

**FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM
OF
THE LOFTS AT EDENTON, A CONDOMINIUM**

Dated: March 29th, 2010

This instrument prepared by:

Carol H. Stewart
Melinda E. Sellers
Burr & Forman LLP
3400 Wachovia Tower
420 North 20th Street
Birmingham, Alabama 35203
(205) 251-3000

**FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM
OF
THE LOFTS AT EDENTON, A CONDOMINIUM**

STATE OF ALABAMA)
SHELBY COUNTY)

THIS FIRST AMENDMENT to the Declaration of Condominium of The Lofts at Edenton, a condominium ("First Amendment") is made this 29th day of March 2010, by **CAHABA BEACH INVESTMENTS, LLC**, an Alabama limited liability company (the "Developer"), for the purpose of amending the Declaration of Condominium of The Lofts at Edenton, A Condominium as filed in the Office of the Judge of Probate of Shelby County, Alabama on February 25, 2010, in Instrument 20100225000056160 (the "Declaration"), and to reflect an amendment of the Plat recorded in Map Book 41, Pages 110A through 110I in the Office of the Judge of Probate of Shelby County, Alabama (the "Plat").

W I T N E S S E T H:

WHEREAS, the Declaration was filed on February 25, 2010, for the purpose of establishing a plan of condominium ownership for certain real property situated in Shelby County, Alabama known as The Lofts at Edenton, A Condominium (the "Condominium");

WHEREAS, the Developer, pursuant to Article II, Section 2.3, Article III, Section 3.1(a) and (c), and Section 3.2, and Article XII, Section 12.1(b) of the Declaration, desires to amend the Declaration to add one building containing three (3) Units and one building containing four (4) Units for a total of seven (7) Units and certain associated Common Elements and Limited Common Elements to the Condominium; the Condominium containing a total of twenty (20) Units as set forth below;

WHEREAS, the Developer, pursuant to Article II, Section 2.3, Article III, Section 3.1(a) and (c), and Section 3.2, and Article XII, Section 12.1(b) of the Declaration, desires to amend Exhibit "D" to the Declaration to add the additional pages as shown on Exhibit "A" attached hereto and to reflect the amendment of the Plat the Amended Plat being recorded in the Office of the Judge of Probate of Shelby County, Alabama in Map Book 41, Page 116A-116H (the "Amended Plat"); and

WHEREAS, the Developer, pursuant to Article II, Section 2.3, Article III, Section 3.1(a) and (c), and Section 3.2, and Article XII, Section 12.1(b) of the Declaration, desires to amend and restate Exhibit "E" attached to the Declaration to adjust the percentage of ownership of Common Elements, Common Expense liability and votes as shown on Exhibit "B" attached hereto.

NOW THEREFORE, upon the recording hereof, the Developer does hereby amend the Declaration as follows:

1. The Developer, pursuant to Article II, Section 2.3, Article III, Section 3.1(a) and (c), and Section 3.2, and Article XII, Section 12.1(b) of the Declaration, does hereby amend the Declaration to submit one building containing three (3) Units and one building containing four (4)

Units for a total of seven (7) Units and certain Common Element and Limited Common Element improvements to the Condominium.

2. The Developer, pursuant to Article II, Section 2.3 and Article III, Section 3.1(a) and (c), and Section 3.2, and Article XII, Section 12.1(b) of the Declaration, does hereby amend Article II, Section 2.1 of the Declaration which previously provided:

2.1 Description of Improvements and Identification of Units. The Condominium Property shall initially consist of thirteen (13) Units and certain Common Element improvements. A Plat of the Condominium Property and a graphic description of each Unit identifying it by a number so that no Unit bears the same designation as any other Unit, all in sufficient detail to identify the Common Elements, the Limited Common Elements, if any, and each Unit and their relative locations and approximate dimensions, are set forth in the Plan attached hereto as Exhibit "D."

to provide as follows:

2.1 Description of Improvements and Identification of Units. The Condominium Property consists of twenty (20) Units and certain Common Element improvements. A Plat of the Condominium Property and a graphic description of each Unit identifying it by a number so that no Unit bears the same designation as any other Unit, all in sufficient detail to identify the Common Elements, the Limited Common Elements, if any, and each Unit and their relative locations and approximate dimensions, are set forth in the Plan attached hereto as Exhibit "D."

3. The Developer, does hereby amend Exhibit "D" to the Declaration to reflect the amendment of the Plat to add certain pages to the Plat as shown on Exhibit "A," said Amended Plat being recorded in the Office of the Judge of Probate of Shelby County, Alabama in Map Book 41, Page 116A-116H, which shows the location of one building containing three (3) Units and one building containing four (4) Units for a total of seven (7) Units and certain Common Element improvements to the Condominium, and a graphic description of each Unit identifying it by a number so that no Unit bears the same designation as any other Unit or Additional Unit, all in sufficient detail to identify the Common Elements, the Limited Common Elements, if any, and each additional Unit and their relative locations and approximate dimensions for a total of twenty (20) Units in the Condominium.

4. The Developer, pursuant to Article III, Section 3.5, and Article XII, Section 12.1(b) of the Declaration, does hereby amend and restate Exhibit "E" to the Declaration to reallocate the percentage of ownership of the Common Elements, the Common Expense liability and the votes among the Units as shown on Exhibit "B" attached hereto and made a part hereof.

5. It is the intention of the parties that the provisions of this First Amendment to Declaration are severable, so that if any provision is invalid or void under any applicable federal, state

or local law or ordinance, decree, order, judgment or otherwise, the remainder shall be unaffected thereby.

6. The provisions of this First Amendment to Declaration shall be liberally construed to effectuate its purpose of adding one building containing three (3) Units and one building containing four (4) Units for a total of seven (7) Units to the Condominium, to reflect an amendment of the Plat, and to reallocate the percentage of ownership of the Common Elements, the Common Expense liability and the votes among the Units in the Condominium.

7. This First Amendment to Declaration has been executed by the undersigned and filed in the Office of the Judge of Probate of Shelby County, Alabama for the purpose as stated above. Except for the aforesaid, the terms and conditions of the Declaration shall continue to be in full force and effect without any other changes whatsoever.

8. Capitalized terms as used herein shall have the same meaning as they are defined in the Declaration and the Act, unless the context clearly indicates a different meaning therefore.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Developer, Cahaba Beach Investments, LLC, has executed this First Amendment to the Declaration on this 26th day of March 2010.

CAHABA BEACH INVESTMENTS, LLC,
an Alabama limited liability company

By: _____

Jonathan Belcher
Its President

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **JONATHAN BELCHER** whose name as President of **CAHABA BEACH INVESTMENTS, LLC**, an Alabama limited liability company, is signed to the foregoing First Amendment to Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing First Amendment to Declaration, he, as such officer, and with full authority, executed the same voluntarily on the date the same bears date.

Given under my hand and official seal of office this 26th day of March 2010.

Notary Public

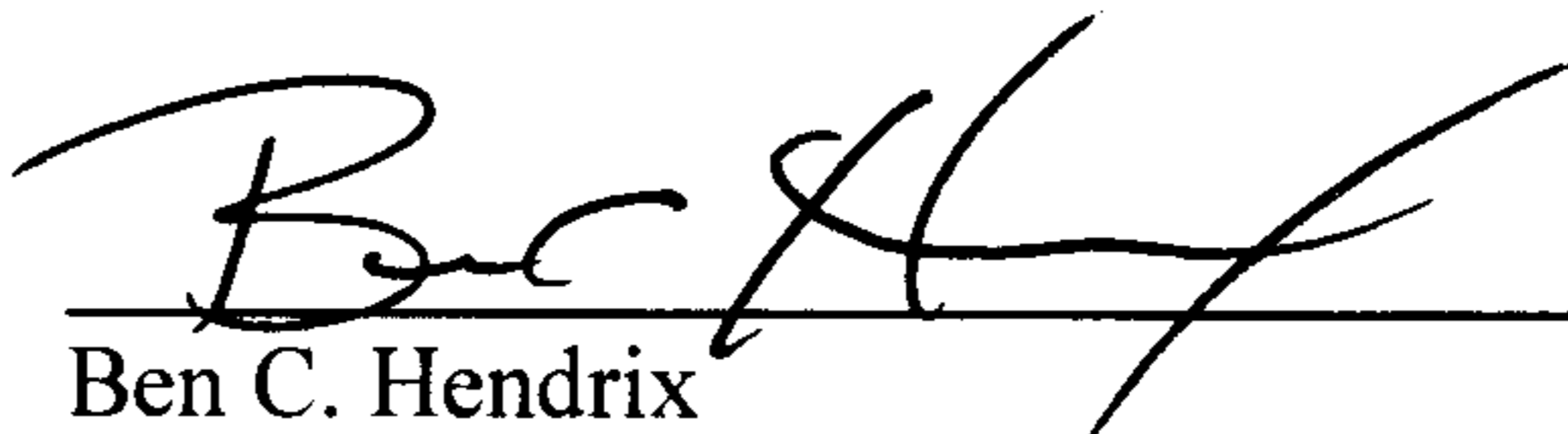
[NOTARY SEAL]

My Commission Expires: 7/5/2010

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

The undersigned, as **Mortgagee** under the Mortgage encumbering the real property identified in the foregoing Second Amendment to Declaration, joins in the execution of the foregoing First Amendment to Declaration, for the sole purpose of consenting to the recording of the First Amendment to Declaration. The undersigned is not the Developer, and does not assume any obligation whatsoever under the terms, covenants and conditions of the foregoing First Amendment to Declaration, and the execution hereof does not in any way subordinate or make the said Mortgage inferior to the said First Amendment to Declaration.

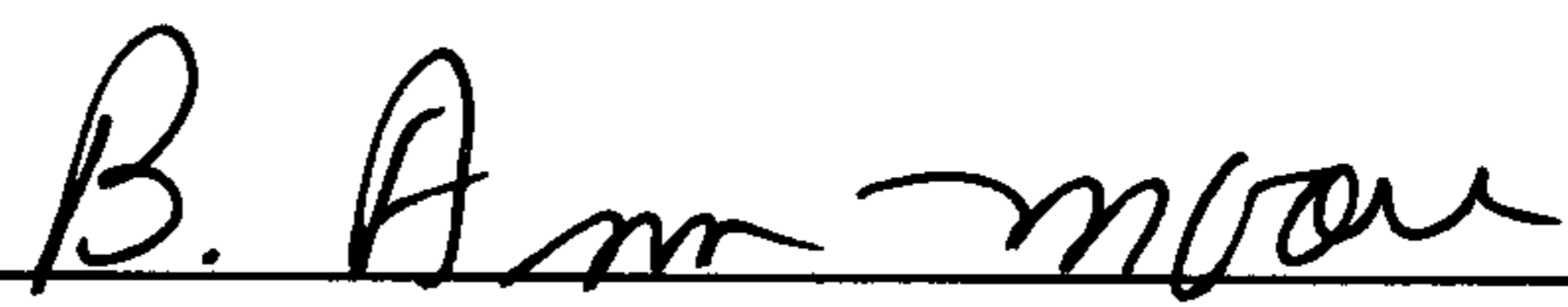
COMPASS BANK

By: 
Ben C. Hendrix
Its Senior Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Ben C. Hendrix, whose name as Senior Vice President of **COMPASS BANK**, is signed to the foregoing First Amendment to Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the First Amendment to Declaration, he as such officer, and with full authority, executed the same voluntarily for and as the act of said banking association on the day the same bears date.

Given under my hand and seal of office this 25th day of March 2010.


Notary Public

[NOTARY SEAL]

My commission expires: 11-6-10



20100330000095330 7/16 \$56.00
Shelby Cnty Judge of Probate, AL
03/30/2010 02:08:04 PM FILED/CERT

EXHIBIT "A" TO FIRST AMENDMENT

**AMENDMENT TO EXHIBIT "D" TO DECLARATION OF CONDOMINIUM OF
THE LOFTS AT EDENTON, A CONDOMINIUM**

ADDITIONAL PAGES OF PLAT AND PLANS OF THE CONDOMINIUM

1303/DE111 MD 10:30:20 0102/03/30
The Probate of the Estate of
00 95\$ 91/6 0335600003000102

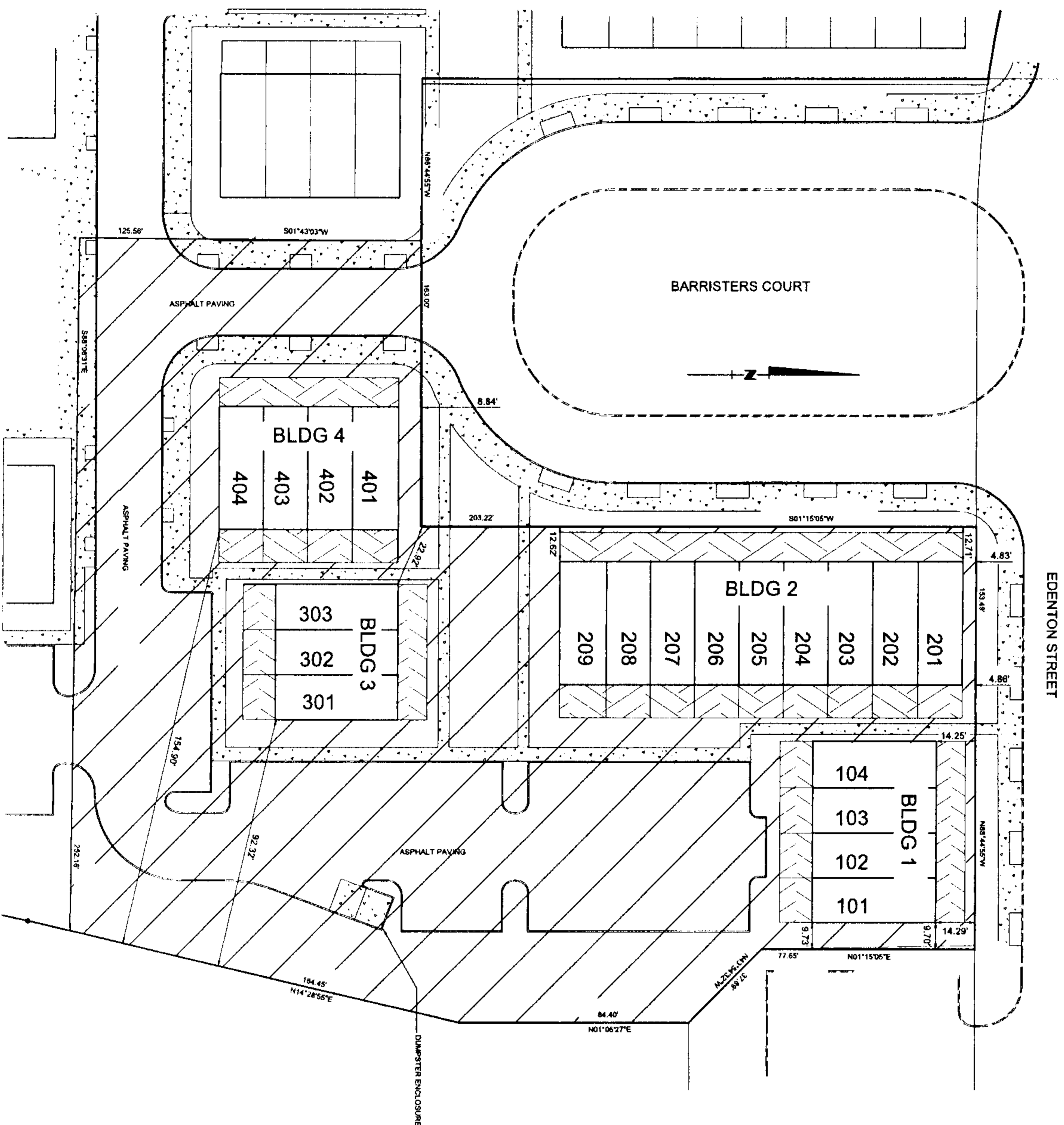


1st Amended Plat of
The Lofts at Edenton,
A Condominium

SCALE: 1" = 20' MARCH 22, 2010

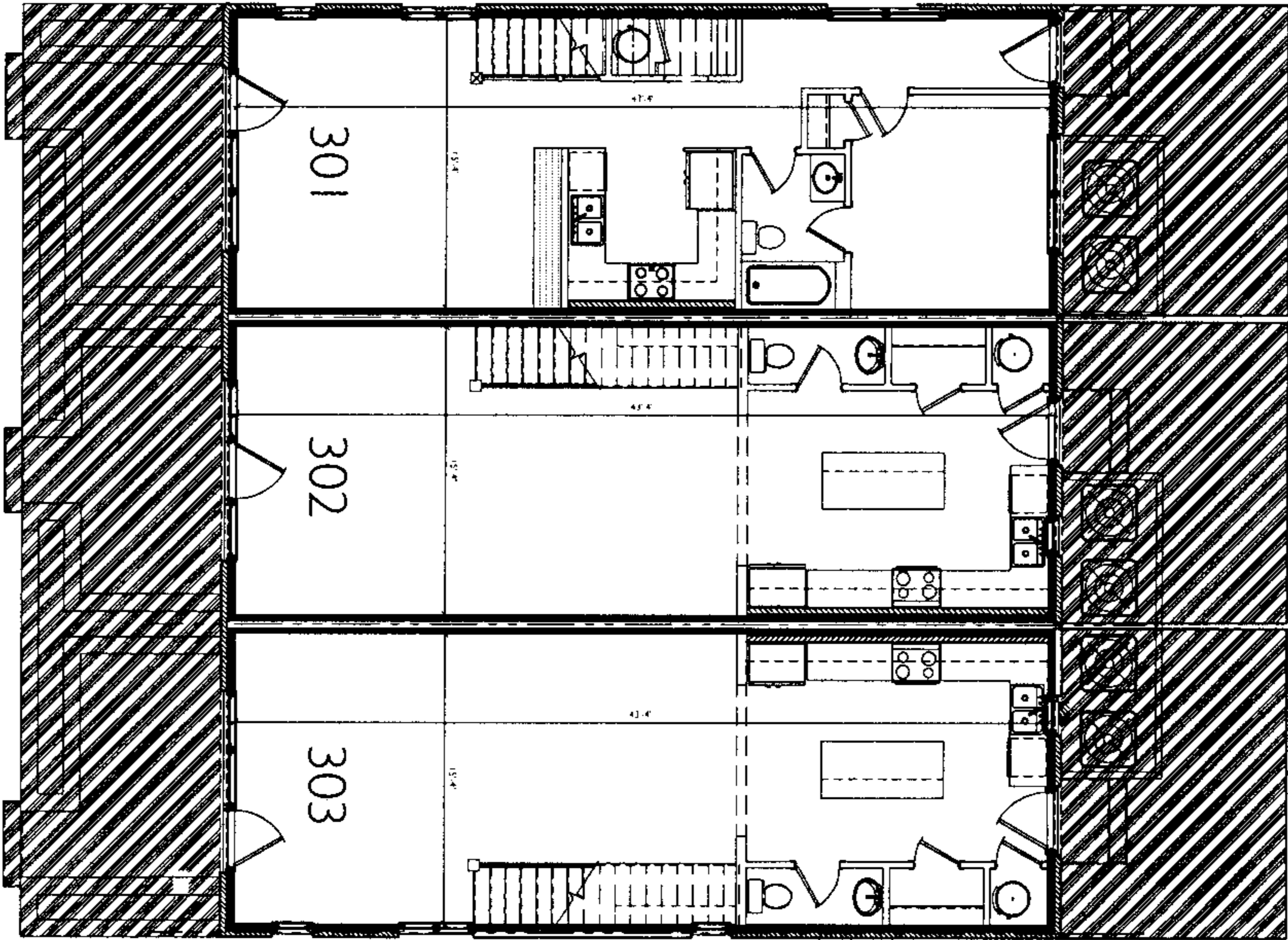


THE PURPOSE OF THIS SHEET IS TO
SHOW THE RELATIONSHIP OF THE
BUILDINGS TO THE PROPERTY LINES.



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Shelby Cnty Judge of Probate, AL
03/30/2010 02:08:04 PM FILED/CERT

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1 First Floor
Scale N.T.S.

SHEET

3 of 8

THE LOFTS AT EDENTON, A CONDOMINIUM
Building 3

Units: 301, 302, 303

Shelby County, Alabama

LEGEND

- COMMON ELEMENT
- LIMITED COMMON ELEMENT

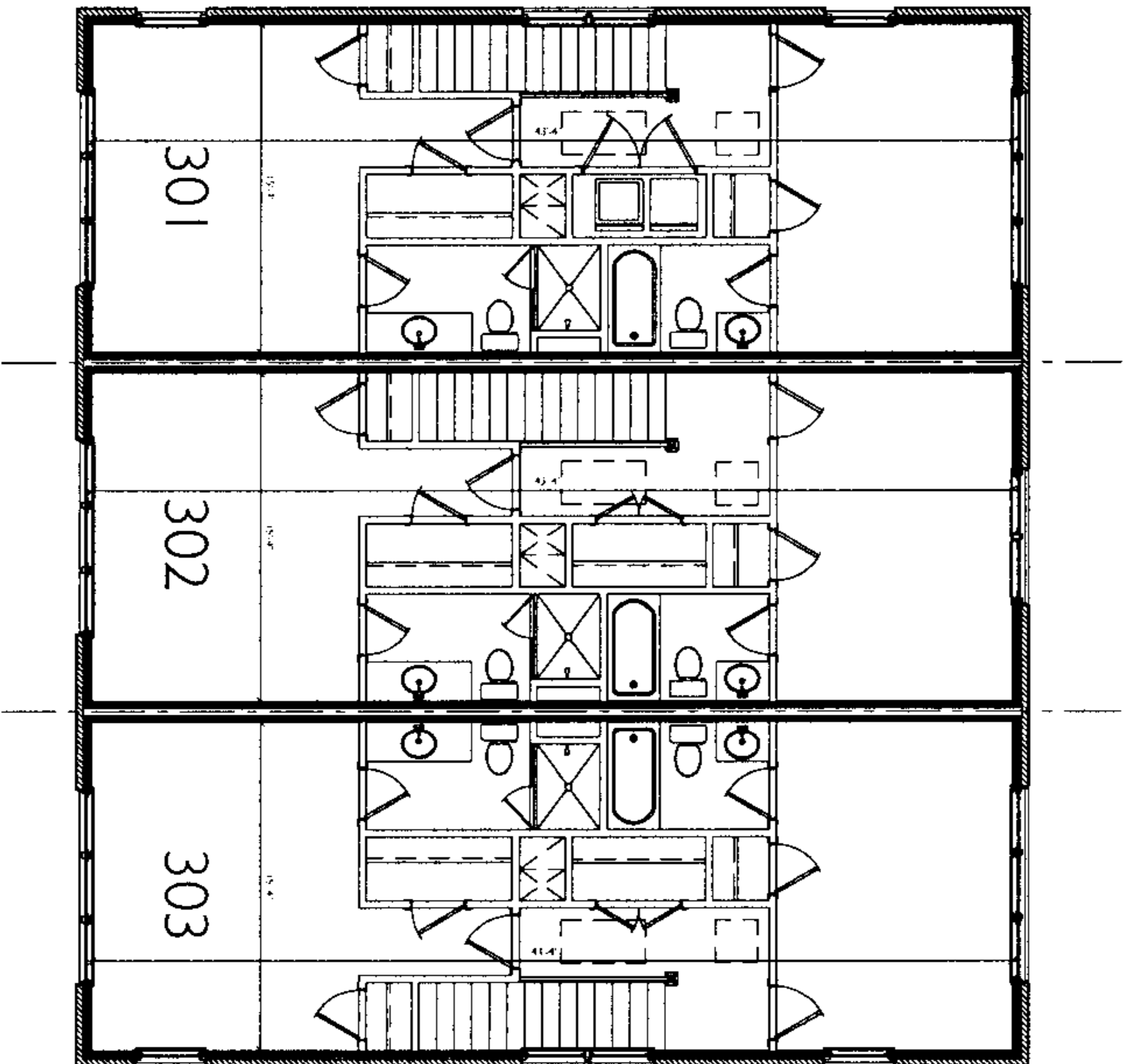
SIGNATURE HOMES

3545 Market Street
Hoover, Alabama 35226
ph. 205.989.5588
fax 205.989.8884

www.signaturhomes.net

20100330000095330 11/11/16 \$56.00
Shelby Cnty Judge of Probate, AL
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1 Second Floor
Scale N.T.S.

SHEET

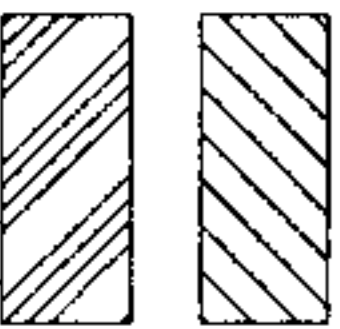
4 of 8

THE LOFTS AT EDENTON, A CONDOMINIUM Building 3

Units: 301, 302, 303

Shelby County, Alabama

LEGEND



COMMON ELEMENT

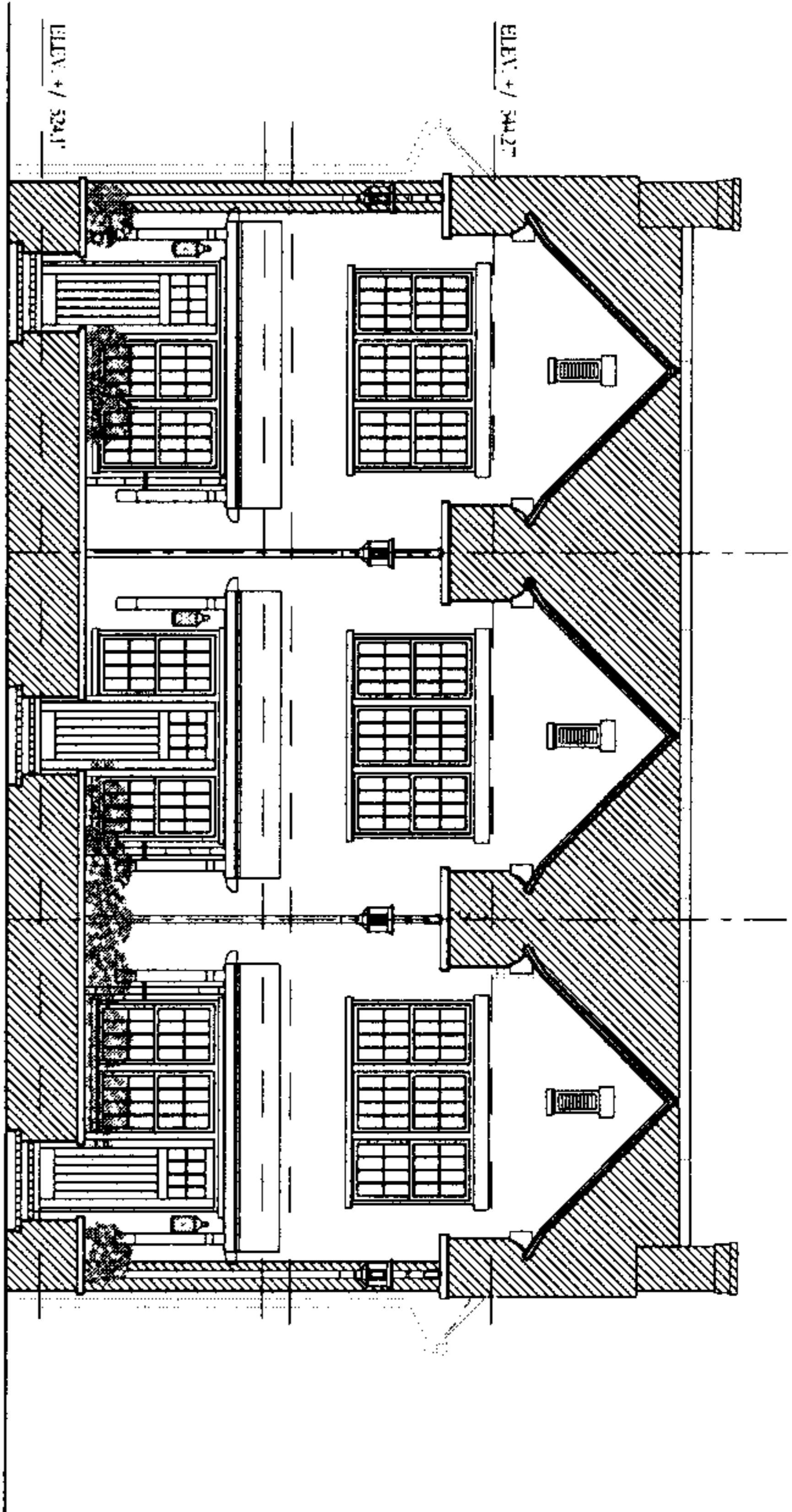
LIMITED COMMON ELEMENT

SIGNATURE HOMES

3545 Market Street
Hoover, Alabama 35226
ph. 205.989.5588
fax 205.989.8884

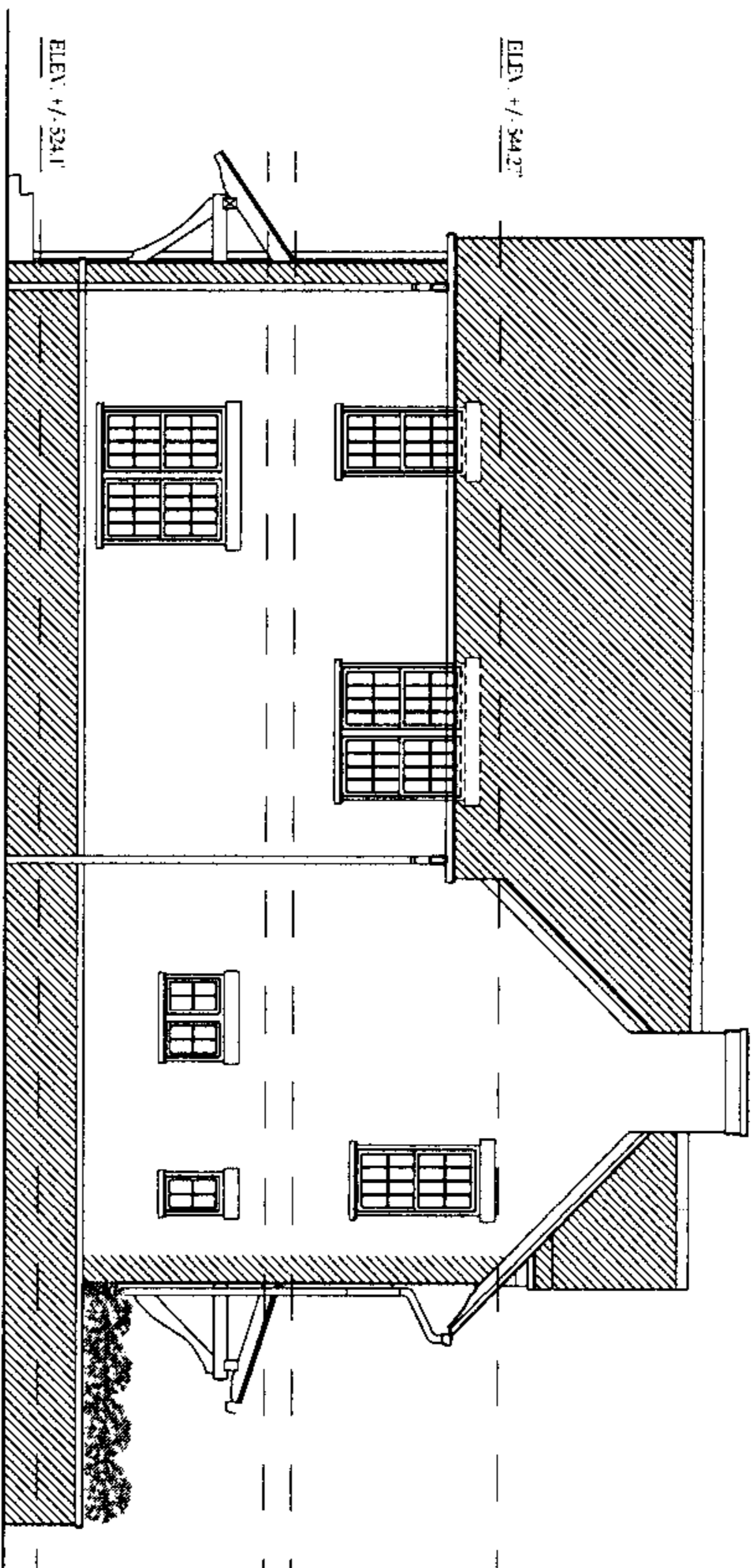
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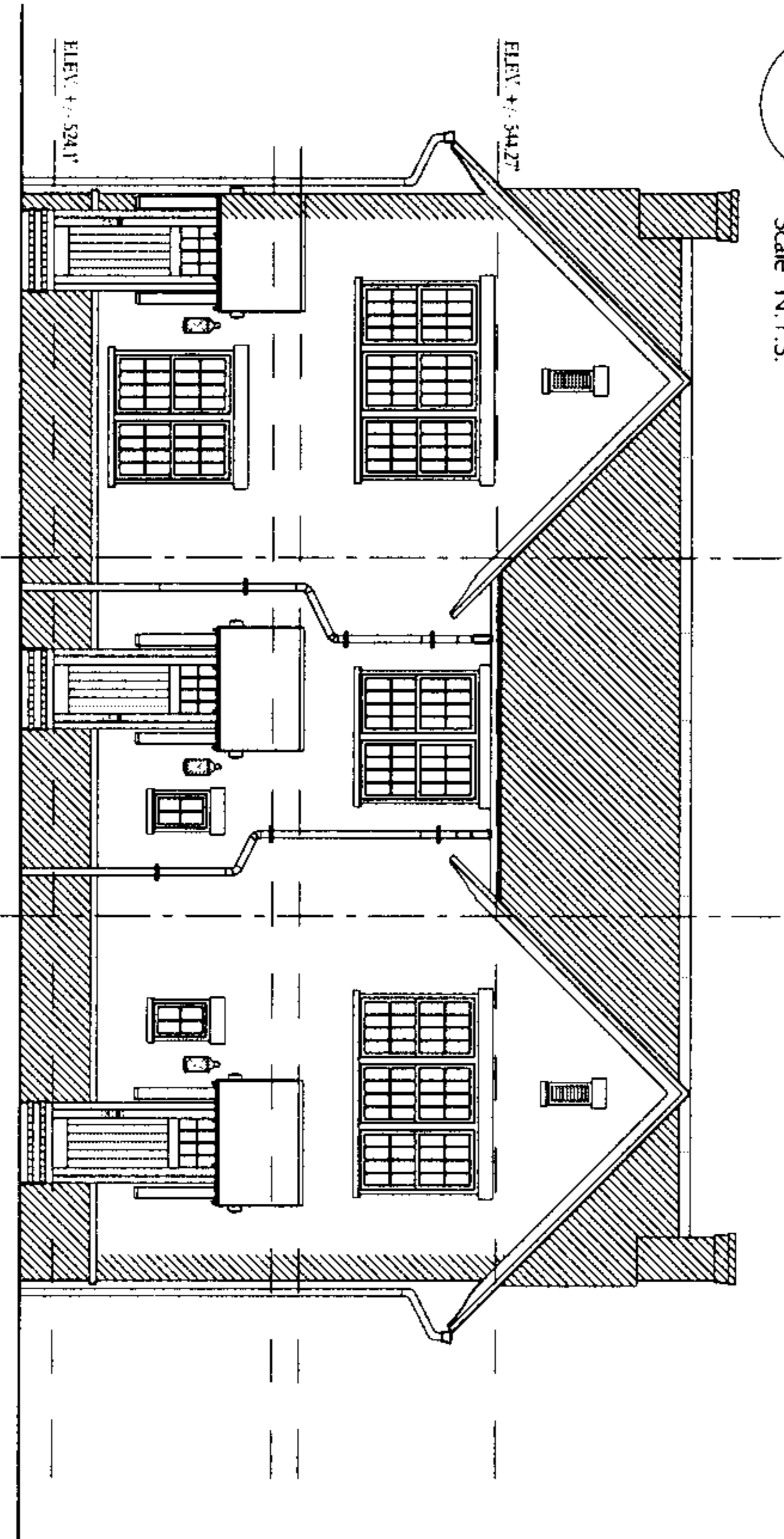
1
Front Elevation

Scale N.T.S.



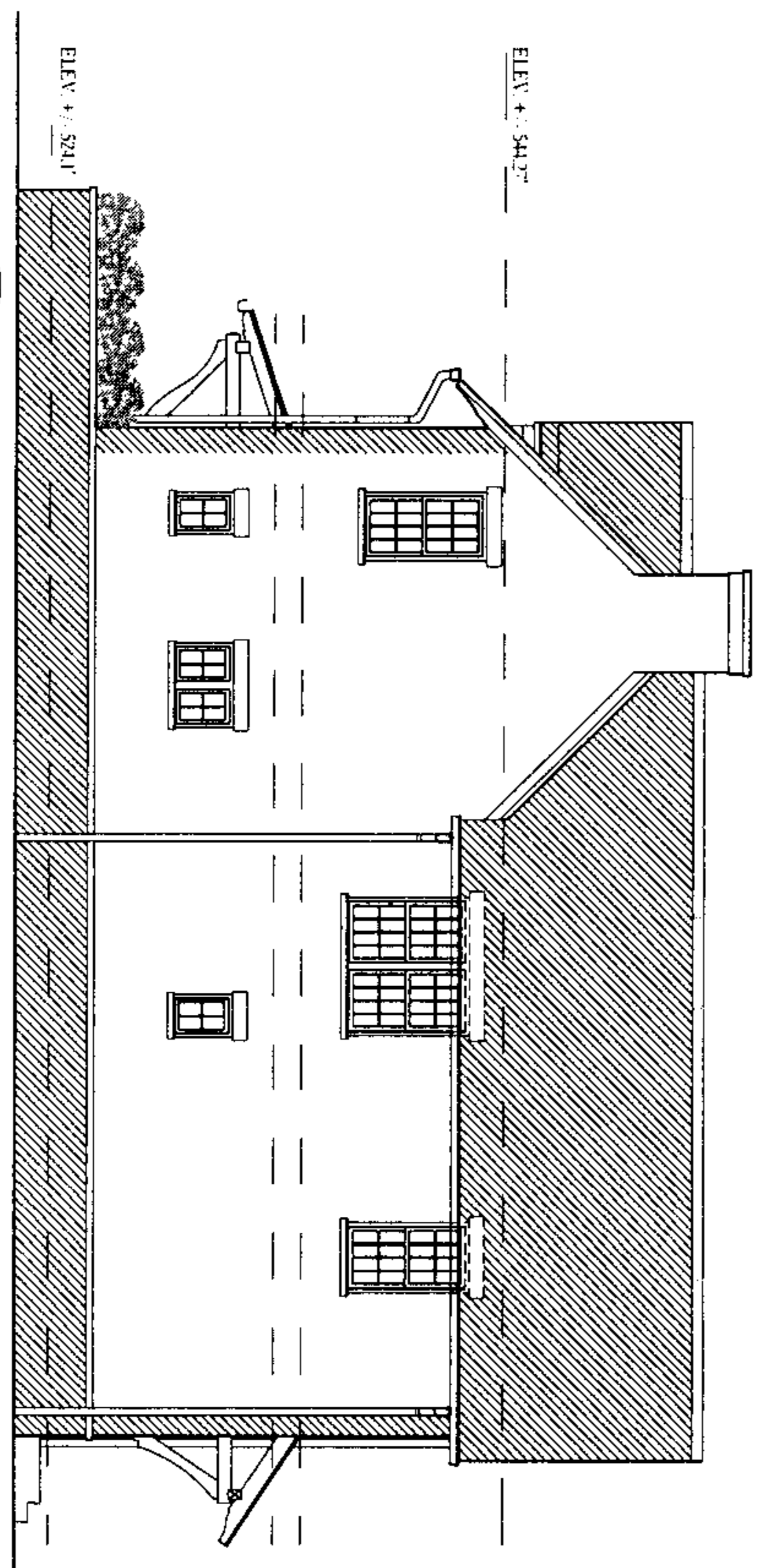
2
Side Elevation

Scale N.T.S.



3
Rear Elevation

Scale N.T.S.



4
Side Elevation

Scale N.T.S.

SHEET

5 of 8

THE LOFTS AT EDENTON, A CONDOMINIUM

Building 3

Units: 301, 302, 303

Shelby County, Alabama

LEGEND

- COMMON ELEMENT
- LIMITED COMMON ELEMENT

SIGNATURE HOMES

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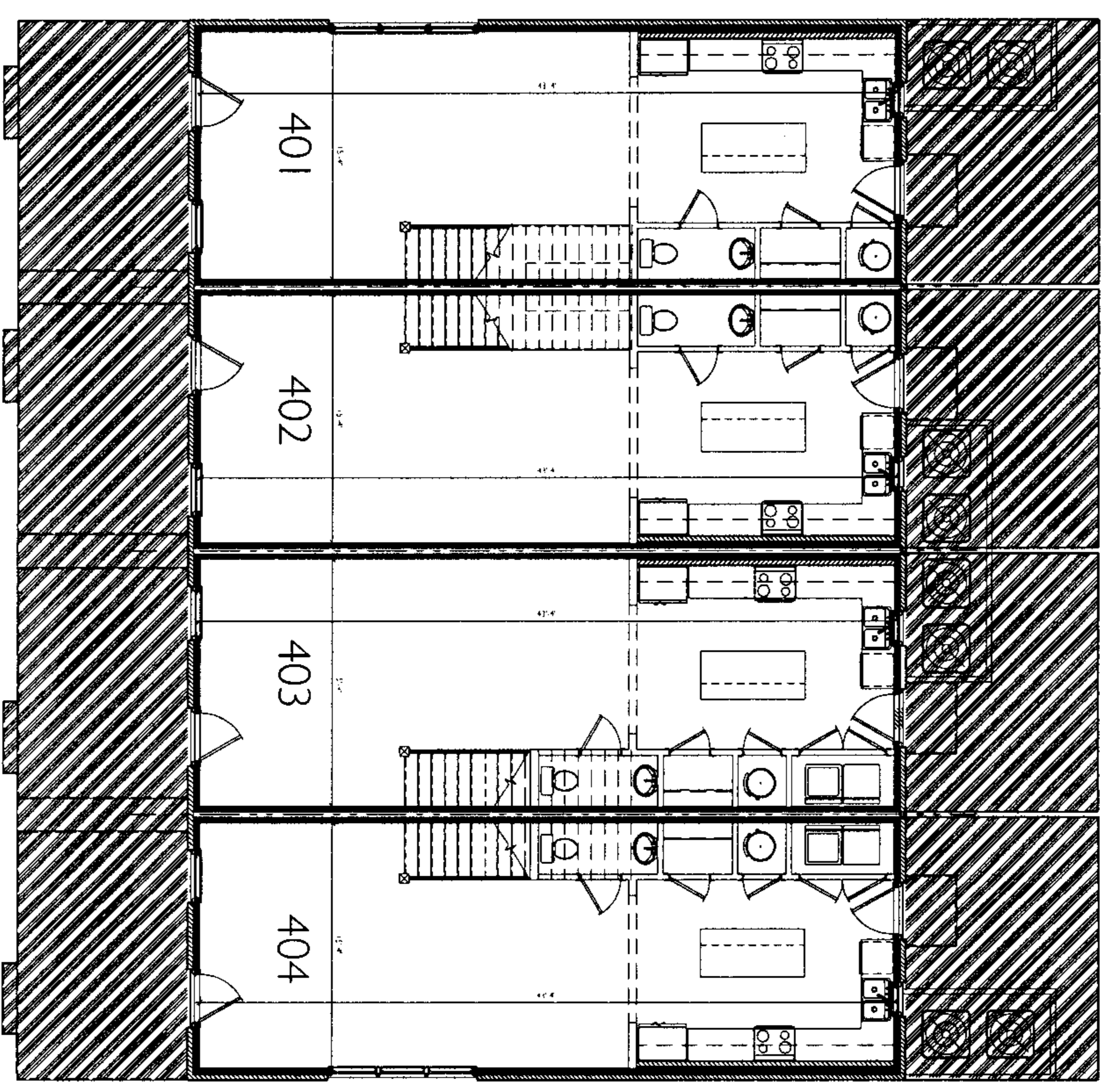
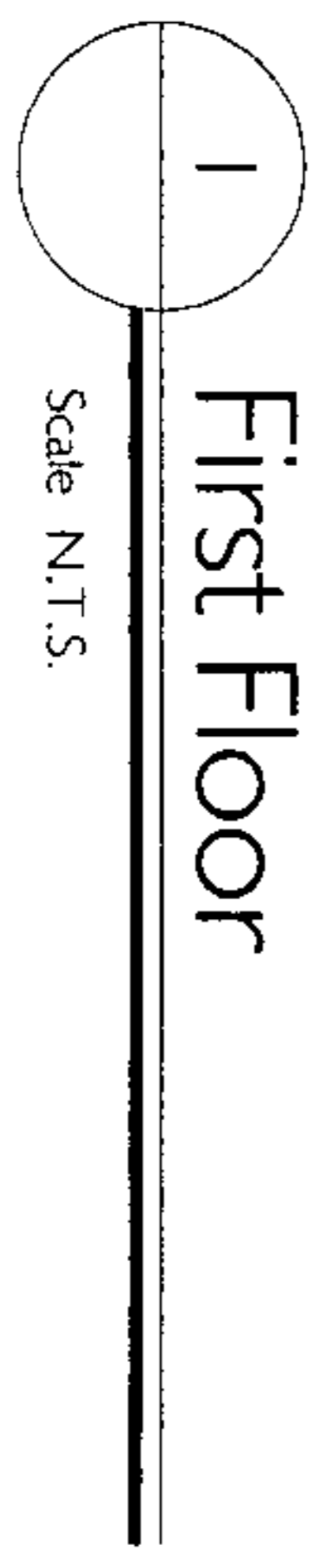
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6 of 8

THE LOFTS AT EDENTON, A CONDOMINIUM
Building 4

Units: 401, 402, 403, 404

Shelby County, Alabama



LEGENDE

COMMON FILAMENT

UNITED COMMON ELEMENT

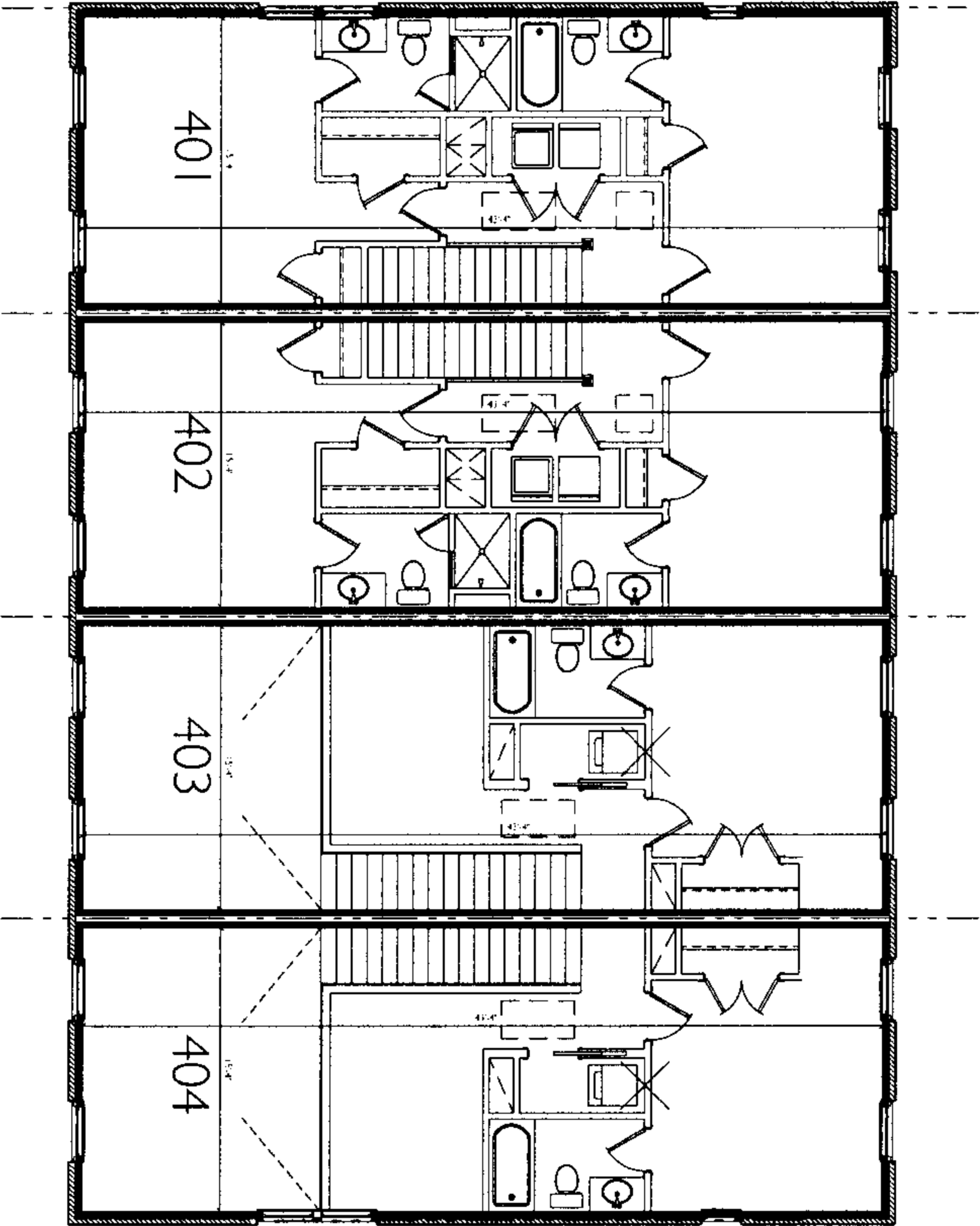
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1 Second Floor
Scale N.T.S.

SHEET

7 of 8

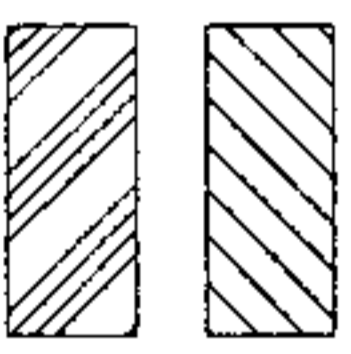
THE LOFTS AT EDENTON, A CONDOMINIUM

Building 4

Units: 401, 402, 403, 404

Shelby County, Alabama

LEGEND



COMMON ELEMENT

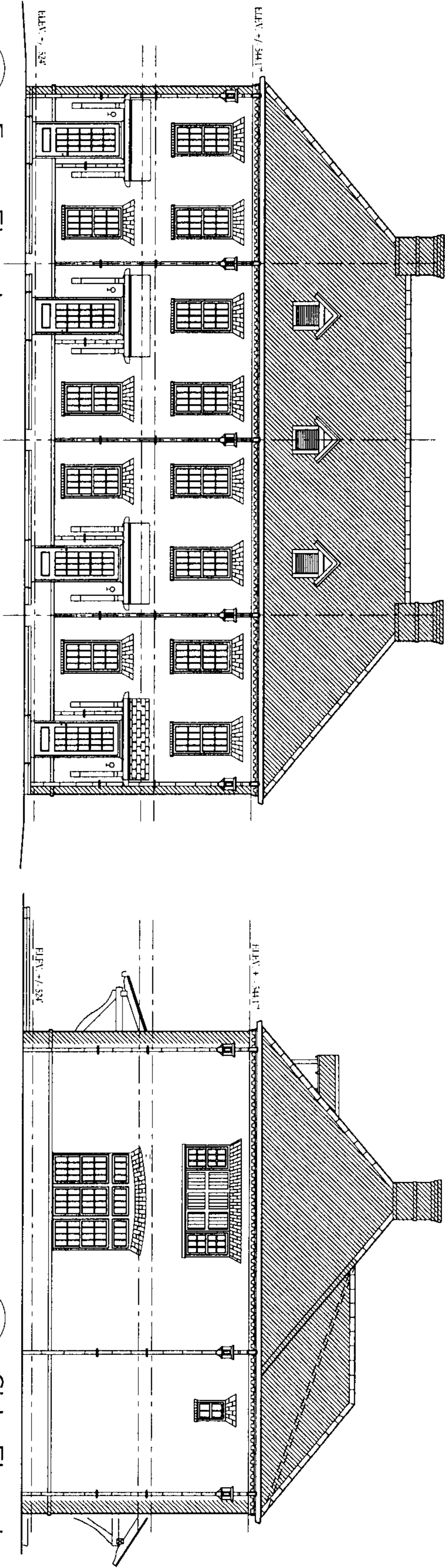
LIMITED COMMON ELEMENT

SIGNATURE HOMES

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Fax: 205.989.8884
www.signaturehomes.net

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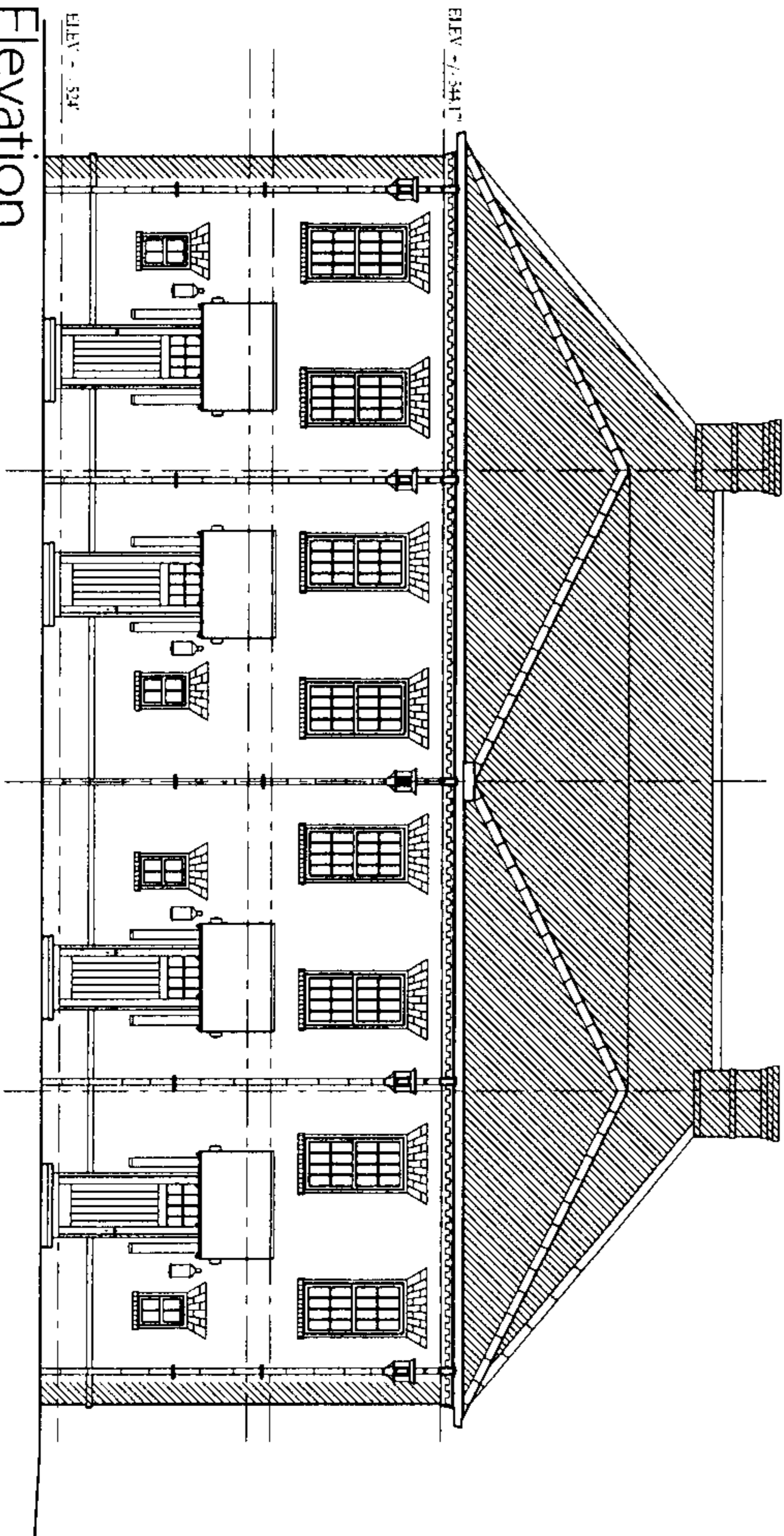


1 Front Elevation

Scale N.T.S.

2 Side Elevation

Scale N.T.S.



3 Rear Elevation

Scale N.T.S.

SHEET

8 of 8

THE LOFTS AT EDENTON, A CONDOMINIUM

Building 4

Units: 401, 402, 403, 404

Shelby County, Alabama

LEGEND

- COMMON ELEMENT
- LIMITED COMMON ELEMENT

SIGNATURE HOMES

3345 Market Street
Hoover, Alabama 35226
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fax 205.980.8884
www.signatureshomes.net

EXHIBIT "B" TO FIRST AMENDMENT

**EXHIBIT "E" TO DECLARATION OF CONDOMINIUM OF
THE LOFTS AT EDENTON, A CONDOMINIUM**

**PERCENT OWNERSHIP OF COMMON ELEMENTS,
COMMON EXPENSE LIABILITY AND VOTES**

UNIT #	% OF OWNERSHIP OF COMMON ELEMENTS ALLOCATED INTEREST	VOTE
101	5.0%	1
102	5.0%	1
103	5.0%	1
104	5.0%	1
201	5.0%	1
202	5.0%	1
203	5.0%	1
204	5.0%	1
205	5.0%	1
206	5.0%	1
207	5.0%	1
208	5.0%	1
209	5.0%	1
301	5.0%	1
302	5.0%	1
303	5.0%	1
401	5.0%	1
402	5.0%	1
403	5.0%	1
404	5.0%	1
TOTAL	<u>100.00%</u>	<u>20</u>