


**FOURTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM
OF
BEAUMONT VILLAGE LAND CONDOMINIUM**


20110527000157170 1/13 \$48.00
Shelby Cnty Judge of Probate, AL
05/27/2011 09:30:10 AM FILED/CERT

Dated: May ___, 2011

This instrument prepared by:
Carol H. Stewart
Melinda E. Sellers
Burr & Forman LLP
3400 Wells Fargo Tower
420 North 20th Street
Birmingham, Alabama 35203
(205) 251-3000

**FOURTH AMENDMENT
TO
DECLARATION
OF CONDOMINIUM OF
BEAUMONT VILLAGE LAND CONDOMINIUM**

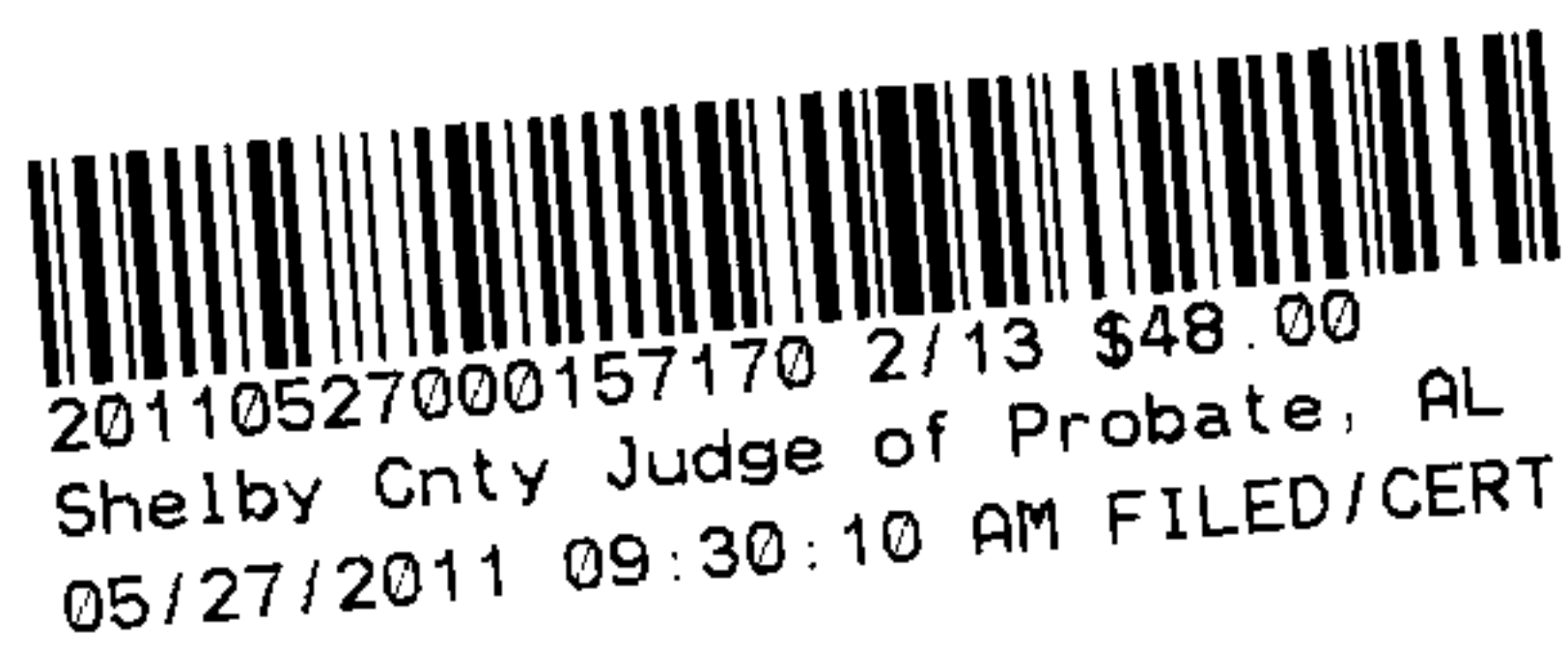
**STATE OF ALABAMA)
SHELBY COUNTY)**

THIS FOURTH AMENDMENT to the Declaration of Condominium of Beaumont Village Land Condominium is made this 26 day of May 2011 by **BEAUMONT VILLAGE, LLC**, an Alabama limited liability company (the "Developer"), for the purpose of amending the Declaration of Condominium of Beaumont Village Condominium recorded in the Office of the Judge of Probate of Shelby County, Alabama, at Instrument Number 20071126000537510 on November 26, 2007 as amended by the First Amendment To Declaration of Beaumont Village Land Condominium recorded in the Office of the Judge of Probate of Shelby County, Alabama on March 28, 2008 at Instrument Number 20080328000, and further amended by the Second Amendment to Declaration of Beaumont Village Land Condominium recorded in the Office of the Judge of Probate of Shelby County, Alabama on June 12, 2009 at Instrument Number 20090612000225330, and further amended by the Third Amendment to Declaration of Beaumont Village Land Condominium recorded in the Office of the Judge of Probate of Shelby County, Alabama on September 2, 2010 at Instrument Number 20100902000283380 (the "Declaration"), and reflecting the amendment of the Plan as recorded in Map Book 39 Page 65 on November 26, 2007 in the Office of the Judge of Probate of Shelby County, Alabama and amended by First Amended Condominium Plat of Beaumont Village Land Condominium as recorded in Map Book 38, Page 128 in the Office of the Judge of Probate of Shelby County, Alabama as further amended by Second Amended Condominium Plat of Beaumont Village Land Condominium recorded in Map Book 41, Page 32 in the Office of the Judge of Probate of Shelby County, Alabama, and further amended by Third Amended Condominium Plat of Beaumont Village Land Condominium recorded in Map Book 42, Page 7, and as further amended by Fourth Amended Condominium Plat of Beaumont Village Land Condominium recorded in Map Book 42, Page 76 (the "Plan").

WITNESSETH

WHEREAS, the Declaration and Plan were filed for the purpose of establishing a plan of condominium ownership for certain real property situated in Shelby County, Alabama;

WHEREAS, the Developer desires to amend the Declaration pursuant to Article III, Section 3.02 of the Declaration to withdraw one (1) Unit and certain Common Elements from the Condominium in the location as shown on the amended Plan recorded in the Office of the Judge of Probate of Shelby County, Alabama in Map Book 38 Page 121, a copy of which is attached hereto as Exhibit "A;"



WHEREAS, the Developer desires to amend and restate Exhibit "D" attached to the Declaration to adjust the Common Element ownership interests, the Common Expense liability and the votes as shown on Exhibit "B" attached hereto; and

WHEREAS, the Developer desires to amend and restate the legal description attached to the Declaration as Exhibit "A" as shown on Exhibit "C" attached hereto.

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

1. The Developer, pursuant to Article III, Section 3.02 of the Declaration, does hereby amend the Declaration to withdraw one (1) Unit and certain Common Elements from the Condominium in the location as shown on Parcel 4 on the amended Plan recorded in the Office of the Judge of Probate of Shelby County, Alabama in Map Book 38 Page 121, a copy of which is attached hereto as Exhibit "A" and legally described in Exhibit "D."

2. The Developer does hereby amend and restate Exhibit "D" attached to the Declaration to re-allocate the Common Element ownership interests, Common Expense liability and votes as set forth on Exhibit "B" attached hereto.

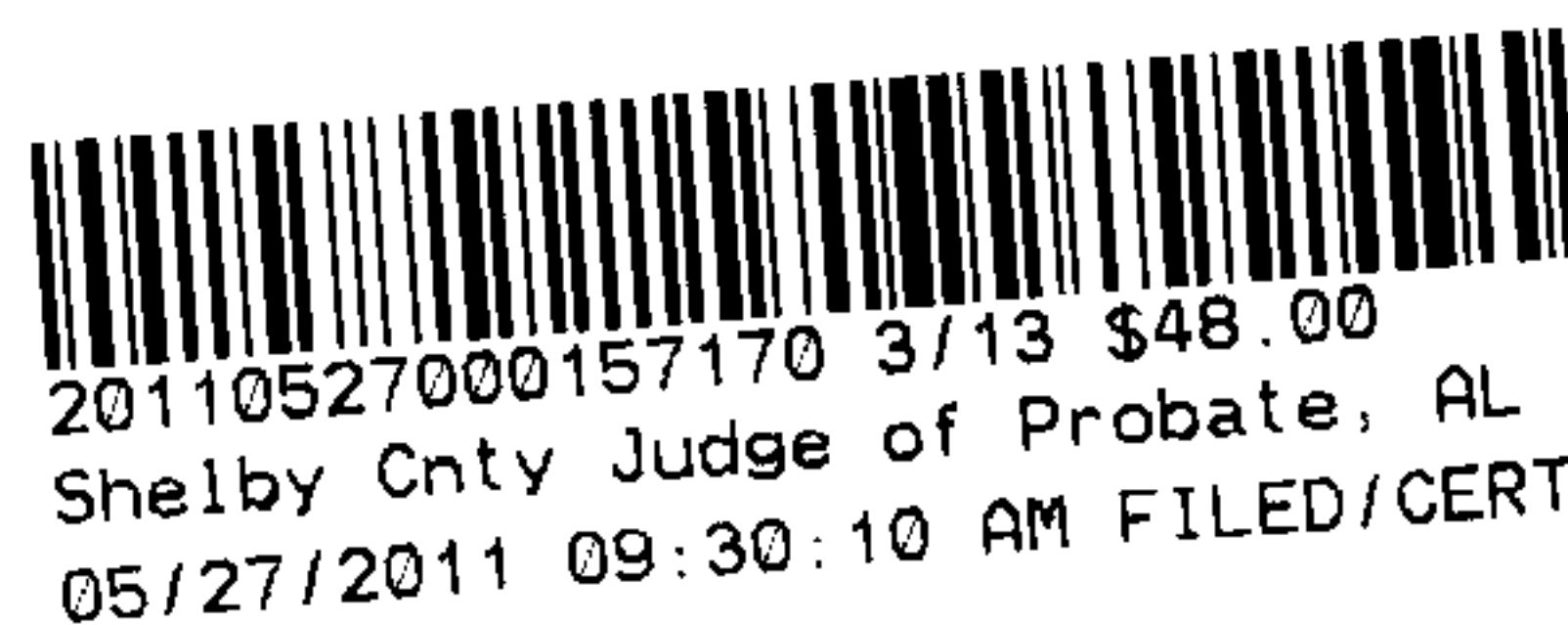
3. The Developer does hereby amend and restate the legal description attached to the Declaration as Exhibit "A" as shown on Exhibit "C" attached hereto.

4. It is the intention of the Developer that the provisions of this Fourth 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.

5. This Fourth 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 purposes 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.

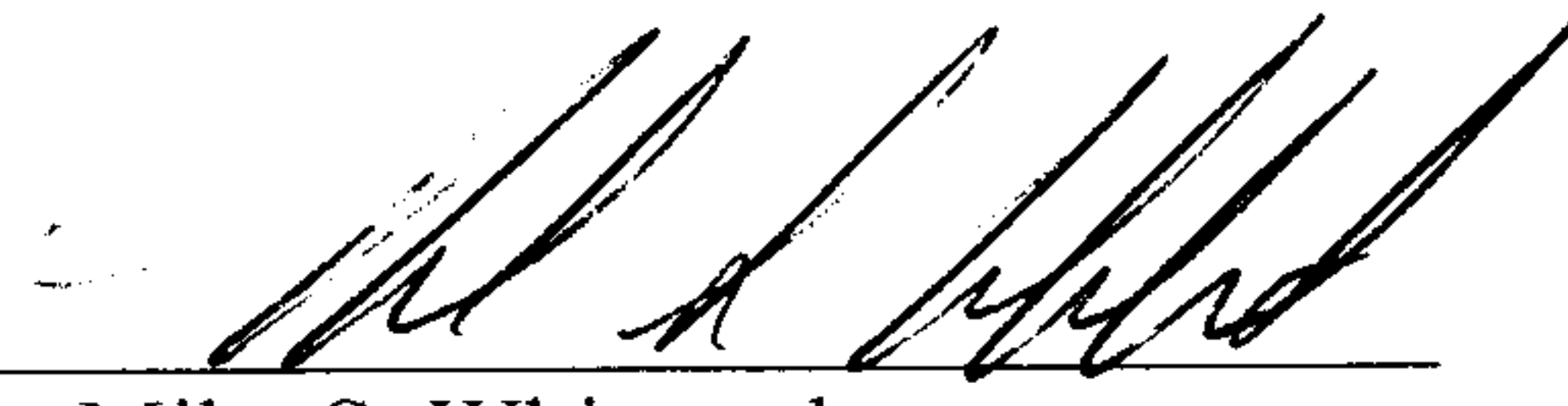
6. Capitalized terms as used herein shall have the same meaning as they are defined in the Declaration, unless the context clearly indicates a different meaning therefore.

[Remainder of Page Intentionally Left Blank]



IN WITNESS WHEREOF, the Developer and the Mortgagee have executed this Fourth Amendment to Declaration on this 26 day of May, 2011.

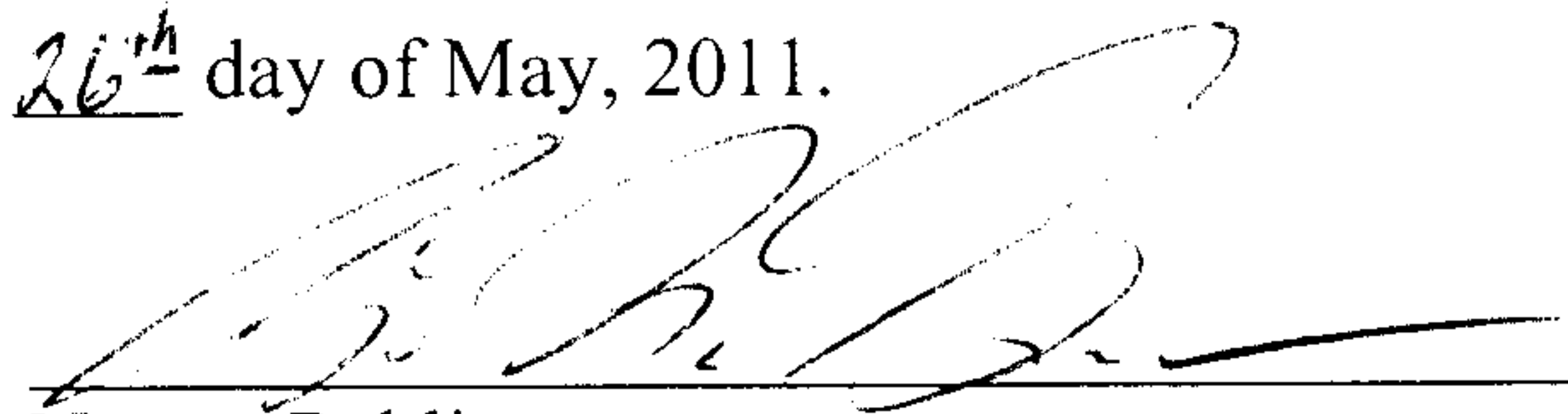
BEAUMONT VILLAGE, LLC, an
Alabama limited liability company


By: Mike S. Whitcomb
Its Manager

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Christopher M. Greene, a Notary Public in and for said County in said State, hereby certify that Mike S. Whitcomb, as Manager of **BEAUMONT VILLAGE, LLC**, an Alabama limited liability company, is signed to the foregoing Fourth Amendment to Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Fourth Amendment to Declaration, he, in his capacity as such duly authorized Manager, executed the same voluntarily on the day the same bears date.


Given under my hand and seal of office this 26th day of May, 2011.


Notary Public

[NOTARIAL SEAL]

My commission expires: 8-26-14

CHRISTOPHER MORRIS GREENE
NOTARY PUBLIC
ALABAMA STATE AT LARGE
MY COMMISSION EXPIRES 8-26-14


20110527000157170 4/13 \$48.00
Shelby Cnty Judge of Probate, AL
05/27/2011 09:30:10 AM FILED/CERT

The undersigned, as *Mortgagee* under the Mortgage encumbering the real property identified in the foregoing Fourth Amendment to Declaration, joins in the execution of the foregoing Fourth Amendment to Declaration, for the sole purpose of consenting to the recording of the Fourth 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 Fourth Amendment to Declaration, and the execution hereof does not in any way subordinate or make the said Mortgage inferior to the said Fourth Amendment to Declaration.

CITIZENS TRUST BANK

Harry D. Williams
By: Harry D. Williams
Its: Vice President

STATE OF ALABAMA)
Jefferson COUNTY)

I, TAWANDA HEARD, a Notary Public in and for said County in said State, hereby certify that HARRY WILLIAMS, whose name as VICE PRESIDENT of Citizens Trust Bank is signed to the foregoing Fourth Amendment to Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Fourth Amendment to Declaration, he, as such officer, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal of office this 26th day of May 2011.

Tawanda Heard
Notary Public

[NOTARIAL SEAL]


My commission expires: 4/22/12



20110527000157170 5/13 \$48.00
Shelby Cnty Judge of Probate, AL
05/27/2011 09:30:10 AM FILED/CERT

EXHIBIT "A"

FOURTH AMENDED CONDOMINIUM PLAT OF BEAUMONT VILLAGE LAND CONDOMINIUM


20110527000157170 6/13 \$48.00
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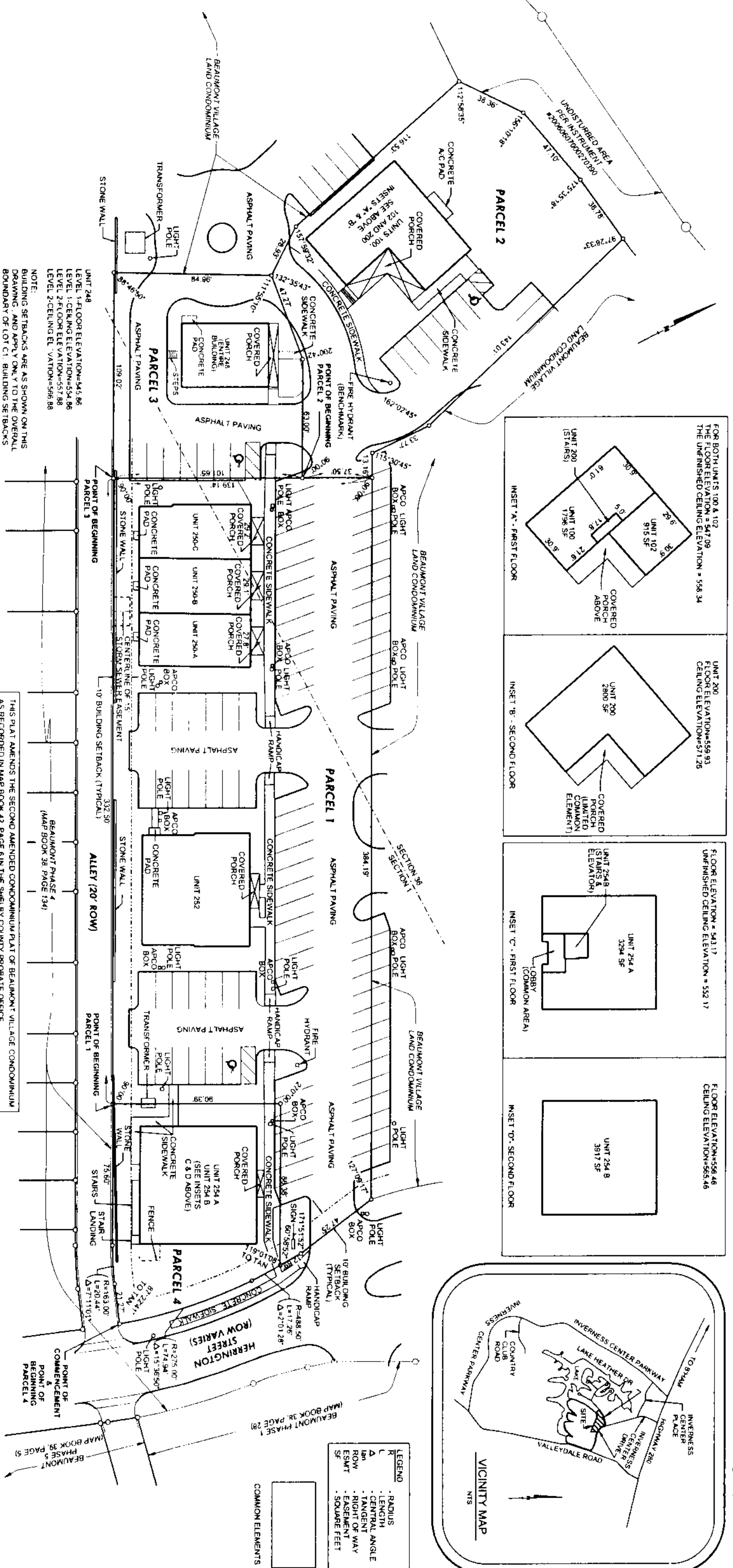
Notes:
All portions of the site outside of the units are common elements.
All portions of the site are subject to development rights.
The City of Hoover is not responsible for the costs of damage within the site.
The Beaumont Village Association, Inc. is responsible for all improvements.
This project was formerly known as Inverness 31A.
The site benchmark is the top of the first hydrant bore closest to Unit 100
at Elevation 547.60.

LEGAL DESCRIPTION OF CONDOMINIUM

Parcel 1
According to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, being situated in the SW 1/4 of Section 36, Township 18 South, Range 2 West, and the NW 1/4 of Section 36, Township 18 South, Range 2 West, and the NW 1/4 of Section 19, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:
Commence at the Southeast corner of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, said point being the Northwest corner of the intersection of Herndon Street and said Northern right-of-way of said Lot C1, and run in a Northwesterly direction a distance of 21.27 feet to the beginning of a curve to the right having a radius of 163.00 feet and a central angle of 71.101°. There continue along said Southern boundary and said Northern right-of-way in a Northwesterly direction along the arc of said curve a distance of 20.44 feet, then run in a Northwesterly direction a distance of 30.39 feet to the right and run in a Northwesterly direction a distance of 90.39 feet, then run 90.00° to the right and run in a Northwesterly direction a distance of 86.36 feet to a point on the Eastern boundary of said Lot C1 and the Western right-of-way of said Herndon Street, then run 113.07°08" to the West and run in a Northwesterly direction a distance of 12.85 feet, then run 87.898° to the West and run in a Northwesterly direction along said Eastern boundary and said Western right-of-way a distance of 47.52 feet, then leaving said Eastern boundary and said Western right-of-way, turn 52°50'47" to the left and run in a Northwesterly direction a distance of 36.19 feet, then run 90.00° to the left and run in a Southwesterly direction a distance of 10.65 feet to the Point of Beginning, then leave said Southern boundary and said Northern right-of-way of said Lot C1 and run in a Southwesterly direction along said Southern boundary and said Northern right-of-way a distance of 332.50 feet to the Point of Beginning.

Parcel 2
A part of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, being situated in the SW 1/4 of Section 36, Township 18 South, Range 2 West, and the NW 1/4 of Section 36, Township 18 South, Range 2 West, and the NW 1/4 of Section 19, Township 19 South, Range 2 West, Shelby County, Alabama, Commence at the Southeast corner of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, said point being the Northwest corner of the intersection of Herndon Street and said Northern right-of-way of said Lot C1, and run in a Northwesterly direction a distance of 21.27 feet to the beginning of a curve to the right having a radius of 163.00 feet and a central angle of 71.101°. There continue along said Southern boundary and said Northern right-of-way in a Northwesterly direction along the arc of said curve a distance of 20.44 feet, then run in a Northwesterly direction a distance of 30.39 feet to the right and run in a Northwesterly direction a distance of 90.39 feet, then run 90.00° to the right and run in a Northwesterly direction a distance of 86.36 feet to a point on the Eastern boundary of said Lot C1 and the Western right-of-way of said Herndon Street, then run 113.07°08" to the West and run in a Northwesterly direction a distance of 12.85 feet, then run 87.898° to the West and run in a Northwesterly direction along said Eastern boundary and said Western right-of-way a distance of 47.52 feet, then leaving said Eastern boundary and said Western right-of-way, turn 52°50'47" to the left and run in a Northwesterly direction a distance of 36.19 feet, then run 90.00° to the left and run in a Southwesterly direction a distance of 10.65 feet to the Point of Beginning, then leave said Southern boundary and said Northern right-of-way of said Lot C1 and run in a Southwesterly direction along said Southern boundary and said Northern right-of-way a distance of 332.50 feet to the Point of Beginning.

Legal Description
A part of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, being situated in the SW 1/4 of Section 36, Township 18 South, Range 2 West, and the NW 1/4 of Section 19, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows: Commence at the Southeast corner of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, said point being the Northwest corner of the intersection of Herndon Street and said Northern right-of-way of said Lot C1, and run in a Northwesterly direction a distance of 21.27 feet to the beginning of a curve to the right having a radius of 163.00 feet and a central angle of 71.101°. There continue along said Southern boundary and said Northern right-of-way in a Northwesterly direction along the arc of said curve a distance of 20.44 feet, then run in a Northwesterly direction a distance of 30.39 feet to the right and run in a Northwesterly direction a distance of 90.39 feet, then run 90.00° to the right and run in a Northwesterly direction a distance of 86.36 feet to a point on the Eastern boundary of said Lot C1 and the Western right-of-way of said Herndon Street, then run 113.07°08" to the West and run in a Northwesterly direction a distance of 12.85 feet, then run 87.898° to the West and run in a Northwesterly direction along said Eastern boundary and said Western right-of-way a distance of 47.52 feet, then leaving said Eastern boundary and said Western right-of-way, turn 52°50'47" to the left and run in a Northwesterly direction a distance of 36.19 feet, then run 90.00° to the left and run in a Southwesterly direction a distance of 10.65 feet to the Point of Beginning, then leave said Southern boundary and said Northern right-of-way of said Lot C1 and run in a Southwesterly direction along said Southern boundary and said Northern right-of-way a distance of 332.50 feet to the Point of Beginning.



NOTE: SETBACKS ARE AS SHOWN ON THIS DRAWING, AND APPLY ONLY TO THE GENERAL BOUNDARY OF LOT C1. BUILDING SETBACKS DO NOT APPLY TO PARCELS 1-3 SHOWN ON THIS DRAWING.

THIRD AMENDED CONDOMINIUM PLAT OF BEAUMONT VILLAGE CONDOMINIUM

Being a part of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, and being situated in the SW 1/4 of Section 36, Township 18 South, Range 2 West, and the NW 1/4 of Section 19, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows: Commence at the Southeast corner of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, said point being the Northwest corner of the intersection of Herndon Street and said Northern right-of-way of said Lot C1, and run in a Northwesterly direction a distance of 21.27 feet to the beginning of a curve to the right having a radius of 163.00 feet and a central angle of 71.101°. There continue along said Southern boundary and said Northern right-of-way in a Northwesterly direction along the arc of said curve a distance of 20.44 feet, then run in a Northwesterly direction a distance of 30.39 feet to the right and run in a Northwesterly direction a distance of 90.39 feet, then run 90.00° to the right and run in a Northwesterly direction a distance of 86.36 feet to a point on the Eastern boundary of said Lot C1 and the Western right-of-way of said Herndon Street, then run 113.07°08" to the West and run in a Northwesterly direction a distance of 12.85 feet, then run 87.898° to the West and run in a Northwesterly direction along said Eastern boundary and said Western right-of-way a distance of 47.52 feet, then leaving said Eastern boundary and said Western right-of-way, turn 52°50'47" to the left and run in a Northwesterly direction a distance of 36.19 feet, then run 90.00° to the left and run in a Southwesterly direction a distance of 10.65 feet to the Point of Beginning, then leave said Southern boundary and said Northern right-of-way of said Lot C1 and run in a Southwesterly direction along said Southern boundary and said Northern right-of-way a distance of 332.50 feet to the Point of Beginning.

Given under my hand and seal this _____ day of _____, 2011.

Notary Public: _____

My Commission Expires: _____

Notary Public: _____

My Commission Expires: _____

Notary Public: _____

My Commission Expires: _____

Being a part of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, and being situated in the SW 1/4 of Section 36, Township 18 South, Range 2 West, and the NW 1/4 of Section 19, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows: Commence at the Southeast corner of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, said point being the Northwest corner of the intersection of Herndon Street and said Northern right-of-way of said Lot C1, and run in a Northwesterly direction a distance of 21.27 feet to the beginning of a curve to the right having a radius of 163.00 feet and a central angle of 71.101°. There continue along said Southern boundary and said Northern right-of-way in a Northwesterly direction along the arc of said curve a distance of 20.44 feet, then run in a Northwesterly direction a distance of 30.39 feet to the right and run in a Northwesterly direction a distance of 90.39 feet, then run 90.00° to the right and run in a Northwesterly direction a distance of 86.36 feet to a point on the Eastern boundary of said Lot C1 and the Western right-of-way of said Herndon Street, then run 113.07°08" to the West and run in a Northwesterly direction a distance of 12.85 feet, then run 87.898° to the West and run in a Northwesterly direction along said Eastern boundary and said Western right-of-way a distance of 47.52 feet, then leaving said Eastern boundary and said Western right-of-way, turn 52°50'47" to the left and run in a Northwesterly direction a distance of 36.19 feet, then run 90.00° to the left and run in a Southwesterly direction a distance of 10.65 feet to the Point of Beginning, then leave said Southern boundary and said Northern right-of-way of said Lot C1 and run in a Southwesterly direction along said Southern boundary and said Northern right-of-way a distance of 332.50 feet to the Point of Beginning.

Given under my hand and seal this _____ day of _____, 2011.

Notary Public: _____

My Commission Expires: _____

Notary Public: _____

My Commission Expires: _____

Notary Public: _____

My Commission Expires: _____



Printed name: Robert W. Easley, IV
Registered Land Surveyor
Registration Number: 1839 Alabama
I hereby state that all parts of the foregoing drawing were prepared by me or under my direct supervision and that I am a duly licensed and registered land surveyor for the State of Alabama and that I am the best qualified person to prepare this drawing.

20110527000157170 8/13 \$48.00
Shelby Cnty Judge of Probate, AL
05/27/2011 09:30:10 AM FILED/CERT

EXHIBIT "B"

ALLOCATED INTERESTS

UNIT #	% OF OWNERSHIP OF COMMON ELEMENTS ALLOCATED INTEREST	VOTE
A	40.16%	2
B	45.07%	2
D	14.77%	1
TOTAL	<u>100.00%</u>	<u>5</u>



20110527000157170 9/13 \$48.00
Shelby Cnty Judge of Probate, AL
05/27/2011 09:30:10 AM FILED/CERT

EXHIBIT "C"

EXHIBIT "A" to Declaration of Condominium of Beaumont Village **Land Condominium**

LEGAL DESCRIPTION

Legal Description:

Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, being situated in the SW 1/4 of Section 36, Township 18 South, Range 2 West, and the NW 1/4 of Section 1, Township 19 South, Range 2 West, Shelby County, Alabama,

LESS AND EXCEPT the following four parcels:

Parcel 1:

Commence at the Southeast corner of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, said point being the Northwest common corner of the intersection of Herrington Street and a un-named alley; thence run along the Southerly boundary of said Lot C1 and the Northerly right-of-way of said un-named alley in a Northwesterly direction a distance of 21.27 feet to the beginning of a curve to the right having a radius of 136.00 feet and a central angle of 7°11'01"; thence continue along said Southerly boundary and said Northerly right-of-way in a Northwesterly direction along the arc of said curve a distance of 20.44 feet; thence run in a Northwesterly direction along said Southerly boundary and said Northerly right-of-way a distance of 75.60 feet to the Point of Beginning; thence leaving said Southerly boundary and said Northerly right-of-way, turn 90°00' to the right and run in a Northeasterly direction a distance of 90.39 feet; thence turn 90°00' to the right and run in a Southeasterly direction a distance of 86.38 feet to a point on the Easterly boundary of said Lot C1 and the Westerly right-of-way of said Herrington Street; thence turn 119°01'08" to the left and run in a Northwesterly direction along said Easterly boundary and said Westerly right-of-way a distance of 12.69 feet; thence turn 8°08'08" to the left and run in a Northwesterly direction along said Easterly boundary and said Westerly right-of-way a distance of 47.52 feet; thence leaving said Easterly boundary and said Westerly right-of-way turn 52°50'43" to the left and run in a Northwesterly direction a distance of 384.19 feet; thence turn 90°00' to the left and run in a Southwesterly direction a distance of 139.14 feet to a point on the Southerly boundary of said Lot C1 and the Northerly right-of-way of said un-named alley; thence turn 90°00' to the left and run in a Southeasterly direction along said Southerly boundary and said Northerly right-of-way a distance of 332.50 feet to the Point of Beginning.

Parcel 2:

Legal Description:

A part of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map

Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, being situated in the SW1/4 of Section 36, Township 18 South, Range 2 West, and the NW1/4 of Section 1, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

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Parcel 3:

Legal Description:

A part of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, being situated in the SW1/4 of Section 36, Township 18 South, Range 2 West, and the NW1/4 of Section 1, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Southeast corner of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, said point being the Northwest common corner of the intersection of Herrington Street and a un-named alley; thence run along the Southerly boundary of said Lot C1 and the Northerly right-of-way of said un-named alley in a Northwesterly direction a distance of 21.27 feet to the beginning of a curve to the right

having a radius of 136.00 feet and a central angle of $7^{\circ}11'01''$; thence continue along said Southerly boundary and said Northerly right-of-way in a Northwesterly direction along the arc of said curve a distance of 20.44 feet; thence run in a Northwesterly direction along said Southerly boundary and said Northerly right-of-way a distance of 75.60 feet; thence continue on said described course in a Northwesterly direction along said Southerly boundary and said Northerly right-of-way a distance of 332.50 feet to the Point of Beginning; thence leaving said Southerly boundary and said Northerly right-of-way, turn $90^{\circ}00'$ to the right and run in a Northeasterly direction a distance of 101.65 feet; thence turn $90^{\circ}00'$ to the left and run in a Northwesterly direction a distance of 63.00 feet; thence turn $20^{\circ}42'00''$ to the left and run in a Westerly direction a distance of 47.27 feet; thence turn $68^{\circ}04'50''$ to the left and run in a Southwesterly direction a distance of 84.96 feet; ; thence turn $91^{\circ}13'10''$ to the left and run in a Southeasterly direction along the Southerly boundary of said Lot C1 and the Northerly right-of-way of said un-named alley a distance of 109.02 feet to the Point of Beginning.

Parcel 4:

Legal Description:

A part of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, being situated in the NW1/4 of Section 1, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows: BEGIN at the Southeast corner of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, said point being the Northwest common corner of the intersection of Herrington Street and a un-named alley; thence run along the Southerly boundary of said Lot C1 and the Northerly right-of-way of said un-named alley in a Northwesterly direction a distance of 21.27 feet to a curve to the right having a radius of 163.00 feet and a central angle of $7^{\circ}11'01''$; thence continue along said Southerly boundary and said Northerly right-of-way in a Northwesterly direction along the arc of said curve for a distance of 20.44 feet; thence run in a Northwesterly direction along said Southerly boundary and said Northerly right-of-way for a distance of 75.60 feet; thence turn an interior angle to the left of $90^{\circ}00'00''$ and leaving said right-of-way run in a northeasterly direction for a distance of 90.39 feet; thence turn an interior angle to the left $90^{\circ}00'00''$ and run in a southeasterly direction for a distance of 86.38 to the westerly right-of-way line of Herrington Street (right-of-way width varies) and to a nontangent curve to the right having a central angle of $02^{\circ}01'28''$ and a radius of 488.50 feet; thence turn an interior angle to the left of $119^{\circ}01'08''$, as measured to the tangent of said curve, and run in a southerly direction along said right-of-way line and along the arc of said curve for a distance of 17.26 feet to a nontangent curve to the right having a central angle of $15^{\circ}36'50''$ and a radius of 275.00 feet, the tangent to said curve forming an interior angle to left of $178^{\circ}25'29''$ as measured from the tangent of the previous curve; thence run in a southerly direction along said right-of-way line and along the arc of said curve for a distance of 74.94 feet to the POINT OF BEGINNING.



20110527000157170 12/13 \$48.00
Shelby Cnty Judge of Probate, AL
05/27/2011 09:30:10 AM FILED/CERT

EXHIBIT "D"

LAND WITHDRAWN BY THIS FOURTH AMENDMENT

Parcel 4:

Legal Description:

A part of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, being situated in the NW1/4 of Section 1, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows: BEGIN at the Southeast corner of Lot C1 according to the survey of Beaumont Phase 3 as recorded in Map Book 38, Page 121, in the office of the Probate Judge of Shelby County, Alabama, said point being the Northwest common corner of the intersection of Herrington Street and a un-named alley; thence run along the Southerly boundary of said Lot C1 and the Northerly right-of-way of said un-named alley in a Northwesterly direction a distance of 21.27 feet to a curve to the right having a radius of 163.00 feet and a central angle of $7^{\circ}11'01''$; thence continue along said Southerly boundary and said Northerly right-of-way in a Northwesterly direction along the arc of said curve for a distance of 20.44 feet; thence run in a Northwesterly direction along said Southerly boundary and said Northerly right-of-way for a distance of 75.60 feet; thence turn an interior angle to the left of $90^{\circ}00'00''$ and leaving said right-of-way run in a northeasterly direction for a distance of 90.39 feet; thence turn an interior angle to the left $90^{\circ}00'00''$ and run in a southeasterly direction for a distance of 86.38 to the westerly right-of-way line of Herrington Street (right-of-way width varies) and to a nontangent curve to the right having a central angle of $02^{\circ}01'28''$ and a radius of 488.50 feet; thence turn an interior angle to the left of $119^{\circ}01'08''$, as measured to the tangent of said curve, and run in a southerly direction along said right-of-way line and along the arc of said curve for a distance of 17.26 feet to a nontangent curve to the right having a central angle of $15^{\circ}36'50''$ and a radius of 275.00 feet, the tangent to said curve forming an interior angle to left of $178^{\circ}25'29''$ as measured from the tangent of the previous curve; thence run in a southerly direction along said right-of-way line and along the arc of said curve for a distance of 74.94 feet to the POINT OF BEGINNING.

