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Shelby Cnty Judge of Probate, AL  
06/17/2008 01:56:58PM FILED/CERT

**AMENDMENT THREE**

**OF**

**THE HIGHWAY 43 FOREST PARKS RESIDENTIAL  
ASSOCIATION, INC.**

**DECLARATION OF PROTECTIVE COVENANTS**

**ALL SECTORS**

**March 2008**


**12. Fencing** - Wood fencing may be utilized on any Lot with prior written approval of the Architectural Control Committee. No fence shall exceed 6 feet in height. Black vinyl coated chain link and wrought iron will be allowed, however only wood or wrought iron shall face the front or side street. No uncoated, galvanized, bright or reflective chain link fences visible from the front or side street will be permitted. Wood barriers must be of bleached or natural earth tone color. Color must be approved by the Architectural Control Committee. All fencing shall be confined to the rear yard.

*Costs to remove or replace any fencing in violation of this restriction will be the responsibility of the Lot owner. Failure to remedy the violation or to communicate to the Association action to be taken by the Lot owner to comply with this restriction within 30 days of the date of the delivery of the written notice will result in the Association obtaining estimates from an appropriate certified contractor to remedy this situation and a lien will be placed upon the Lot in the amount of the certified estimate plus costs incurred by the Association, enforceable by an appropriate proceeding at law or equity.*

**33. Authority to Access Fines** – The Hwy. 43 Forest Parks HOA will have the authority to access reasonable fines and liens wherever necessary in order to ensure full compliance with any directives made by or issued on behalf of the Hwy. 43 Forest Parks HOA, the Architectural Control Committee (ACC) or it's contracted representatives, after 30 day written notification.

This includes the ability of the HOA to access additional fines and collect interest on liens previously accessed to Lot owners in the form of additional liens for violations where there has been no show of good faith on behalf of the Lot owner in communicating a willingness to resolve an issue previously communicated to the Lot owner in writing or action taken to remedy the violation within specified timelines, whether it's an Architectural issue or a lien for non-payment of Association dues.


Done this 16<sup>th</sup> day of JUNE, 2008.

  
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**The Highway 43 Forest Parks Residential  
Association, Inc.  
Board of Directors**

By: 

Tim White  
President

By: 

Richard Reece  
Secretary

By: 

Grady Gunnells  
Board Member

I, the undersigned, a Notary Public in and for Shelby County Alabama, hereby certify that The Highway 43 Forest Parks Residential Association, Inc Board of Directors, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed the contents of the instrument, the board, has the capacity as such manage and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 16<sup>th</sup> day of June, 2008.

Notary Public