


This Instrument prepared by:

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Suite 3400  
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20150602000182520 1/4 \$24.00  
Shelby Cnty Judge of Probate, AL  
06/02/2015 11:31:52 AM FILED/CERT

STATE OF ALABAMA     )  
SHELBY COUNTY         )

**THIRD AMENDMENT TO KIRKMAN PRESERVE RESIDENTIAL DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS**

**THIS THIRD AMENDMENT TO THE KIRKMAN PRESERVE RESIDENTIAL DECLARATION OF MASTER COVENANTS, CONDITIONS, AND RESTRICTIONS** (this "Amendment") is entered this 1st day of June, 2015, by **NSH CORP, INC.**, an Alabama corporation d/b/a Signature Homes, ("Developer") for the purpose of amending the Declaration as set forth below. All initially capitalized terms not defined herein shall be defined as set forth in the Declaration.

**WITNESSETH:**

**WHEREAS**, Developer is the "Developer" under that certain Kirkman Preserve Residential Declaration of Covenants, Conditions, and Restrictions recorded in the Office of the Judge of Probate of Shelby County, Alabama on February 4, 2014, in Instrument Number 20140204000031140, as amended by that certain First Amendment to Kirkman Preserve Residential Declaration of Covenants, Conditions, and Restrictions dated August 4, 2014 and recorded with said Judge of Probate on August 6, 2014, in Instrument Number 20140806000244660 (as amended, the "Declaration");

**WHEREAS**, Developer is the owner of all those certain residential lots created by the subdivision record map for Kirkman Preserve - Phase 4, recorded in Map Book 44, Page 145 in the Office of the Judge of Probate of Shelby County, Alabama (the "Phase 4 Map") more particularly described on Exhibit "A" attached hereto ("Developer Lots");

**WHEREAS**, pursuant to Article II, Section 2.2, of the Declaration, the Developer desires to submit the Third Phase Property to the Declaration as set forth below.

**NOW THEREFORE**, the Developer does hereby amend the Declaration as follows:

1. Pursuant to Article II, Section 2.2 of the Declaration, the Developer hereby submits the property included on the plat identified as Final Plat of Residential Subdivision: Kirkman Preserve- Phase 4 and recorded in the Office of the Judge of Probate of Shelby County, Alabama on September 12, 2014, in Map Book 44, Page 145 to the Declaration (the "Third Phase Property"). The Third Phase Property shall be conveyed subject to the provisions of the Declaration.

2. The Developer hereby amends Article I, Section 1.32 of the Declaration to include in the definition of the defined term "Subdivision Record Map" the plat identified as "Final Plat of Residential Subdivision: Kirkman Preserve- Phase 4 and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 44, Page 145.

3. Except as modified herein, the Declaration is hereby ratified and affirmed in all respects.



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IN WITNESS WHEREOF, the Developer  
executed this Third Amendment with an effective date as set forth above.

has


**NSH CORP.,**  
an Alabama corporation



By: Scott Rohrer  
Its: Vice President

STATE OF ALABAMA  
JEFFERSON COUNTY

)  
)

  
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I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Scott Rohrer whose name as Vice President of **NSH CORP.**, an Alabama corporation, is signed to the foregoing Third Amendment, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Third Amendment, 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 21 day of MAY, 2015.

  
Notary Public


[NOTARY SEAL]

My Commission Expires: 4-17-2016

GARY JONES  
Notary Public, Alabama State At Large  
My Commission Expires April 17, 2016

**EXHIBIT A**

**FOURTH PHASE PROPERTY**

  
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Lots 201-209 according to the Final Plat of the Residential Subdivision: Kirkman Preserve – Phase 4, recorded in Map Book 44, Page 145 in the Office of the Judge of Probate of Shelby County, Alabama.