

Fifth Amendment to Covenants, Conditions and Restrictions of Stone Creek

The Amendment to the Covenants, conditions and restrictions ("Covenants") is made this 9th day of October, 2007 by Lakestone Development, L.L.C., an Alabama Limited Liability Company ("Developer") and amends the covenants recorded in Instrument No. 20031218000815660 on December 15, 2003 in the Probate Court in Shelby County, Alabama.

Recitals:

- A. Developer is the owner of the Property described in Exhibit "C" attached hereto which is Phase 5, Plat One, Lake Sector of Stone Creek and is recorded in Map Book 39, Page 22 in the Probate Court of Shelby County, Alabama.
- B. Pursuant to Article I, Section 1.03 the developer has the right to add additional property to the "Development." Additionally, Stone Creek, LLC, the original developer of Stone Creek subdivision, provided the developer could assign any rights of the developer to third parties and Lakestone Development, LLC is now the developer owner of the land adjoining Stone Creek subdivision.
- C. Developer elects to add the property described in Exhibit "C" to the property described as the "Development" and thus to be subject to the same Covenants, Conditions and Restrictions of Stone Creek.

Now, therefore, the Developer does hereby proclaim that all of the Property in Phase 5, Plat One, Lake Sector shall be held, developed, improved, transferred, sold, conveyed, leased, occupied and used subject to these covenants which shall be binding upon and inure to the benefit of all parties acquiring or having any right, title or interest in any portion of the property and their respective heirs, executors, administrators, personal representatives, successors and assigns.

Pursuant to Article 1.03 and 6.09 of the Covenants, Conditions and Restrictions of Stone Creek recorded in Instrument # 20031218000815660 in the Probate Office of Shelby County, Alabama, Developer hereby includes 55 lots in Phase 5, Plat One, Lake Sector of Stone Creek more specifically described in Exhibit "C" to the property described as the "Development" and the lots described herein shall be fully subject to all terms, conditions and privileges as set out in the original Stone Creek Covenants.

20071010000471450 2/4 \$20.00
Shelby Cnty Judge of Probate, AL
10/10/2007 08:55:23AM FILED/CERT

I witness whereof, Developer has caused these Amended Covenants to be duly executed as of the day and year first written.

LAKESTONE DEVELOPMENT, L.L.C.
an Alabama limited liability company

By: 

Brett G. Winford, Member

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Brett G. Winford, whose name as Member of Lakestone Development, L.L.C., 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 officer and with full authority, executed the same voluntarily for and as the act of said corporation on behalf of said limited liability company.

Given under my hand and official seal this 9th day of October, 2007.

My Commission Expires:

DEBRA GRUBER
Notary Public, State of Alabama
My Commission Expires March 10, 2009



Notary Public

EXHIBIT "C"

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, according to the Final Plat of Stone Creek, Phase 5, Plat One, Lake Sector, as recorded in Map Book 39, Page 22, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

CONSENT TO ADDITION OF PHASE 5, PLAT ONE, LAKE SECTOR
OF STONE CREEK SUBDIVISION

Comes now, Stone Creek Homeowners' Association, Inc., which presently includes Phase I, II, III & IV of Stone Creek Subdivision recorded in Instrument #20031218000815660 and Instrument #20070807000369200, recorded in Probate Office Shelby County, Alabama by and through its Board and Officers of the Stone Creek Homeowners' Association, Inc. who have voted to accept and include all of the lots in Phase V of Stone Creek Subdivision into full membership of the homeowners association. The Stone Creek Homeowners' Association, Inc. consents pursuant of Section 1.03 of the covenants for Phases I, II, III, IV concerning additional property and hereby accepts Phase V of Stone Creek Subdivision as additional property granting the same rights, privileges and responsibilities as specified in the covenants of each Phase of Stone Creek.

Stone Creek Homeowners' Association, Inc.

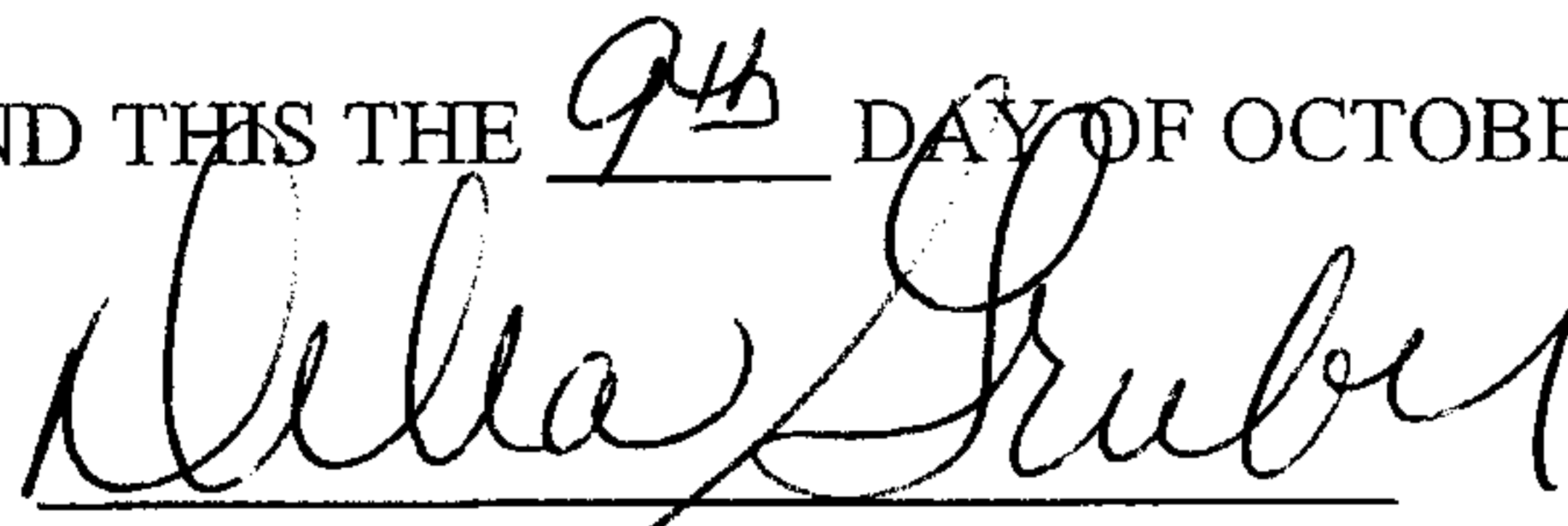


By: Chris Sansing, President

State of Alabama)
County of Shelby)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Chris Sansing, whose name as President of Stone Creek Homeowners' Association, Inc., a corporation, 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 conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN UNDER MY HAND THIS THE 9th DAY OF OCTOBER, 2007.


Notary Public

My Commission Expires:

DEBRA GRUBER
Notary Public, State of Alabama
My Commission Expires March 10, 2009