


RETURN TO:
JOHN W. MONROE, JR.
EMMANUEL, SHEPPARD & CONDON
30 S. SPRING STREET
PENSACOLA, FL 32502
2016-13587


20160303000067770 1/3 \$20.00
Shelby Cnty Judge of Probate, AL
03/03/2016 10:09:35 AM FILED/CERT

**AMENDMENT TO DECLARATION
OF PROTECTIVE COVENANTS FOR SILVER CREEK
TO ANNEX SECTOR III, PHASE III**

THIS Amendment to the Declaration of Protective Covenants for Silver Creek to Annex Sector III, Phase III (the "Amendment") is made this 26 day of February, 2016 by Silver Creek Development, L.L.C., an Alabama limited liability company ("Developer").

WHEREAS, Developer has recorded a Declaration of Protective Covenants (the "Declaration") affecting that certain real property described therein, such document having been recorded in the Probate Office of Shelby County, State of Alabama, in Instrument Number 2002-17873;

WHEREAS, Developer now desires to amend the Declaration; and

WHEREAS, Developer has the right to amend the Declaration to add any properties owned by Developer to the provisions of the Declaration and for other purposes, pursuant to Article 8.4 and Article 8.11 respectively, thereof;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Developer hereby amends the Declaration as follows:

1. The properties covered by the Declaration are hereby changed by adding to the original Subject Property, the following described real property, which shall also become Subject Property (as that items is defined in the Declaration), immediately upon recordation hereof.
 - (a) Silver Creek Sector III, Phase III, recorded in Map Book 40, Page 17 in the Probate Office of Shelby County, Alabama.
 - (b) Resurvey of Lots 362 and 363, Silver Creek Sector III, Phase III, recorded in Map Book 44, Page 17 in the Probate Office of Shelby County, Alabama.
2. Article 3.2(s) as it pertains to the Lots described on the attached Exhibit "A", which is incorporated herein by reference, is amended to read as follows:
 - (a) Subject to the provisions of Article VII and VII below and the rights retained below by the Committee, each Lot described on Exhibit "A", and any dwelling, building or other structure constructed or placed thereon shall be subject to the following minimum setbacks:

25 ft. front, 20 ft. rear, and 13 ft. between dwellings (10 ft. minimum opposite side) for the side setback for any such Lot, provided, however, that the foregoing setback requirements are subject to applicable zoning laws and ordinances.



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3. The Lots described on the attached Exhibit "A" shall be exempt from the application of Article 3.1(g).
4. Except as amended hereby, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned Developer has caused this Amendment to be executed this 26 day of February, 2016.

Silver Creek Development, L.L.C., an
 Alabama limited liability company

By: R Charles Stagnin
 Print Name: R. CHARLES STAGNIN
 Its: Authorized Agent

STATE OF ~~ALABAMA~~ Florida
 COUNTY OF ~~SHELBY~~ Walton

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that R Charles Stagnin whose name as Manager of Silver Creek Development, L.L.C., an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me acknowledged before me on this day that, being informed of the contents of said instrument, he/she as such _____ and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand and seals this 26th day of February, 2016.



Cory Kurtz
 State of Florida
 My Commission Expires 07/20/2019
 Commission No. FF 901610

Cory Kurtz
 Notary Public

Exhibit "A"

Lots 340, 341, 342, 343, 344, 345, 350, 361, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, and 383, Silver Creek, Sector III, Phase III, as shown on map of said plat recorded in Map Book 40, Page 17, in the Office of the Judge of Probate of Shelby County, Alabama.

Lot 363A, Resurvey of Lots 362 and 363 Silver Creek, Sector III, Phase III, as shown on map of said plat recorded Map 44, Page 17, in the Office of the Judge of Probate of Shelby County, Alabama.



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