

**FIRST AMENDMENT TO AMENDED AND RESTATED COVENANTS OF
SMYER LAKE HOMEOWNERS ASSOCIATION, INC. (the "Association")**

RECITALS

WHEREAS, the Association adopted Amended and Restated Covenants as of July 26, 2006 with respect to the Lots and Property within the Smyer Lake Developments recorded at 2006 0808 000382710 in the Probate Office of Shelby County, Alabama (the "Covenants": capitalized terms used herein and not defined are defined in the Covenants); and

WHEREAS, paragraph 11 of the Covenants provides that they may be amended on or before July 15, 2007, by a vote of sixty percent (60%) of the Members to address revisions that maybe required to conform the Covenants to the provisions of a Master Plan following approval of such Master Plan by the Members; and

WHEREAS, the Members desire to amend paragraph 11 of the Covenants to provide that the July 16, 2007 date specified therein be extended until July 15, 2008, in order to provide for the additional time needed for the development and approval of a Master Plan; and

NOW, THEREFORE, in consideration of the foregoing, the Members hereby amend paragraph 11 of the Covenants to change the date specified therein to be July 15, 2008, and direct the President and Secretary of the Association to cause this First Amendment to the Covenants to be executed, certified, and recorded in the property records in the Probate Office of Shelby County, Alabama.

IN WITNESS WHEREOF, Smyer Lake Homeowners Association, Inc. has caused this First Amendment to the Covenants to be executed as of the 20th day of May, 2007.

SMYER LAKE HOMEOWNERS ASSOCIATION, INC.

BY: _____

President

20070706000318420 2/4 \$15.00
Shelby Cnty Judge of Probate, AL
07/06/2007 09:51:25AM FILED/CERT

20070730000353670 2/3 \$.00
Shelby Cnty Judge of Probate, AL
07/30/2007 02:25:40PM FILED/CERT

STATE OF ALABAMA ,

JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Alex Kontos, whose name as President of Smyer Lake Homeowners Association, Inc., an Alabama nonprofit corporation, is signed to the foregoing First Amendment to the Amended and Restated Covenants, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he, as such President and with full authority, executed the same voluntarily for and on behalf of said corporation on the day the same bears date.

Given under my hand and official seal this 20th day of May,
2007.

{Notary Seal}

J. K. Lanning
Notary Public
My Commission Expires: 2/20/2010

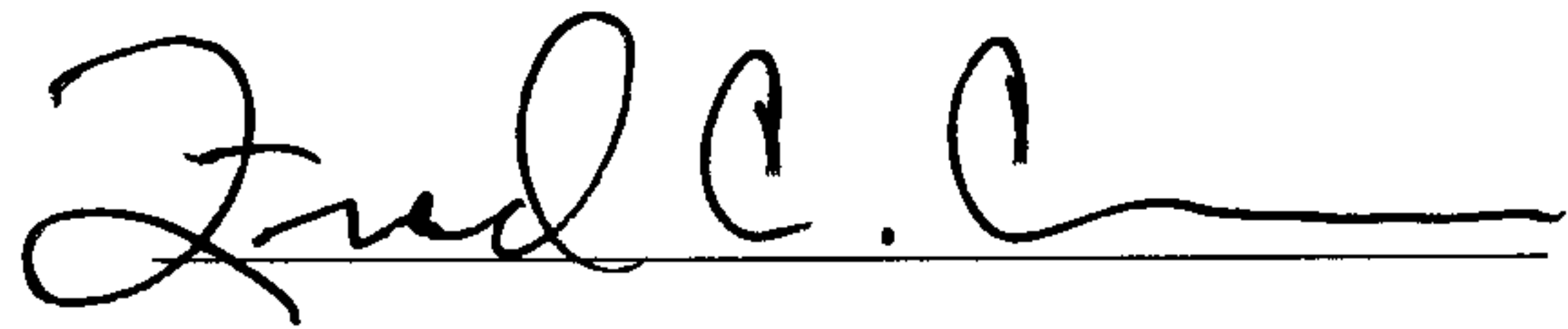
20070706000318420 3/4 \$15.00
Shelby Cnty Judge of Probate, AL
07/06/2007 09:51:25AM FILED/CERT

20070730000353670 3/3 \$.00
Shelby Cnty Judge of Probate, AL
07/30/2007 02:25:40PM FILED/CERT

Secretary's Certificate

I, Fred Crum, the undersigned Secretary of Smyer Lake Homeowners Association, Inc., hereby certify that the foregoing First Amendment to Amended and Restated Covenants have been approved by the Board of Directors and by more than a sixty percent (60%) majority of the voting Members of Smyer Lake Association, Inc.

This 20th day of May, 2007.



Secretary