

**AMENDMENT TO THE HIGHLANDS AT OAK PARK
RESIDENTIAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS**



20100927000316150 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
09/27/2010 09:29:23 AM FILED/CERT

THIS AMENDMENT TO THE HIGHLANDS AT OAK PARK RESIDENTIAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (the “Amendment”) is made as of the 30 day of June, 2010 by **Genesis Group LLC**, an Alabama Limited Liability Company (the “Developer”).

WITNESSETH:

WHEREAS, Developer recorded the Highlands at Oak Park Residential Declaration of Covenants, Conditions and Restrictions (the “Declaration”) dated April 17, 2000 and recorded in Instrument # 2000-12656 on April 17, 2000 in the Probate Office of Shelby County, Alabama; and

WHEREAS, Developer under Paragraph 6(a) of the Articles of Incorporation of Oak Park Residential Association, Inc., has the right to amend the Declaration “so long as the Developer owns any Lot or Dwelling in the Development,”

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Article 2.03 Right of Developer to Modify Restrictions with Respect to Lots Owned by Developer: Article 2.03 is deleted in its entirety.
2. Article 2.05 Development of Property: Article 2.05 is deleted in its entirety.
3. Article 2.06 Subdivision Plat: Article 2.06 is deleted in its entirety.
4. Article 4.03 Voting Rights: Article 4.03 is amended by deleting the following language in the first sentence:
“(which, among other things, provide that only Developer, for so long as Developer owns any Lot or Dwelling in the Development, shall be exclusively entitled to take various actions and vote on all matters to be voted on by the members of the Association)”
5. Article 4.02 Board: Sentence 2 and 3 are deleted in their entirety to remove the Developers rights to appoint or remove board members.
6. Article 5.02 Appointment and Removal of ARC Members: Article 5.02(a) is deleted in its entirety to remove the Developers sole and exclusive right to appoint and remove all of the members of the ARC.

7. Article 8.04 Computation of Annual Assessments: Article 8.04(a) is deleted in its entirety and replaced with the following:

“Notwithstanding anything provided to the contrary in this Declaration, the annual Assessment for each Lot and Dwelling in the Development (including any lot or dwelling forming any part of the Additional Property) shall be Three Hundred Fifty and No/100 Dollars (\$350.00) per annum per Lot or Dwelling in the Development. The foregoing shall not limit or restrict any special Assessments levied pursuant to Section 8.05 below or any individual Assessments levied in accordance with the provisions of Section 8.06 below.

8. Article 8.07 Notice of Meetings and Quorum: Article 8.07(a) is amended by deleting the second sentence of that paragraph and replacing it with the following:

“With respect to annual meetings, the presence in person or by proxy of Owners entitled to cast 20% of all the votes of the Association shall constitute a quorum.”

9. Article 10.02 Amendment by Developer: Article 10.02 is deleted in its entirety.

10. Article 12.01 Control by Developer: Article 12.01 is deleted in its entirety.

With the recording of these amendments it is the intention of the developer to relinquish all developer control (notwithstanding general voting rights afforded by lot or dwelling ownership within the development) of the Highlands at Oak Park Residential.

IN WITNESS WHEREOF, Developer has caused this Amendment to the Declaration to be duly executed as of the day and year first above written.

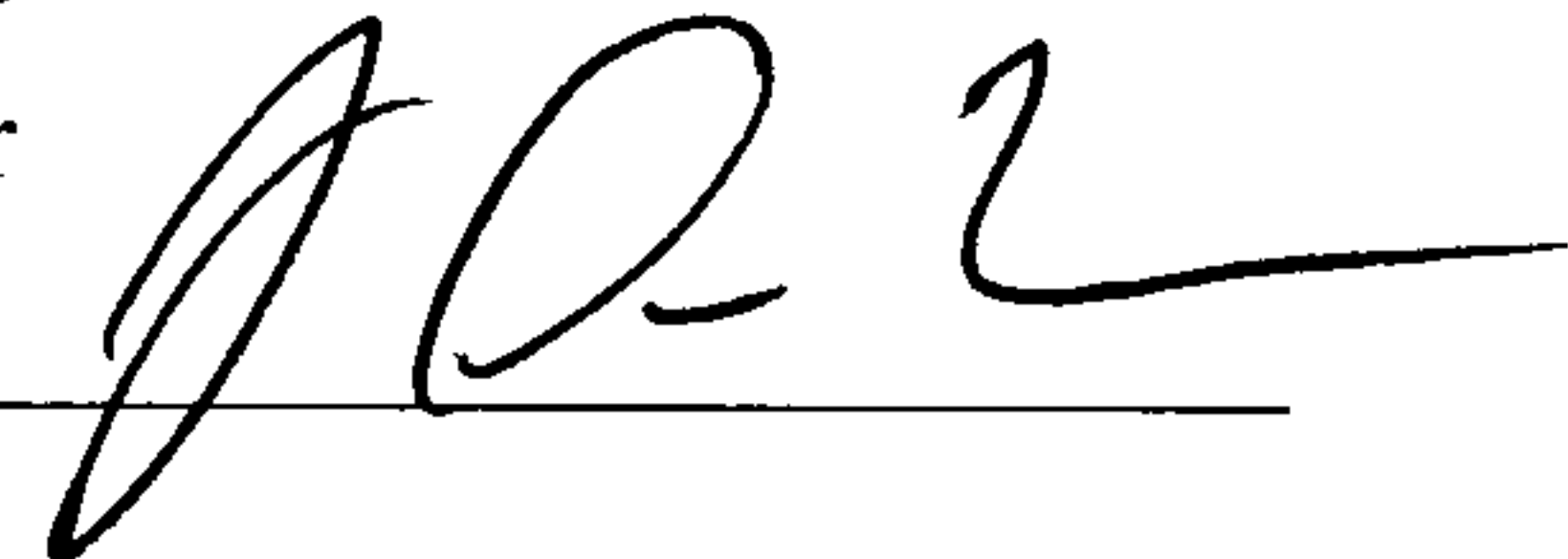
Genesis Group L.L.C.


An Alabama limited liability company

By: Dan Taylor

Its: Member

Signature: _____

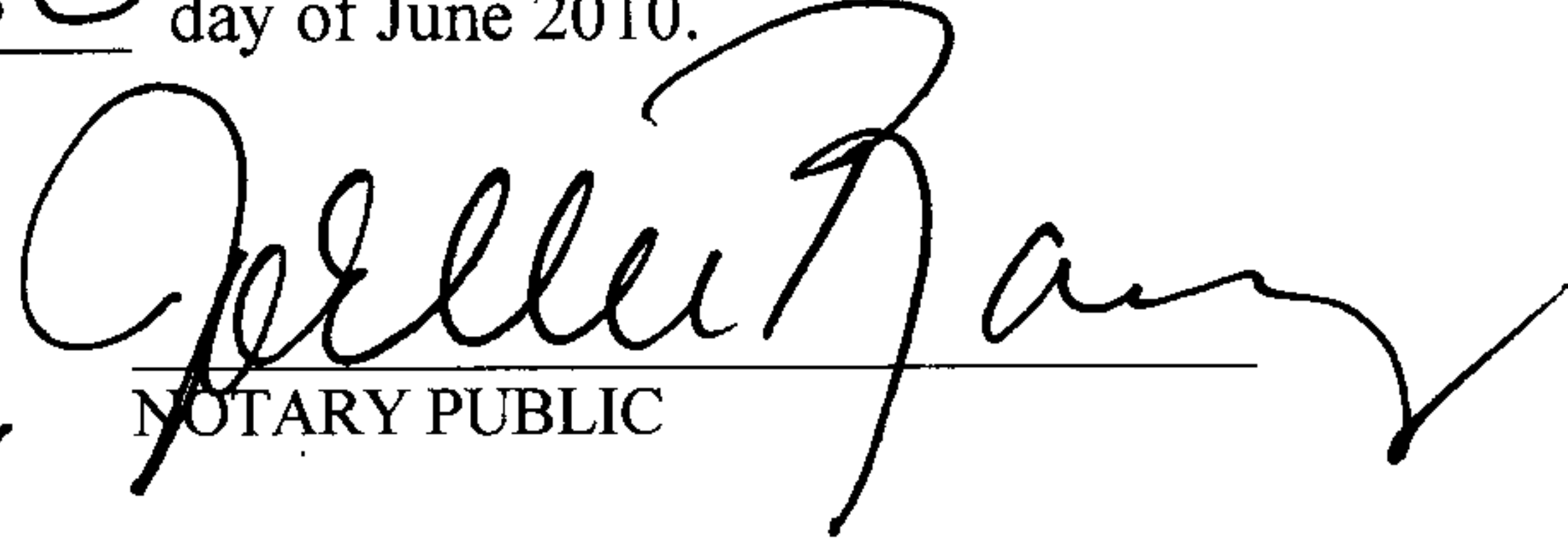



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STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said State and County, hereby certify that **Dan Taylor** of, **Genesis Group L.L.C.** who as such and for and on behalf of said company, acknowledged that he/she signed and delivered the above and foregoing instrument on the day and in the year therein stated as its act and did for the purposes therein mentioned, after first having been duly authorized to do so.

Given under my hand and official seal this 30 day of June 2010.


NOTARY PUBLIC

My Commission Expires: 4-22-2014

This instrument prepared by:
David M. Sigler, SHAPIRO & PICKETT, L.L.P.
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Birmingham, Alabama 35209



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