
20110902000260780 1/19 \$71.00
Shelby Cnty Judge of Probate, AL
09/02/2011 01:31:47 PM FILED/CERT

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

Dated September 2nd, 2011

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

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

**STATE OF ALABAMA)
SHELBY COUNTY)**

THIS SEVENTH AMENDMENT to the Declaration of Condominium of The Lofts at Edenton, a Condominium ("Seventh Amendment") is made this _____ day of September 2011, 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, as amended by the First Amendment to 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 March 30, 2010, in Instrument 201000330000095330, as further amended by the Second Amendment to 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 April 23, 2010, in Instrument 20100423000123550, as further amended by the Third Amendment to 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 June 16, 2010, in Instrument 20100616000191940, as further amended by the Fourth Amendment to 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 October 15, 2010, in Instrument 20101015000344930, as further amended by the Fifth Amendment to 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 March 4, 2011, in Instrument 20110304000073710, and as further amended by the Sixth Amendment to 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 April 26, 2011, in Instrument 20110426000126440 (the "Declaration").

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 further amend the Declaration to add one building containing fifteen (15) Additional Units and certain associated Common Elements and Limited Common Elements to the Condominium; the Condominium containing a total of one hundred (100) Units after adding the Additional Units as set forth below;

WHEREAS, the Developer, pursuant to Article XII, Section 12.1(b) of the Declaration, desires to amend and restate Article II, Section 2.1 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 further 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 recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 42, Pages 102A through 102H ; 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 reallocate 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 fifteen(15) Additional Units and certain associated Common Elements and Limited Common Elements to the Condominium; the Condominium containing a total of one hundred (100) Units after adding the Additional Units.
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 consists of eighty-five (85) 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 one hundred (100) 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 7th Amended Plat to add certain pages to the Plat as shown on Exhibit "A," and as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 42, Pages 102 A through 102 H, which shows the location of one building containing fifteen (15) Additional Units and certain associated Common Elements and Limited Common Elements, 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 its relative locations and approximate dimensions for a total of one hundred (100) Units in the Condominium after adding the Additional Units.

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 Seventh 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 Seventh Amendment to Declaration shall be liberally construed to effectuate its purpose of adding one building containing fifteen (15) Additional Units and certain associated Common Elements and Limited Common Elements to the Condominium, to reflect an amendment of the Plat to show the Additional Units, 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 Seventh 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 as stated above. Except for the aforesaid, the terms and conditions of the Declaration, as amended, 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 Seventh Amendment to Declaration on this 2nd day of September 2011.

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 Seventh 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 Seventh 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 2nd day of September 2011.


Notary Public

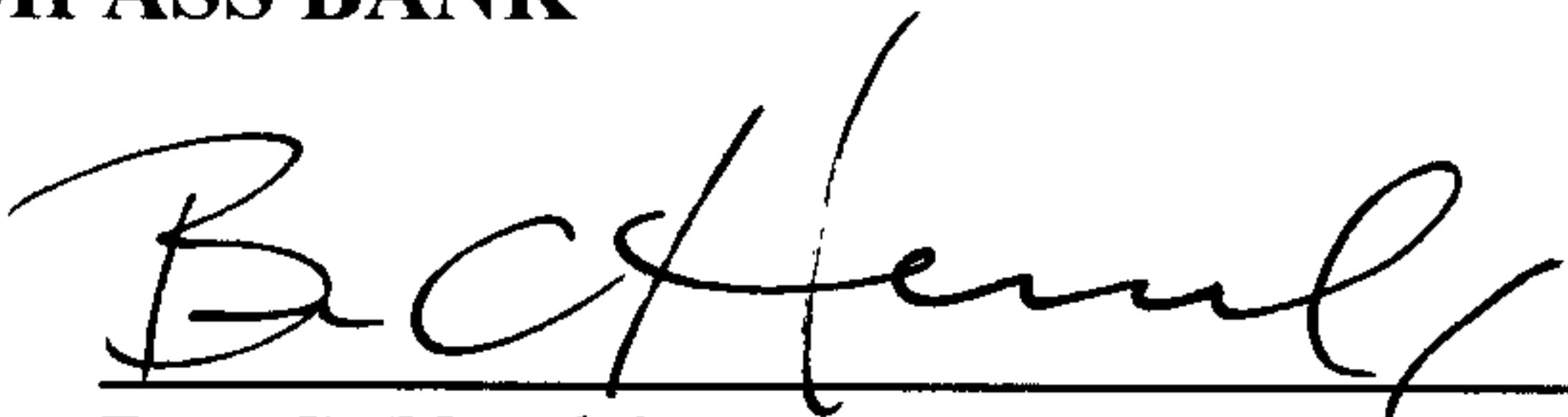
[NOTARY SEAL]

My Commission Expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Nov 30, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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

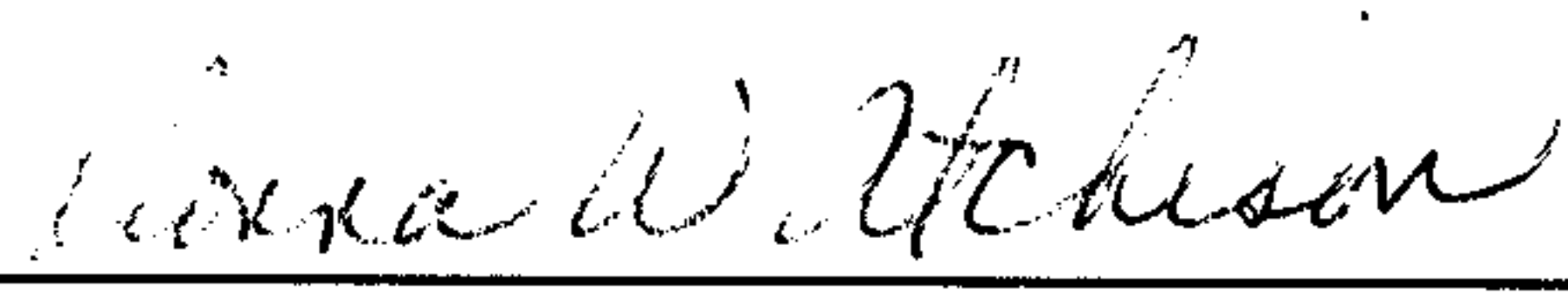
COMPASS BANK

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 Eighth Amendment to Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Eighth Amendment to Declaration, he as such officer, and with full authority, executed the same voluntarily for and as the act of said bank on the day the same bears date.

Given under my hand and seal of office this 17 day of September 2011.


Notary Public

[NOTARY SEAL]

My commission expires: 12-29-2014

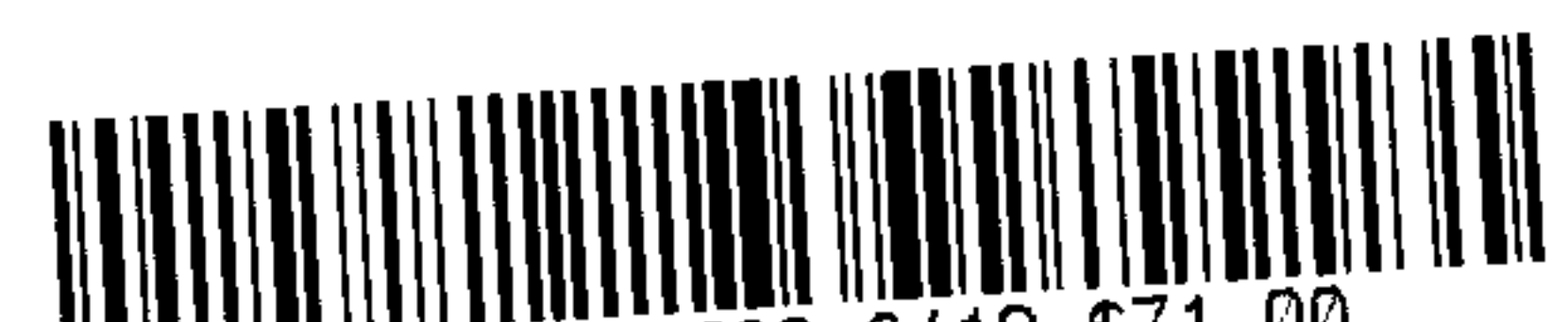

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EXHIBIT "A" TO SEVENTH AMENDMENT

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

**ADDITIONAL PAGES OF
PLAT AND PLANS OF THE CONDOMINIUM**



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This map amends the 6th Amended condominium plan as recorded in Map Book , Page A & B in the Shelby County Probate Office

This map amends the 6th Amended condominium plan as recorded in Map Book , Page A & B in the Shelby County Probate Office

SCALE: 1" = 50'

0 50 100 150
GRAPHIC SCALE

STATE OF ALABAMA
EMERY COUNTY

A parcel of land located in the Northwest 1/4 of the Northwest 1/4 of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama and being more particularly described as follows.

[illegible]

REGISTERED ENGINEER'S CERTIFICATION

I, the undersigned, Robert W. Easley, Jr., a registered engineer in the State of Alabama, Registration No. 21664, hereby certify that this Plan shows the layout, location, Unit numbers and other improvements of the Condominiums. I further certify that this Plan shows the dimensions of the improvements and the Units, "as-built" and that the improvements shown on the Plans are substantially complete. I further certify that the Plans comply with § 30-6-208, Code of Alabama (1975).

I further certify that said Concomintum is currently located in Flood Zone X (outside any special flood hazard area) according to the Flood map prepared by the U.S. Department of Homeland Security. This Certification is intended to be part of the Plans and Construction of The Lido at Estero. A Concomintum in Shelby County, Alabama, with all legal descriptions thereof is hereby incorporated as it is used in Mill North and is prepared for recordation in the Concomintum Book in the Office of the Judge of Probate of Shelby County, Alabama.

LABAN
* No. 21564 - 2
PROBATION - 2
ROBERT W. E. LEE

[illegible]

COMMON ELEMENTS

LIMITED COMMON ELEMENTS

Steeley County is not responsible for the roads or drainage within this city. The City of Ekenen Consortium Association, Inc. is responsible for all maintenance of the roads and drainage.

APPROVED: _____ DATE: _____
SHELBY COUNTY PLANNING COMMISSION

NAME OF THE CONDOMINIUM:
THE LOFTS AT EDENTON, A CONDOMINIUM

LEADING	BUILD	BUILDING	LENGTH OF CURVE
L	R	RADIUS	
CH	CH	CHORD LENGTH	
CS	CS	CHORD BEARING	
*	*	BENCH PIVOT POINT	

Name: _____

The Lead Surveyor's and Engineer's Certification only applies to areas 1 and 2 and to work outside of the buildings. See Appendix's Certification for Building Information.

The entire parcel is subject to an easement, and beneficiary of an easement across the Estacion Office Condominium parcel as described in Instrument 2161-0021-000004607 as recorded in the Shively County.

State of Alabama
Shirley County

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

Ade Combs, Clerk

SHEET 1 OF 2



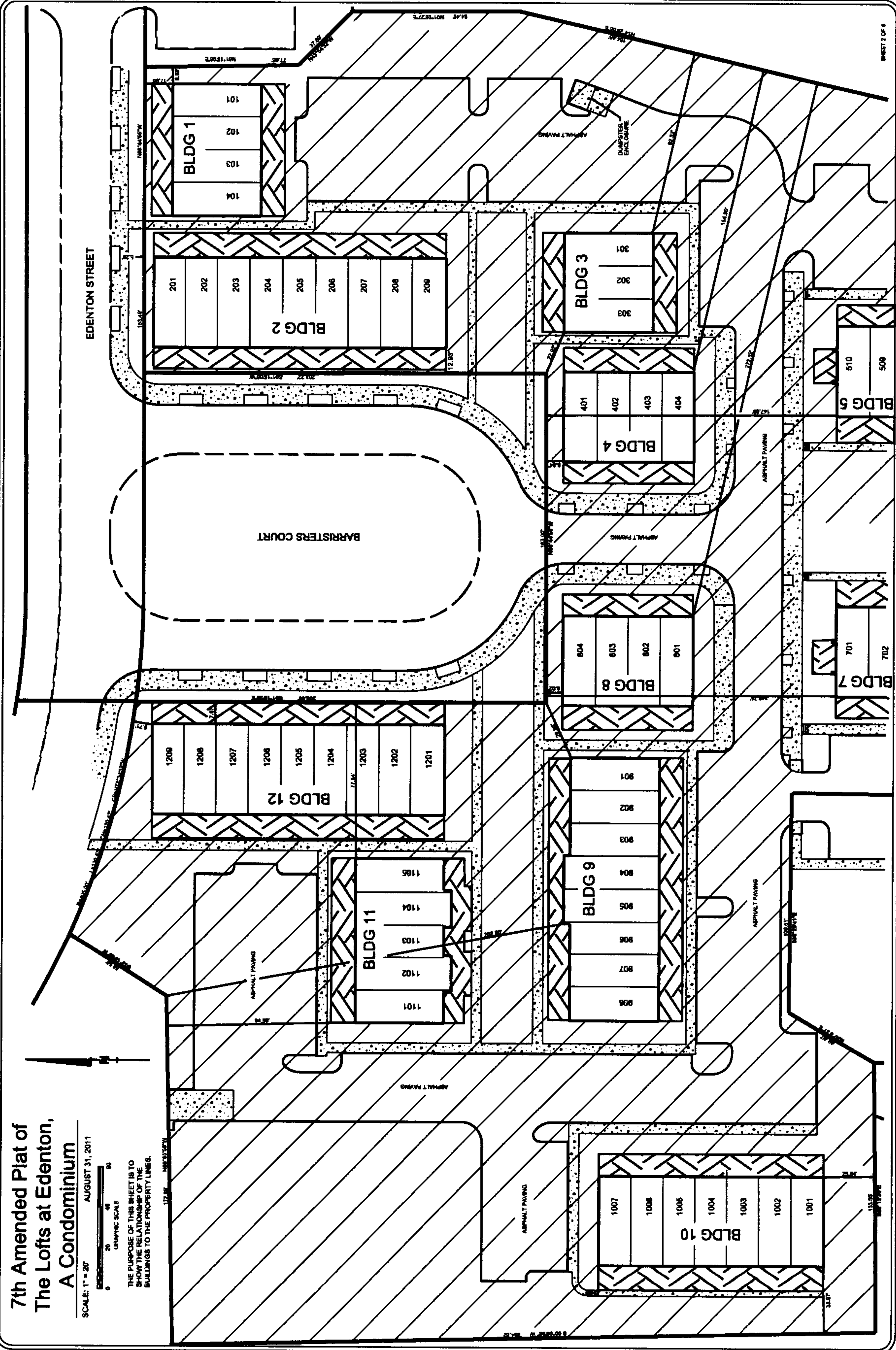
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7th Amended Plat of
The Lofts at Edenton,
A Condominium

SCALE: 1" = 20' AUGUST 31, 2011

GRAPHIC SCALE
0 20 40 60

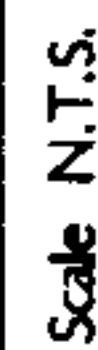
THE PURPOSE OF THIS SHEET IS TO
SHOW THE RELATIONSHIP OF THE
BUILDINGS TO THE PROPERTY LINES.



SHEET 2 OF 3



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



Scale N.T.S.

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20110902000260780 11/12/2011
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Units: 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315

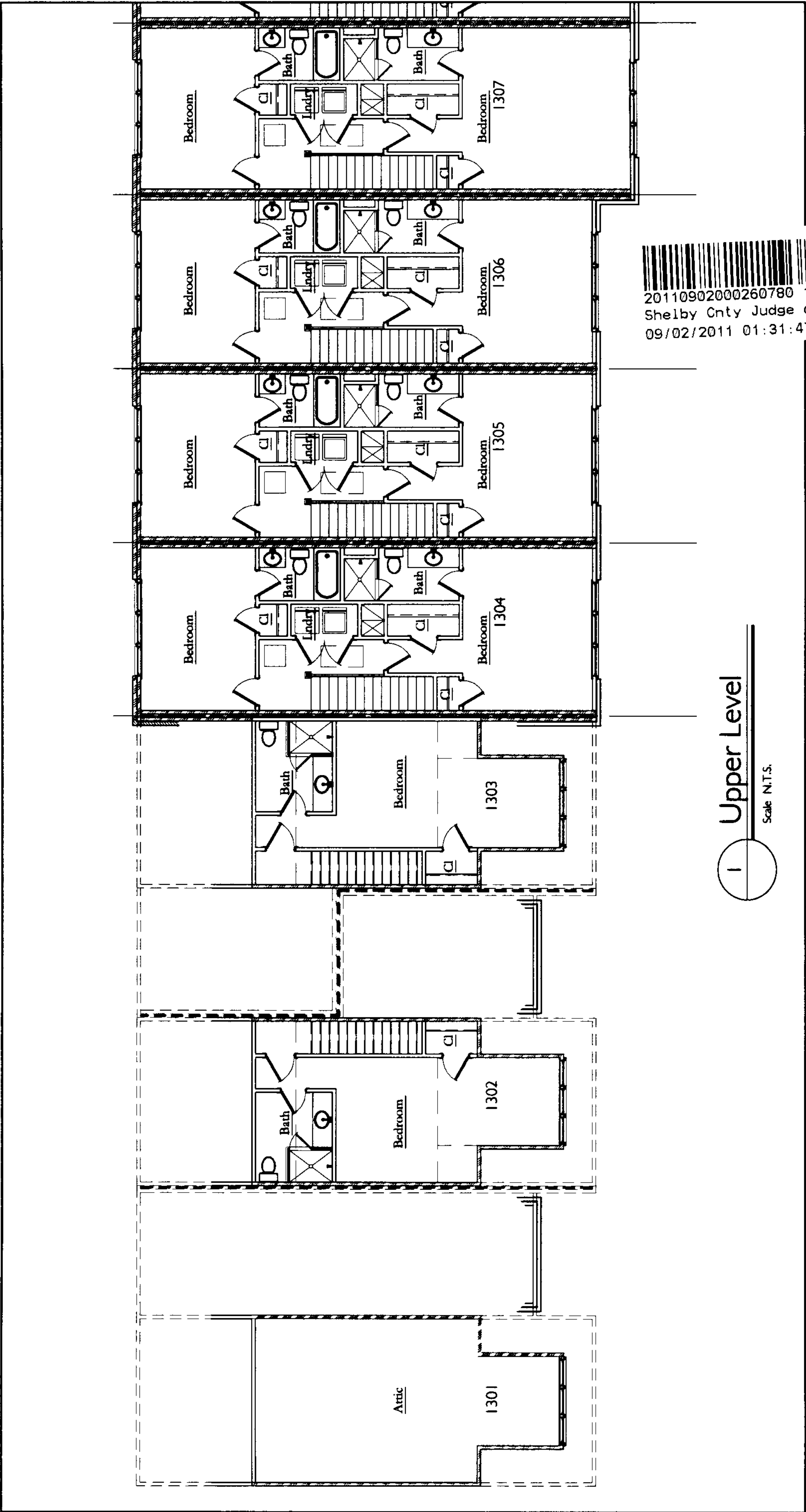
Shelby County, Alabama

COMMON ELEMENT

LIMITED COMMON ELEMENT

**SIGNATURE
HOMES**

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



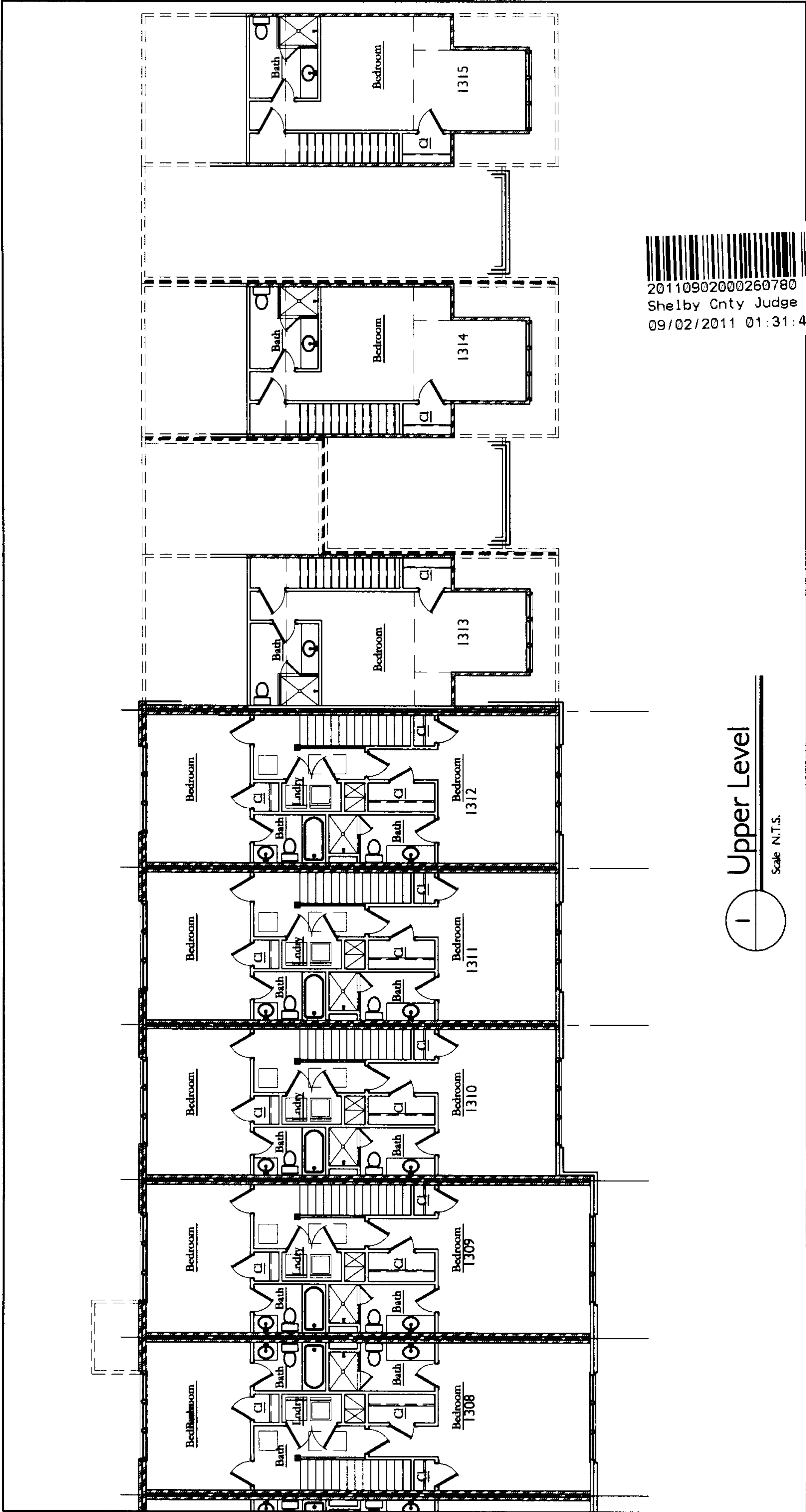
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SHEET
5 of 8

THE LOFTS AT EDENTON, A CONDOMINIUM
Building 13
Units: 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315
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.signaturehomes.net

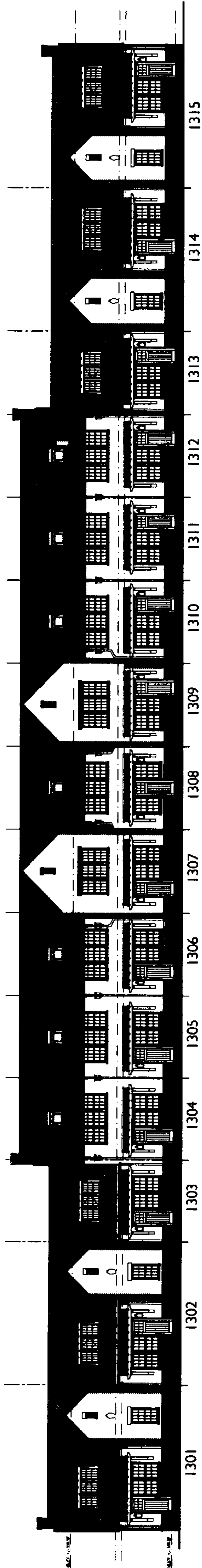


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PH: 205.989.5586
FX: 205.989.8884
www.signaturehomes.net

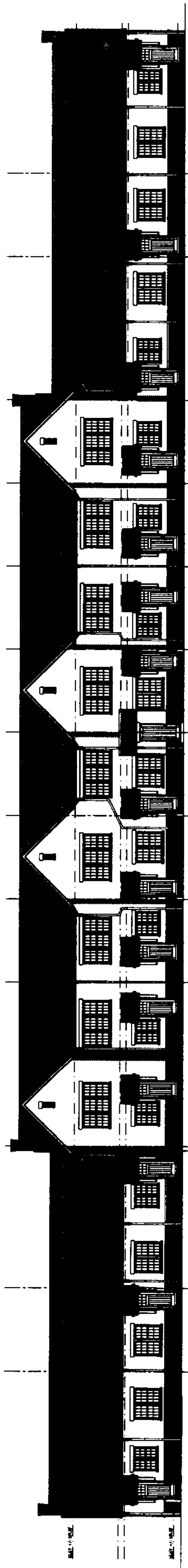
THE LOFTS AT EDENTON, A CONDOMINIUM
Building 13
Units: 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315
Shelby County, Alabama

SHEET
6 of 8



1 Front Elevation

Scale N.T.S.



2 Rear Elevation

Scale N.T.S.

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SHEET

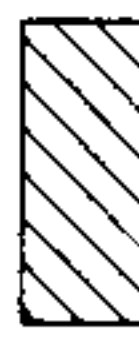
7 of 8

THE LOFTS AT EDENTON, A CONDOMINIUM
Building 13

Units: 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315

Shelby County, Alabama

LEGEND



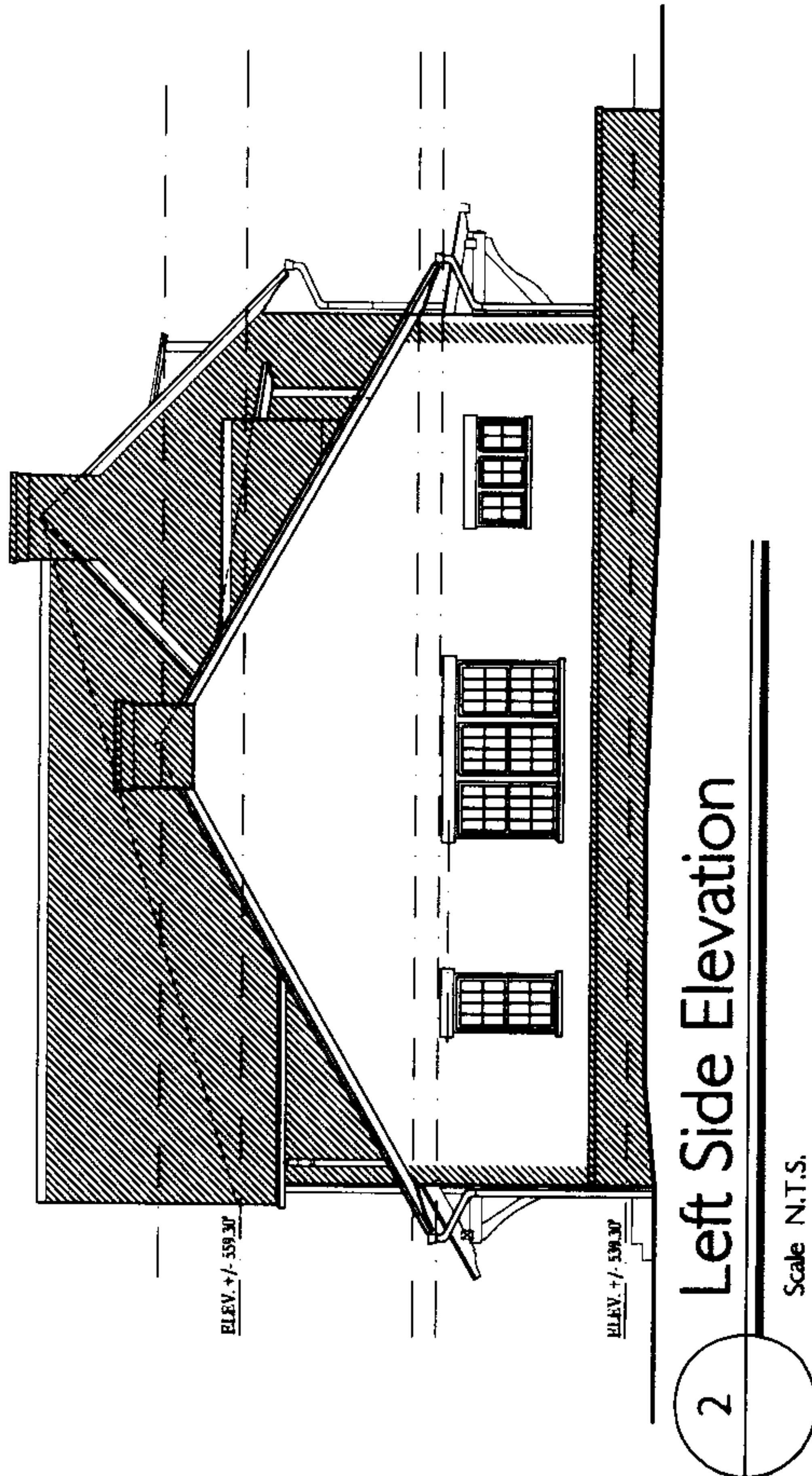
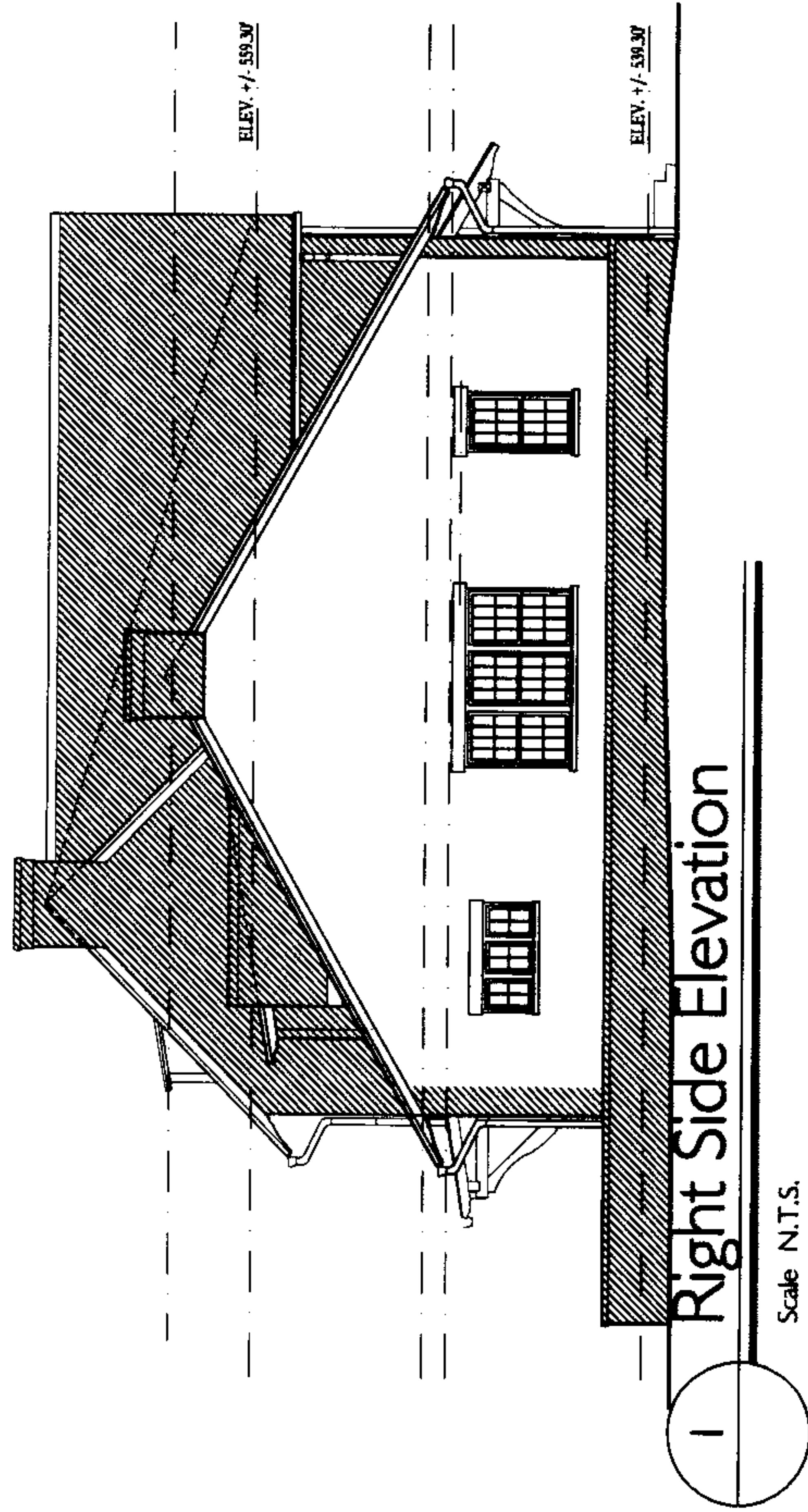
COMMON ELEMENT



LIMITED COMMON ELEMENT

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Hoover, Alabama 35226
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Fax: 205.989.8884
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SHEET
8 of 8

THE LOFTS AT EDENTON, A CONDOMINIUM
Building 13
Units: 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315
Shelby County, Alabama

LEGEND
COMMON ELEMENT
LIMITED COMMON ELEMENT

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fax. 205.989.8884
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EXHIBIT "B" TO SEVENTH 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	1.0%	1
102	1.0%	1
103	1.0%	1
104	1.0%	1
201	1.0%	1
202	1.0%	1
203	1.0%	1
204	1.0%	1
205	1.0%	1
206	1.0%	1
207	1.0%	1
208	1.0%	1
209	1.0%	1
301	1.0%	1
302	1.0%	1
303	1.0%	1
401	1.0%	1
402	1.0%	1
403	1.0%	1
404	1.0%	1
501	1.0%	1
502	1.0%	1

UNIT #	% OF OWNERSHIP OF COMMON ELEMENTS ALLOCATED INTEREST	VOTE
503	1.0%	1
504	1.0%	1
505	1.0%	1
506	1.0%	1
507	1.0%	1
508	1.0%	1
509	1.0%	1
510	1.0%	1
601	1.0%	1
602	1.0%	1
603	1.0%	1
604	1.0%	1
605	1.0%	1
606	1.0%	1
607	1.0%	1
608	1.0%	1
609	1.0%	1
610	1.0%	1
611	1.0%	1
612	1.0%	1
701	1.0%	1
702	1.0%	1
703	1.0%	1
704	1.0%	1
705	1.0%	1
706	1.0%	1
707	1.0%	1
708	1.0%	1

UNIT #	% OF OWNERSHIP OF COMMON ELEMENTS ALLOCATED INTEREST	VOTE
709	1.0%	1
710	1.0%	1
801	1.0%	1
802	1.0%	1
803	1.0%	1
804	1.0%	1
901	1.0%	1
902	1.0%	1
903	1.0%	1
904	1.0%	1
905	1.0%	1
906	1.0%	1
907	1.0%	1
908	1.0%	1
1001	1.0%	1
1002	1.0%	1
1003	1.0%	1
1004	1.0%	1
1005	1.0%	1
1006	1.0%	1
1007	1.0%	1
1101	1.0%	1
1102	1.0%	1
1103	1.0%	1
1104	1.0%	1
1105	1.0%	1
1201	1.0%	1
1202	1.0%	1

UNIT #	% OF OWNERSHIP OF COMMON ELEMENTS ALLOCATED INTEREST	VOTE
1203	1.0%	1
1204	1.0%	1
1205	1.0%	1
1206	1.0%	1
1207	1.0%	1
1208	1.0%	1
1209	1.0%	1
1301	1.0%	1
1302	1.0%	1
1303	1.0%	1
1304	1.0%	1
1305	1.0%	1
1306	1.0%	1
1307	1.0%	1
1308	1.0%	1
1309	1.0%	1
1310	1.0%	1
1311	1.0%	1
1312	1.0%	1
1313	1.0%	1
1314	1.0%	1
1315	1.0%	1
TOTAL	<u>100.00%</u>	<u>100</u>


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