


This instrument was prepared by:

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STATE OF ALABAMA )  
COUNTY OF SHELBY )

  
20151230000442820 1/5 \$26.00  
Shelby Cnty Judge of Probate, AL  
12/30/2015 10:39:42 AM FILED/CERT

**SUPPLEMENTARY DECLARATION TO  
THE DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR THE VILLAGE AT HIGHLAND LAKES,  
A RESIDENTIAL SUBDIVISION,  
SECTOR 4**

**KNOW ALL MEN BY THESE PRESENTS THAT,**

**WHEREAS,** The Village at Highland Lakes, Inc. ("Developer") and Highland Village Residential Association, Inc. (the "Association") previously filed a Declaration of Covenants, Conditions and Restrictions for The Village at Highland Lakes, English Village Neighborhood, in the Probate Office of Shelby County, Alabama, recorded on April 30, 2015, as Instrument Number 2015043000014220 (the "Original Declaration") with respect to certain real property situated in Shelby County, Alabama, which is part of a residential subdivision known as The Village at Highland Lakes, A Residential Subdivision (the "Development"), and which is more particularly described in the Plat of The Village at Highland Lakes, Sector 4, English Village Neighborhood, as recorded in Map Book 44, at page 131, in the Probate Office of Shelby County, Alabama;

**WHEREAS,** Developer owns certain additional real property (the "Subject Property") situated in Shelby County, Alabama, which is proposed to be developed as part of the Development, and which is more particularly described on Exhibit A attached hereto;

**WHEREAS,** Developer has created the Association pursuant to the Declaration of Easements and Master Protective Covenants for The Village at Highland Lakes, a Residential Subdivision, recorded as Instrument Number 20060421000186650 in the Probate Office of Shelby County, Alabama, (the "Master Covenants"), for the purpose of maintaining certain property within the Development, which is intended to be for the non-exclusive use and benefit of the owners of the Development (the "Common Areas"), regulating the use of Common Areas, and levying assessments for the maintenance, preservation and regulation of the Common Areas;

**WHEREAS,** the Developer desires to submit the Subject Property to the Original Declaration and the Master Covenants in accordance with and pursuant to the terms thereof, each of which permit the Developer, with the approval in writing of the Association, to evidence the submission of such property to the Original Declaration and the Master Covenants by filing a Supplementary Declaration to that effect in the Office of the Judge of Probate of Shelby County, Alabama;

**NOW THEREFORE,** the Developer and the Association (collectively the "Declarants"), do, upon the recording hereof, declare and make the Subject Property and any portion thereof subject to the covenants, conditions, restrictions, uses, limitations and affirmative obligations of the Original Declaration and the Master Covenants, as each has been heretofore amended, all of which are declared to be in furtherance of a plan for the use and improvement of the Subject Property in a desirable and uniform manner and for the maintenance, preservation, and regulation of the Common Areas within the property subject to the Original Declaration and the Master Covenants.

**ARTICLE I**

The Declarants hereby reaffirm and restate the terms and provisions of the Original Declaration and the Master Covenants in their entirety without any change whatsoever, except as follows:



1. The legal description of the Property subject to the Original Declaration and the Master Covenants is hereby amended to include the Subject Property.

2. It is the intention of the Developer to submit the Subject Property to the Original Declaration as Additional Property pursuant to Section 2.2 of the Original Declaration so that the Subject Property will be part of the Property (as defined in the Original Declaration) and the members of the ARC (as defined in the Original Declaration) will be members of the Association. The Subject Property shall be subject in all respects to the Original Declaration and the Master Covenants except that the following covenants shall be binding upon the Subject Property and shall modify the Original Declaration with respect to the Subject Property:

(a) The Original Declaration is hereby amended to exempt the Subject Property from the requirements of Section 6.5 and Section 6.6 of the Original Declaration and to declare that the Subject Property shall be subject to the following restrictions on the size of structures:

There shall be no specific height limitations or size restrictions for residential structures to be constructed on a Lot within the Subject Property. The ARC reserves the right to approve the height and size of any residential structure to be constructed on a Lot within the Subject Property based on the compatibility of the appearance of such structure with structures on other Lots within and adjacent to the Subject Property.

(b) The provisions of Section 2 of Article I of this Supplementary Declaration shall be applicable to the Subject Property and shall modify the Original Declaration with respect to the Subject Property in accordance with Section 2.2 of the Original Declaration.

3. The Subject Property has not been subdivided into Lots. The Master Plan for the Development, as approved by applicable governmental authorities, contemplates the subdivision of the Subject Property into Lots in accordance with applicable state and local laws and regulations for the subdivision of real property. Developer intends to subdivide the Subject Property into Lots substantially in accordance with the Master Plan by applying for approval of a subdivision plat with respect to all or part of the Subject Property and by recording the approved subdivision plat in the Probate Office of Shelby County, Alabama, as permitted by Section 2.6 of the Master Covenants and Section 2.6 of the Original Declaration. The undivided portion of the Subject Property shall be treated as a single Lot for purposes of Article IV of the Master Covenants and Section 5.2 of the Original Declaration. No assessments shall be due on any Lot owned by the Developer in the Subject Property. Assessments on individual Lots within the Subject Property shall commence in accordance with Section 6.4 of the Master Covenants upon the conveyance of the Lot to a person other than the Developer.

4. Developer reserves the right to harvest timber on any portion of the Subject Property that has not been subdivided into Lots pursuant to a recorded subdivision plat.

## ARTICLE II

Declarants hereby declare that the provisions of the Original Declaration and Master Covenants as so amended shall run with the land and be binding upon, and shall inure to the benefit of, the Property and the Subject Property and all parties having or acquiring any right, title or interest in and to the Property and the Subject Property or any part thereof, and their successors in interest.

## ARTICLE III

The Association has joined in the execution of this Supplementary Declaration for the purpose of evidencing its written approval of the submission of the Subject Property to the Original Declaration and Master Covenants as herein provided and does hereby authorize the filing of this Supplementary Declaration with the Office of the Judge of Probate of Shelby County, Alabama.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the undersigned have caused this Declaration to be executed as of the 29<sup>th</sup>  
day of December, 2015.

DECLARANTS:

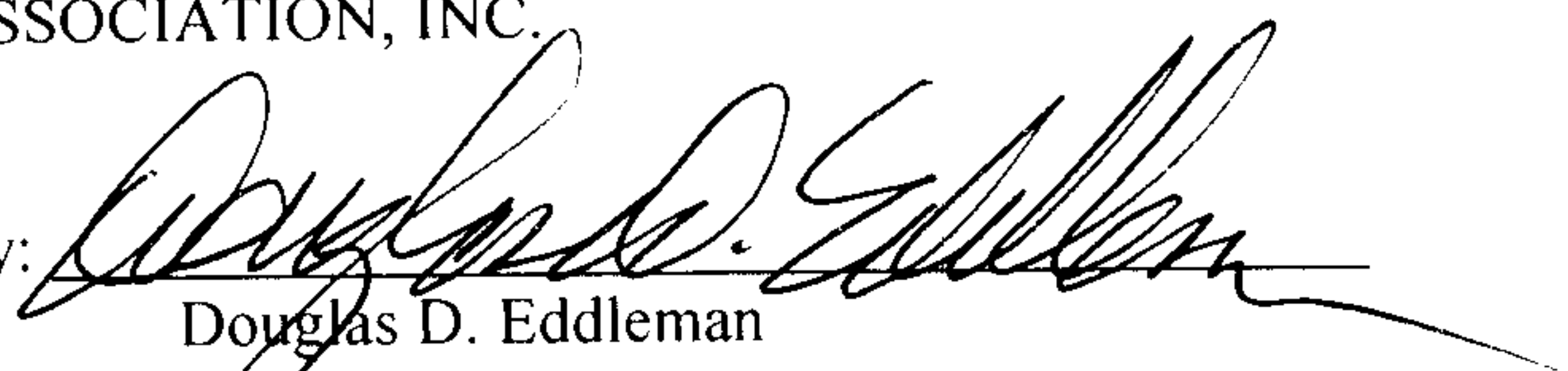
THE VILLAGE AT HIGHLAND LAKES, INC.  
an Alabama corporation


By:

  
Douglas D. Eddleman  
President

HIGHLAND VILLAGE RESIDENTIAL  
ASSOCIATION, INC.

By:

  
Douglas D. Eddleman  
President

  
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STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Douglas D. Eddleman, whose name as President of The Village at Highland Lakes, Inc., an Alabama corporation, is signed to the foregoing Supplementary Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Supplementary Declaration, 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 29<sup>th</sup> day of December, 2015.

[Signature]  
Notary Public

My Commission Expires: June 29, 2018


STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of Highland Village Residential Association, Inc., an Alabama nonprofit corporation, is signed to the foregoing Supplementary Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Supplementary Declaration, 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 29<sup>th</sup> day of December, 2015.

[Signature]  
Notary Public

My Commission Expires: June 29, 2018

  
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## EXHIBIT A

### DESCRIPTION OF SUBJECT PROPERTY

DESCRIPTION: THE VILLAGE AT HIGHLAND LAKES 4<sup>TH</sup> SECTOR 2<sup>ND</sup> PHASE  
A TRACT OF LAND SITUATED IN THE EAST ½ OF SECTION 4, AND THE WEST ½ OF SECTION 3,  
TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING BETTER DESCRIBED  
AS FOLLOWS:  
BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 4,  
TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, SAID POINT ALSO BEING THE  
SOUTHEAST CORNER OF LOT 1242, ACCORDING TO THE SURVEY OF HIGHLAND LAKES 12<sup>TH</sup>  
SECTOR PHASE II, AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 33, PAGE 11, IN THE  
PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; THENCE RUN NORTH 00°35'48" WEST ALONG  
THE EAST LINE OF LOTS 1242 THRU 1237 OF SAID SURVEY FOR 688.13 FEET TO THE SOUTHEAST  
CORNER OF LOT 1032, ACCORDING TO THE SURVEY OF HIGHLAND LAKES 10<sup>TH</sup> SECTOR PHASE II  
AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 32, PAGE 133, IN THE PROBATE OFFICE  
OF SHELBY COUNTY, ALABAMA; THENCE RUN NORTH 00°35'48" WEST ALONG THE EAST LINE OF  
LOTS 1032 THRU 1029 OF SAID SURVEY FOR 572.48 FEET TO THE SOUTHEAST CORNER OF LOT 1028,  
ACCORDING TO THE SURVEY OF HIGHLAND LAKES 10<sup>TH</sup> SECTOR PHASE I AN EDDLEMAN  
COMMUNITY, AS RECORDED IN MAP BOOK 26, PAGE 27, IN THE PROBATE OFFICE OF SHELBY  
COUNTY, ALABAMA; THENCE RUN NORTH 00°35'48" WEST ALONG THE EAST LINE OF LOTS 1028,  
1027, AND 1024 THRU 1022, AND 1012 THRU 1010 OF SAID SURVEY FOR 1427.26 FEET TO THE  
SOUTHEAST CORNER OF LOT 3113, ACCORDING TO THE AMENDED MAP OF HIGHLAND LAKES 3<sup>RD</sup>  
SECTOR, PHASE 1, AS RECORDED IN MAP BOOK 21, PG. 124, IN THE PROBATE OFFICE OF SHELBY  
COUNTY, ALABAMA; THENCE RUN NORTH 00°35'48" WEST ALONG THE EAST LINE OF LOTS 3113  
THRU 3115 FOR 465.46 FEET; THENCE RUN NORTH 61°35'31" EAST FOR 915.48 FEET; THENCE RUN  
SOUTH 03°17'54" EAST FOR 841.77 FEET; THENCE RUN SOUTH 46°23'34" EAST FOR 668.14 FEET;  
THENCE RUN NORTH 86°25'06" EAST FOR 462.62 FEET; THENCE RUN SOUTH 27°57'04" EAST FOR  
242.26 FEET; THENCE RUN SOUTH 39°48'43" WEST FOR 374.72 FEET; THENCE RUN SOUTH 65°18'11"  
WEST FOR 412.00 FEET; THENCE RUN SOUTH 12°07'04" WEST FOR 347.04 FEET; THENCE RUN SOUTH  
20°54'32" EAST FOR 536.36 FEET; THENCE RUN SOUTH 05°46'01" WEST FOR 549.65 FEET; THENCE  
RUN SOUTH 00°43'47" EAST FOR 241.36 FEET TO THE SOUTHEAST CORNER OF SECTION 4,  
TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, AND A POINT ON THE NORTH  
LINE OF LOT 2815, ACCORDING TO THE SURVEY OF HIGHLAND LAKES 28<sup>TH</sup> SECTOR AN  
EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 34, PAGE 30, IN THE PROBATE OFFICE OF  
SHELBY COUNTY, ALABAMA; THENCE RUN SOUTH 89°24'14" WEST ALONG THE NORTH LINE OF  
LOTS 2815 THRU 2823 OF SAID SURVEY, AND THE SOUTH LINE OF SAID SECTION FOR 844.36 FEET  
TO THE NORTHEAST CORNER OF LOT 2824A, ACCORDING TO THE RESURVEY OF LOTS 2824 AND  
2825 OF HIGHLAND LAKES 28<sup>TH</sup> SECTOR AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP  
BOOK 37, PAGE 127, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; THENCE RUN  
SOUTH 89°24'14" WEST ALONG THE NORTH LINE OF SAID LOT 2824A, AND THE SOUTH LINE OF  
SAID SECTION FOR 209.90 FEET TO THE NORTHEAST CORNER OF LOT 1268A, ACCORDING TO THE  
RESURVEY OF LOT 1268 OF HIGHLAND LAKES 12<sup>TH</sup> SECTOR, PHASE III AND EDDLEMAN  
COMMUNITY, AS RECORDED IN MAP BOOK 33, PAGE 118, IN THE PROBATE OFFICE OF SHELBY  
COUNTY, ALABAMA; THENCE RUN SOUTH 89°24'14" WEST ALONG THE NORTH LINE OF SAID LOT  
1268A FOR 223.43 FEET TO THE NORTHEAST CORNER OF LOT 1269 ACCORDING TO THE SURVEY OF  
HIGHLAND LAKES 12<sup>TH</sup> SECTOR PHASE III AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP  
BOOK 33, PAGE 46, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; THENCE RUN SOUTH  
89°24'14" WEST ALONG THE NORTH LINE OF SAID LOT 1269, AND THE SOUTH LINE OF SAID  
SECTION FOR 54.44 FEET TO THE POINT OF BEGINNING.  
LESS AND EXCEPT THE VILLAGE AT HIGHLAND LAKES SECTOR FOUR – ENGLISH VILLAGE  
NEIGHBORHOOD, AS RECORDED IN MAP BOOK 44, PAGE 131, IN THE PROBATE OFFICE OF SHELBY  
COUNTY, ALABAMA.