

This instrument prepared by:  
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2700 Highway 280 East  
Suite 160  
Birmingham, AL 35223

STATE OF ALABAMA)  
COUNTY OF SHELBY)

**AMENDMENT TO THE  
DECLARATION OF PROTECTIVE COVENANTS  
FOR  
O'HARA**

THIS AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS (hereinafter referred to as the "Declaration") is made as of this 28<sup>th</sup> day of December, 2007 by **TSD, LLC**, an Alabama Limited Liability Company (hereinafter referred to as the "Developer"), who previously filed a Declaration of Protective Covenants for O'Hara in Instrument Number 20050727000376150, in the Office of the Judge of Probate of Shelby County, Alabama, which, together with all subsequent amendments thereto, is hereinafter referred to as the "Declaration) for the benefit of certain real property situated in Shelby County, Alabama, commonly known as "O'HARA";

**WHEREAS**, the undersigned, Developer, who is still the owner of Lot 1 of O'Hara, desires to amend the Original Declaration, as heretofore recorded and in accordance with Article XV paragraph 15.01 **Amendment by Developer.**

**NOWHEREFORE**, The Developer hereby amends Article XII paragraph 12.01 to read as follows: "The road in O'HARA is a private road to be known as O'Hara Drive. All lot owners shall own to the centerline of O'HARA Drive except that Lot 1 shall only own to the centerline of O'Hara Drive to a point lying to the North of the entrance gate. The O'Hara Owner's Association, Inc., an Alabama Non-Profit Corporation, shall be the owner of that portion of O'Hara Drive from the point lying North of the entrance gate running to Tara Drive, as shown on the Resurvey of Lot 1 of O'Hara Subdivision as recorded in Map Book 39, Page 86, in the Probate Office of Shelby County, Alabama, said portion of O'Hara Drive being more particularly described on Exhibit "A" attached hereto and made a part hereof.

IN WITNESS WHEREOF, the undersigned have duly executed this Declaration as of the date first above written.

TSD, LLC  
An Alabama Limited Liability  
Company

By: Kathy A. Joseph  
Kathy A. Joseph  
Managing Member

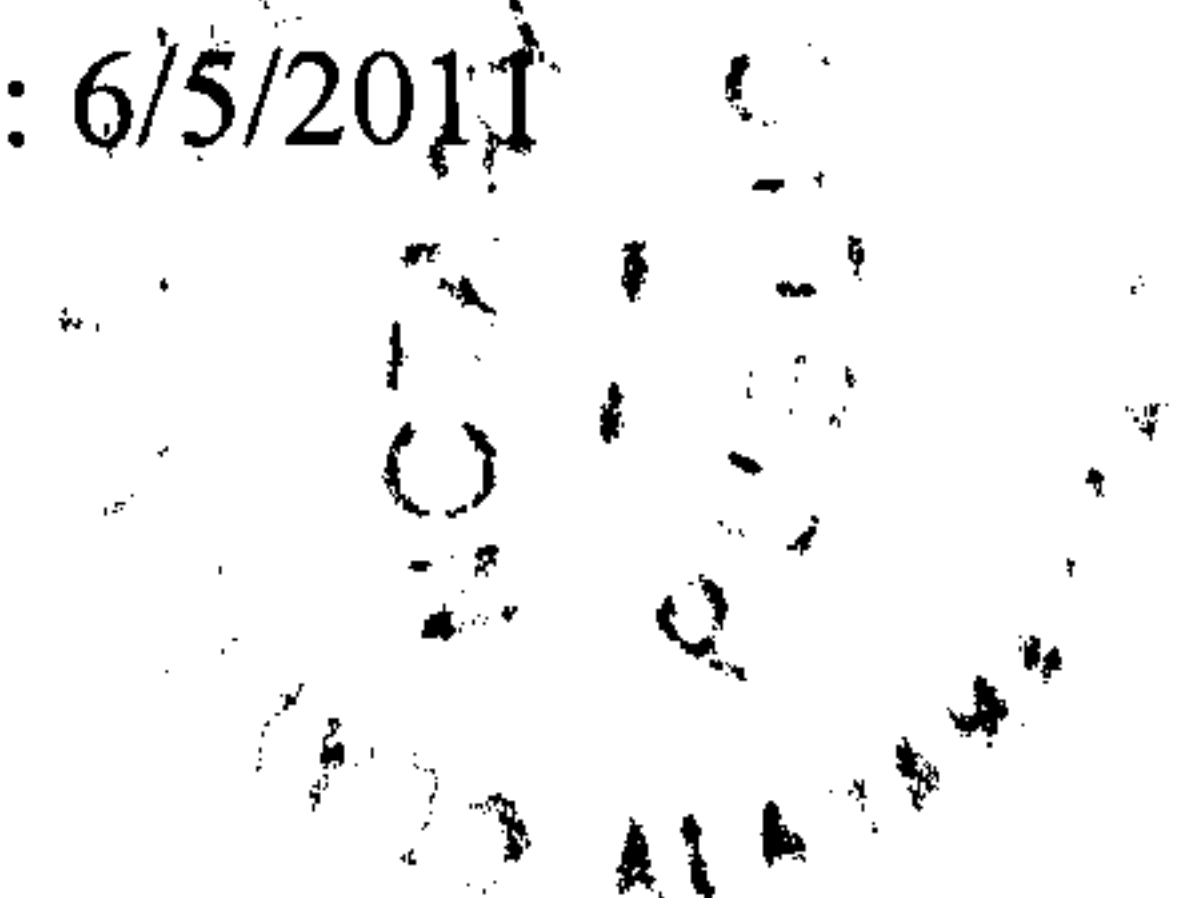
STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Kathy A. Joseph, whose name as Managing Member of TSD, 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 the instrument, she, as such managing member and with full authority, executed the same voluntarily for and as the act of said limited liability company.

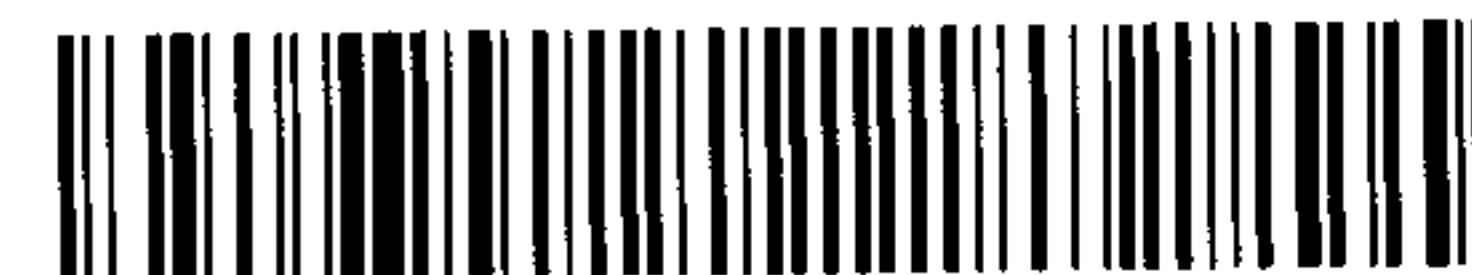
Given under my hand and seal of office this the 28<sup>th</sup> day of December, 2007.

[Signature]  
Notary Public

My Commission Expires: 6/5/2011







20080108000009410 3/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
01/08/2008 10:34:49AM FILED/CERT

# EXHIBIT "A"

A 60 FOOT INGRESS, EGRESS AND UTILITY EASEMENT BEING 30 FEET in equal width on each side of the following described line: Commence at a 6" x 6" concrete monument in place accepted as the Northwest corner of the Southwest one-fourth of the Northwest one-fourth of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama; thence proceed North 89° 29' 53" East along the North boundary of said quarter-quarter section for a distance of 353.62 feet to the centerline of said easement Thence proceed South 46° 22' 15" West along the centerline of said easement for a distance of 219.24 feet; thence proceed South 24° 14' 28" West along the centerline of said easement for a distance of 436.13 feet to the P. C. of a concave curve left having a delta angle of 55° 14' 04" and a radius of 500.0 feet; thence proceed Southeasterly along the centerline of said curve and along the curvature of said curve for a chord bearing and distance of South 05° 42' 10" West, 320.98 feet Thence continue along said curve for a distance of 155.35 feet to the P. T. of said curve; thence proceed South 30° 59' 35" East along the centerline of said easement for a distance of 53.31 feet to the point of beginning of said easement and to the P. C. of a concave curve right having a delta angle of 40° 44' 10" and a radius of 250.0 feet; thence proceed Southwesterly along the centerline of said easement and along the curvature of said curve for a chord bearing and distance of South 10° 37' 15" East, 174.02 feet to the P. T. of said curve; thence proceed South 09° 44' 50" West along the centerline of said easement for a distance of 204.89 feet to the P. C. of concave curve left having a delta angle of 21° 05' 32" and a radius of 250.0 feet; thence proceed Southeasterly along the curvature of said curve and along the centerline of said easement for a chord bearing and distance of South 00° 47' 56" East, 91.51 feet to the P. T. of said curve; thence proceed South 11° 20' 42" East along the centerline of said easement for a distance of 104.39 feet to the P. C. of a concave curve left having a delta angle of 89° 55' 02" and a radius of 50.0 feet; thence proceed Southeasterly along the centerline of said easement and along the curvature of said curve for a chord bearing and distance of South 56° 18' 28" East, 70.66 feet to its point of intersection with the Westerly right-of-way of Tara Drive and the termination of said easement.