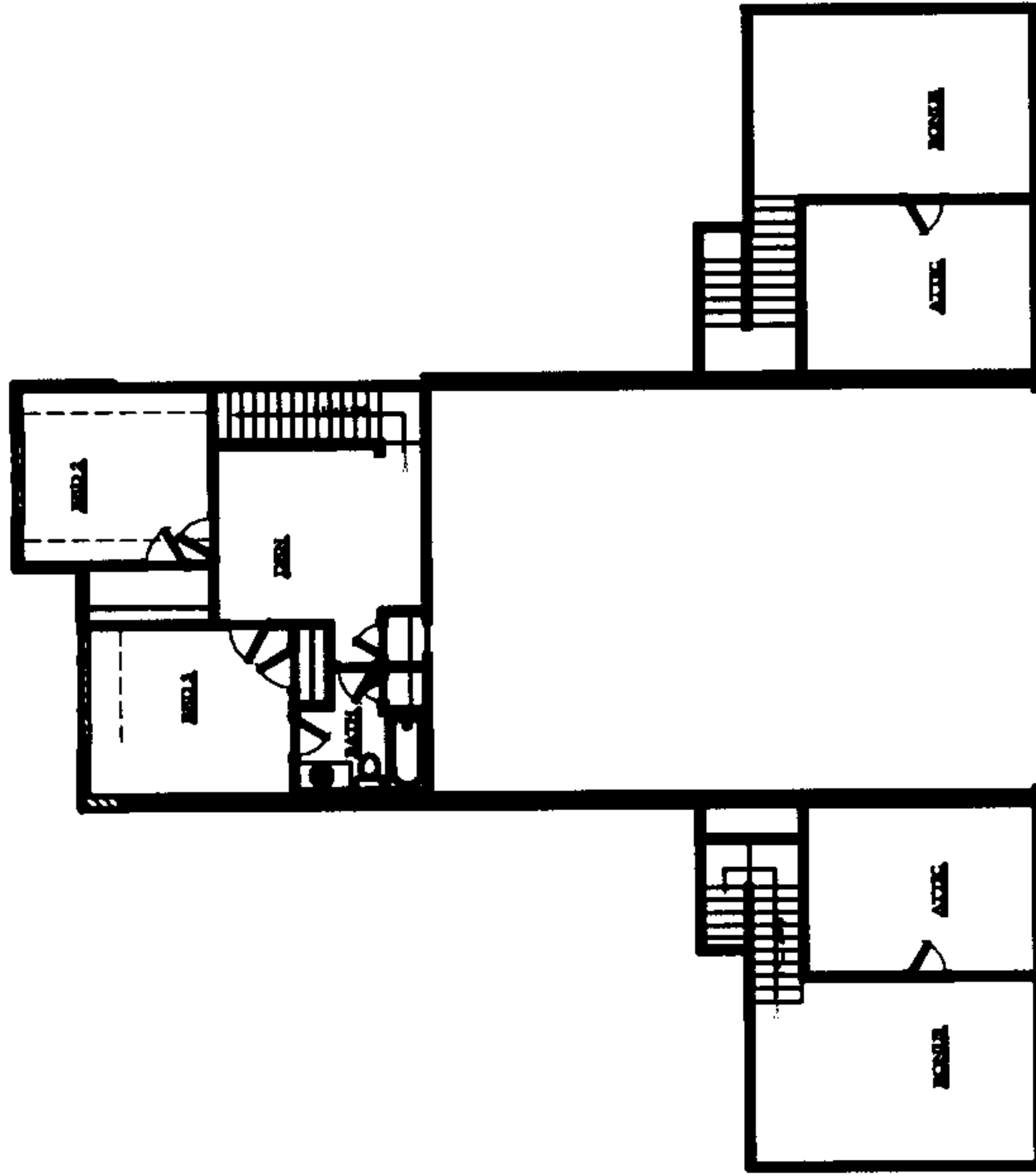
LEGEND

COMMON ELEMENT

LIMITED COMMON ELEMENT

DUNGAN
NEQUETTE
ARCHITECTS
2829 Second Avenue South
Suite 240
Birmingham Alabama 35233
t 205.322.6455
f 205.322.6167
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UNIT 25 UNIT 24 UNIT 23



2 Second Floor

Scale N.T.S.

20070606000263790 28/29 \$98.00
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**Edenton Residential Condos
Building 6**
Units 23, 24, 25
Shelby County, Alabama
05023

LEGEND



COMMON ELEMENT



LIMITED COMMON ELEMENT

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NEQUETTE**
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Birmingham, Alabama 35233
t 205.322.6455
f 205.322.6167
dungan-nequette.com

SECOND AMENDED AND RESTATED EXHIBIT "D"
TO DECLARATION OF CONDOMINIUM

OWNERSHIP OF COMMON ELEMENTS

<u>Residential Units</u>	<u>Residential Allocated Interest</u>	<u>Votes Per Unit</u>
Units 1-33	3.03%	1 vote / Unit
Total	100%	



20070606000263790 29/29 \$98.00
Shelby Cnty Judge of Probate, AL
06/06/2007 12:53:46PM FILED/CERT