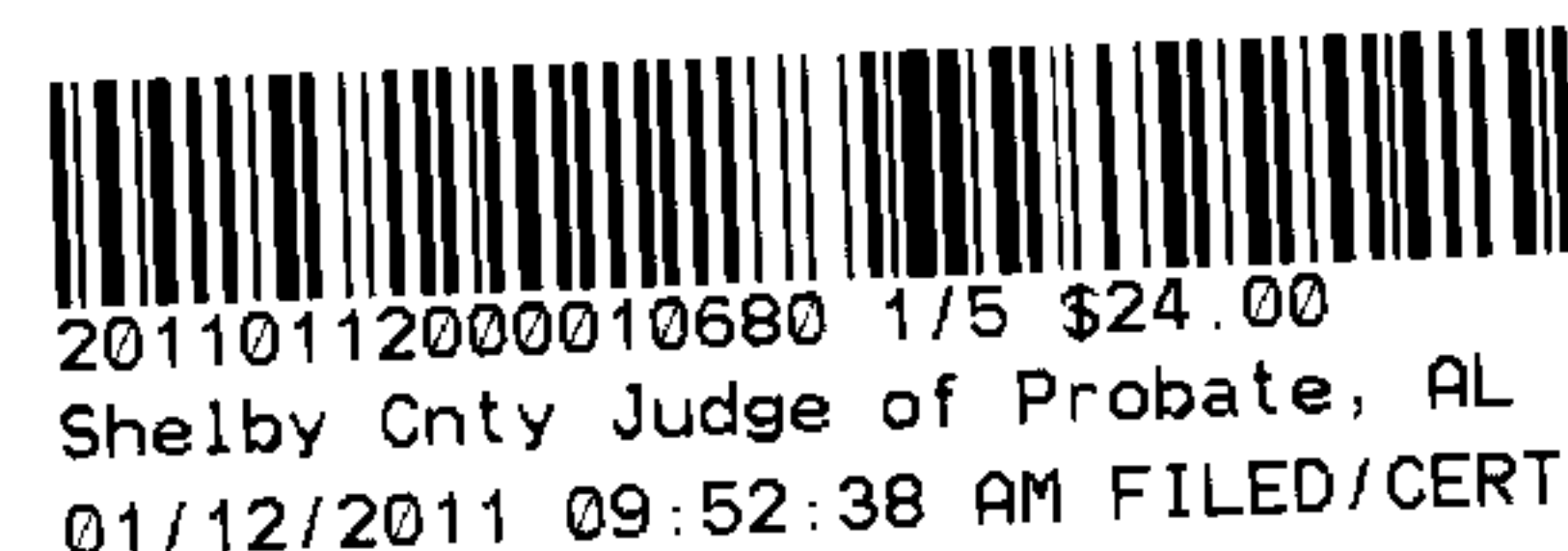


STATE OF ALABAMA       }  
COUNTY OF SHELBY       }



AMENDMENT TO DECLARATION OF  
PROTECTIVE COVENANTS FOR  
**SAVANNAH POINTE**  
**SECTORS IV PHASE I**

KNOW ALL MEN BY THESE PRESENTS THAT,

WHEREAS, Beacon Development, L.L.P., an Alabama Limited Liability Partnership has previously filed a Declaration of Protective Covenants in the Probate Office of Shelby County, Alabama, in Instrument #1999-25577, (the “Original Declaration”) for the benefit of certain real property situated in Shelby County, Alabama, which is part of a residential subdivision known as Savannah Pointe, and which is more particularly described in the Plat of Savannah Pointe, Sector I, Phase I; Sector II, Phase I ; Sector III, Phase I; Sector IV, Phase I, Sector III, Phase II; Sector IV, Phase II; Sector V, Phase I; Sector V; Sector VI; Sector VII; Sector VII; and Sector IX, as respectively recorded in Map Book 25, Page 114, in Map Book 25, Page 115, in Map Book 25, Page 113, Map Book 26, Page 49, Map Book 27, Page 122, Map Book 27, Page 123, Map Book 26, Page 50, Map Book 30, Page 42, Map Book 30, Page 41, Map Book 30, Page 101, Map Book 36, Page 58, and Map Book 37, Page 39-B, all in the Probate Office of Shelby County, Alabama.

WHEREAS, Beacon Development, L.L.P., an Alabama Limited Liability Partnership (hereinafter referred to as “Declarant”) is the owner of Lot 301, according to the Survey of Savannah Pointe, Sector IV, Phase I, as recorded in Map Book 26, Page 49, in the Probate Office of Shelby County, Alabama (the “Subject Property”) situated in Shelby County,

Alabama, which it proposes to change the use of said Lot 301 from being designated as a residential lot used single family purposes exclusively to being designated as a part of the Common Area or Common Areas of Savannah Pointe.

WHEREAS, the Declarant desires to amend the use of the Subject Property from its current designation as a residential lot used for single family purposes exclusively as set out in Article III Section 3.07 to a designation as a part of the Common Area or Common Areas of Savannah Pointe in accordance with and pursuant to the powers granted Declarant in Article XI Section 11.01 of the Original Declaration which reserved the right to the Developer to unilaterally amend the Declaration, with the approval in writing of the Association (as defined in the Original Declaration), and to record such amendment to the Original Declaration by filing an Amendment to the Declaration to that effect in the Office of the Judge of Probate of Shelby County, Alabama;

NOW THEREFORE, the Declarant, together with Savannah Pointe Residential Association, Inc. (the "Association") does, upon the recording hereof, declare and make that the use of the Subject Property is hereby amended and changed from its current use and designation as a residential lot used for single family purposes as set out in Article III Section 3.07 to a designation as a part of the Common Area or Common Areas of Savannah Point as defined in Article I Section 1.02 in accordance with and pursuant to the Original Declaration in Article XI Section 11.01.

#### ARTICLE I


The Declarant hereby reaffirms and restates the terms and provisions of the Original Declaration as recorded in Instrument #1999-25577, and Supplemental Declarations

and amendments thereto as recorded in the Probate Office of Shelby County, Alabama, in their entirety without any change whatsoever, except as follows:

The use of the Subject Property as set out in Article III Section 3.07 is hereby amended to modify the restrictions on the use of said Lot 301 by changing and adding the following: The use of Lot 301, according to the Survey of Savannah Pointe, Sector IV, Phase I, as recorded in Map Book 26, Page 49, in the Probate Office of Shelby County, Alabama (the "Subject Property") situated in Shelby County, Alabama is hereby amended and changed from its current use and designation as a residential lot used for single family purposes as set out in Article III Section 3.07 to a designation as a part of the Common Area or Common Areas of Savannah Point as defined in Article I Section 1.02 in accordance with and pursuant to the Original Declaration in Article XI Section 11.01.

## ARTICLE II

The Association has joined in the execution of this Amendment to Declaration to the Original Declaration for the purpose of evidencing its written approval of the change in use and designation of the Subject Property from that of residential use for single family purposes to being designated as a part of the Common Area or Common Areas as herein provided and does hereby authorize the filing of this Amendment to the Declaration with the Office of the Judge of Probate of Shelby County, Alabama.

  
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Shelby Cnty Judge of Probate, AL  
01/12/2011 09:52:38 AM FILED/CERT



IN WITNESS WHEREOF, the undersigned have caused this Declaration to be  
executed as of the 30 day of December, 2010.

DECLARANT:

Beacon Development, L.L.P.,

an Alabama Limited Liability Partnership

By: 

Its: President

Savannah Pointe Residential Association, Inc.

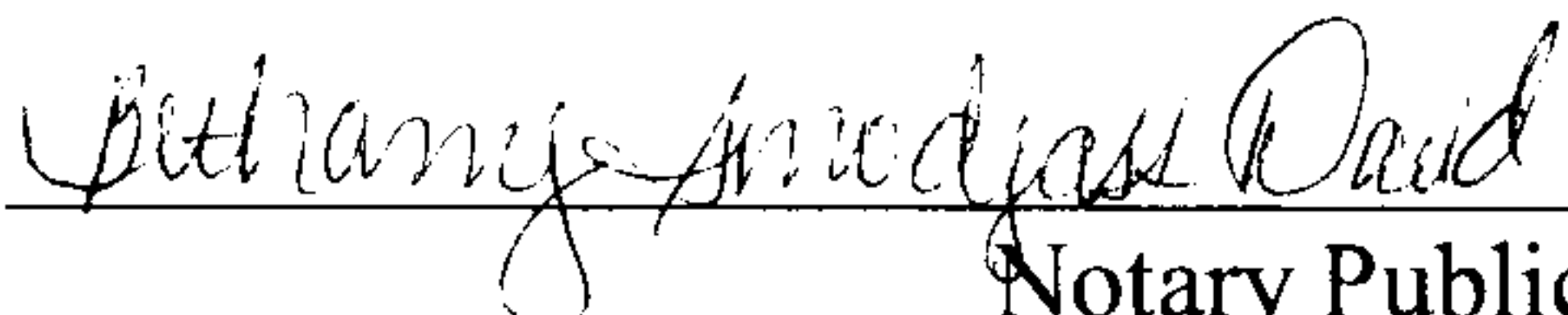
By: 

Its: \_\_\_\_\_

STATE OF ALABAMA}  
COUNTY OF SHELBY}

I, the undersigned, a Notary Public in and for said County in said State, hereby  
certify that R. David Bonamy, whose name as managing member of  
Beacon Development, L.L.P., an Alabama Limited Liability Partnership, is signed to the  
foregoing Amendment to Declaration of Protective Covenants, and who is known to me,  
acknowledged before me on this day that, being informed of the contents of the above and  
foregoing Amendment to Declaration of Protective Covenants, he, as such \_\_\_\_\_  
and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal of office this 30 day of December, 2010.

  
Notary Public

My Commission Expires: February 8, 2014

STATE OF ALABAMA}  
COUNTY OF SHELBY}

I, the undersigned, a Notary Public in and for said County in said State hereby certify that R. David Benaim, whose name as managing member of Savannah Pointe Residential Association, Inc., an Alabama nonprofit corporation, is signed to the foregoing Amendment to Declaration of Protective Covenants, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Amendment to Declaration of Protective Covenants, he as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal of office this 30 day of December, 2010.

Bethany Meadows Dand  
Notary Public

My Commission Expires: February 8, 2014



This Instrument Prepared By:  
Clayton T. Sweeney  
Attorney At Law  
2700 Highway 280 East Suite 160  
Birmingham, Alabama 35242