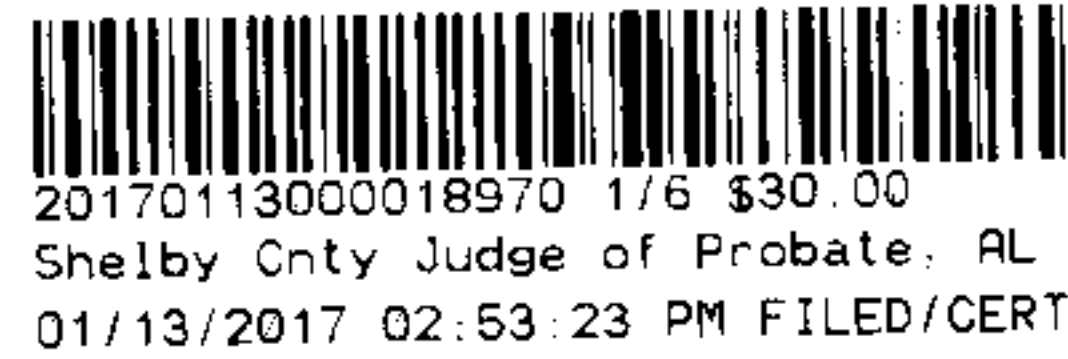


This Instrument prepared by
Jack Russell
Hand Arendall LLC
2001 Park Place North
Birmingham, Alabama 35203
(205) 502-0108



COUNTY OF SHELBY)

STATE OF ALABAMA)

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND
RESTRICTIONS FOR KINSALE GARDEN HOMES, SECTOR ONE**

This First Amendment to the Declaration of Covenants, Conditions, and Restrictions for Kinsale Garden Homes, Sector One ("Amendment") is made on this the 11th day of January, 2017, by Acton Homes, Inc., an Alabama corporation ("Declarant").

WITNESSETH

WHEREAS, Declarant has heretofore executed the Declaration of Covenants, Conditions, and Restrictions for Kinsale Garden Homes, Sector One, recorded on October 8, 2004 as Instrument number 20041008000557170 in the Probate Office of Shelby County, Alabama (the "Declaration") for the benefit of certain real property, which is more particularly described as Kinsale Garden Homes as recorded in Map Book 34, Page 16 in the Probate Office of Shelby County, Alabama (the "Sector One Property"), and Declarant is the declarant under and with respect to the Declaration;

WHEREAS, all capitalized terms used herein shall have the same meaning ascribed to such terms in the Declaration;

WHEREAS, through inadvertence, error, and mistake, Exhibit "B" to the Declaration was not recorded as an exhibit to the Declaration;

WHEREAS, Declarant desires to amend the Declaration to include Exhibit "B" as an exhibit to the Declaration;

WHEREAS, pursuant to Section 6.04(b) of the Declaration, Declarant desires to submit the real property described by Exhibit "B" to the terms and conditions of the Declaration;

NOW THEREFORE, pursuant to the authority stated in the Declaration, Declarant does hereby amend the Declaration as follows:

1. The Declaration is amended to include the following as Exhibit B to the Declaration:

EXHIBIT "B"

All real property situated in Shelby County, Alabama as shown and more particularly described by the Plat of Kinsale Gardens Homes 1st Sector, as amended, and as recorded in Map Book 35, Page 49 in the Probate Office of Shelby County, Alabama.

All real property situated in Shelby County, Alabama as shown and more particularly described by the Plat of Kinsale Gardens Homes, 2nd Sector, as recorded in Map Book 36, Page 22 in the Probate Office of Shelby County, Alabama.

All real property situated in Shelby County, Alabama as shown and more particularly described by the Plat of Kinsale Gardens Homes, 3rd Sector, as recorded in Map Book 41, Page 90 in the Probate Office of Shelby County, Alabama.

2. Pursuant to Section 6.04(b) of the Declaration, the Declarant does hereby declare that the real property described in **Exhibit "B"** to the Declaration shall be held, developed, improved, transferred, sold, conveyed, leased, occupied and used subject to all of the easements, covenants, conditions, restrictions, charges and regulations set forth in the Declaration, which shall be binding upon and inure to the benefit of all parties acquiring or having any right, title or interest in any portion of the Properties and their respective heirs, executors, administrators, personal representatives, successors and assigns. The Sector One Property and the real property described in **Exhibit "B"** to the Declaration shall, for purposes of the Declaration, collectively be referred to as "Properties" (as that term is defined in the Declaration) and all references to Properties in the Declaration shall mean the Sector One Property and the real property described on **Exhibit "B"** to the Declaration.

3. Except as specifically modified and amended hereby, all of the terms and conditions of the Declaration shall remain in full force and effect.

4. The recital clauses set forth hereinabove are true and correct in all respects and form a material part of this Amendment, the same as if such recital clauses were set forth in the numbered paragraphs hereof.

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Shelby Cnty Judge of Probate, AL
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IN WITNESS WHEREOF, the Declarant, Acton Homes, Inc., has caused this First Amendment to the Declaration of Covenants, Conditions and Restrictions for Kinsale Garden Homes, Sector One, to be duly executed and authorized as of the day and year above written.

Acton Homes, Inc., an Alabama corporation

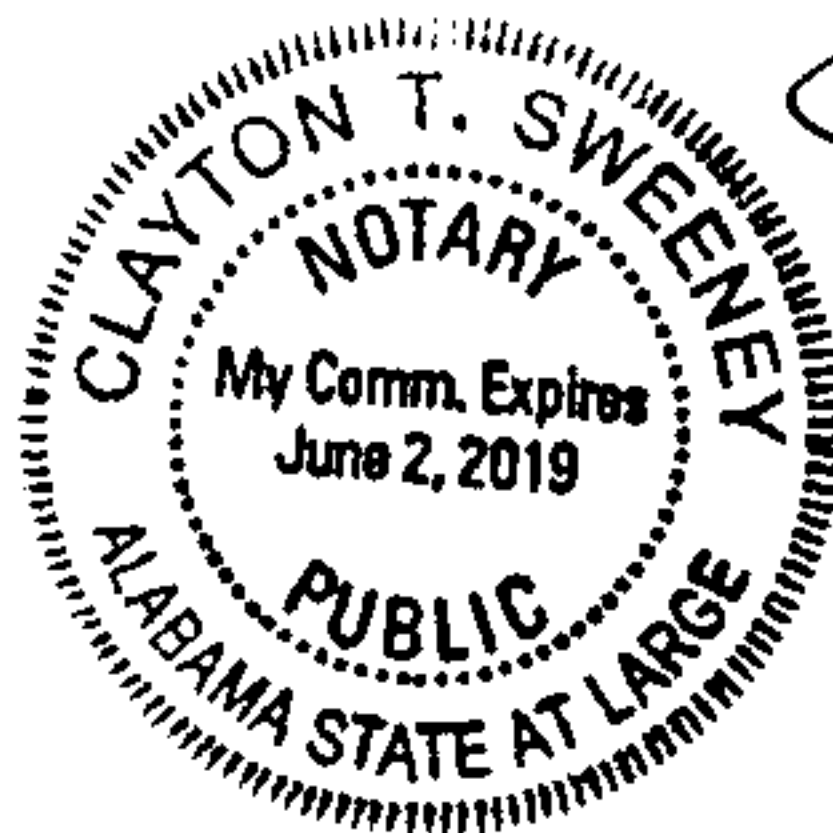
By: Danny F. Acton
Name: Danny F. Acton
Title: President

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Danny F. Acton, whose name as President of Acton Homes, Inc., an Alabama corporation, 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this 11th day of January, 2017.



Notary Public

My Commission Expires: 6-2-2019

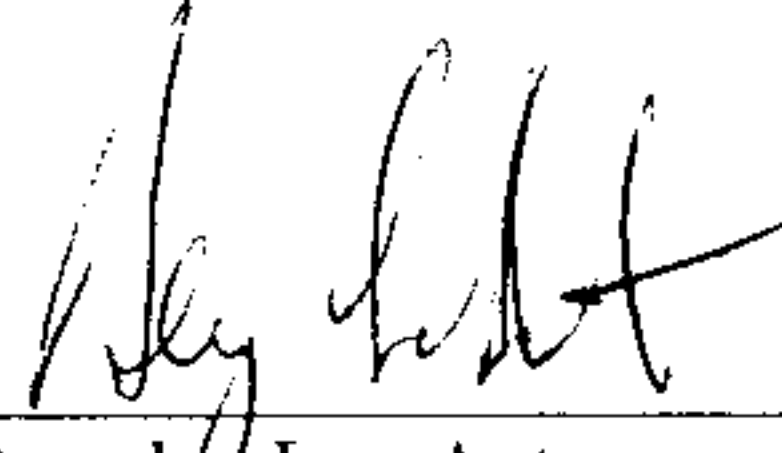


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Shelby Cnty Judge of Probate, AL
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CONSENT OF MARK H. ACTON, JR. IRREVOCABLE TRUST

Mark H. Acton, Jr., Irrevocable Trust, dated November 3, 1988 ("Acton Trust"). is the owner of Lot 34 according to the survey of Kinsale Gardens, 3rd Sector, as recorded in Map Book 41, Page 90 in the Probate Office of Shelby County, Alabama ("Acton Trust Property"). In consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Acton Trust hereby consents to and joins in the execution of this Amendment for purposes of subjecting the Acton Trust Property to all of the terms and provisions set forth in the Declaration, as amended by this Amendment, and does hereby agree that the Acton Trust Property shall hereafter be owned, held, used, sold and conveyed subject to the terms and conditions of the Declaration, as amended by this Amendment.

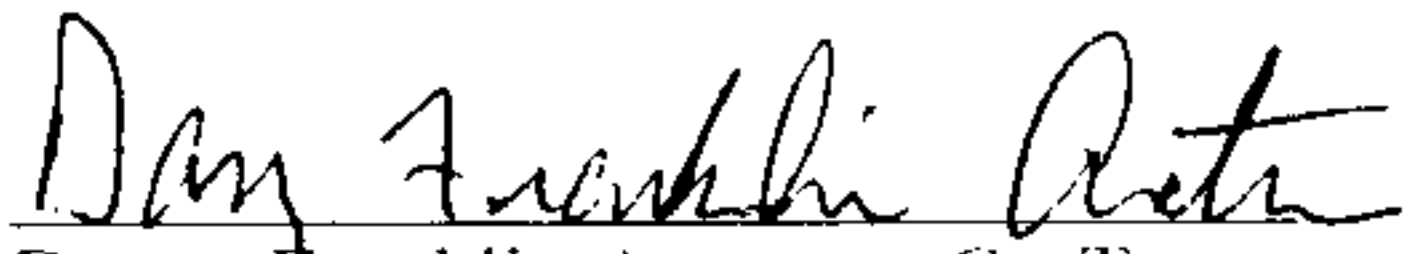
Done this the 11th day of January, 2017.



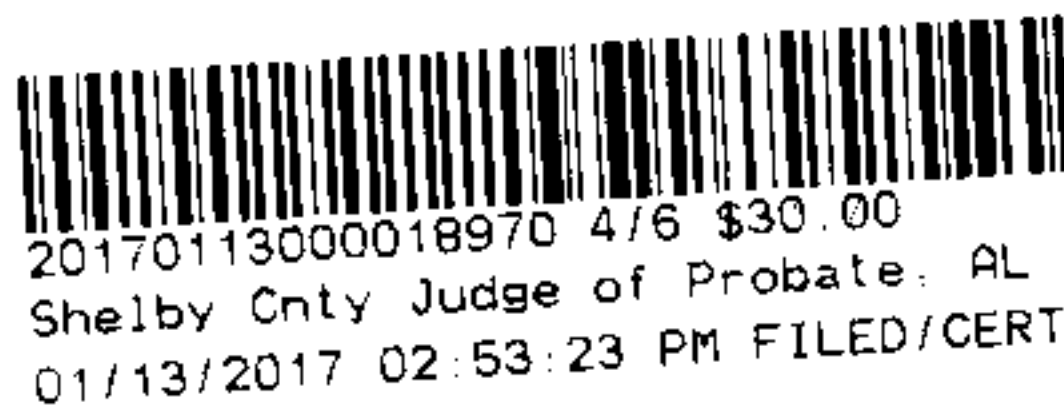
Douglas Lee Acton, as Co-Trustee of
the Mark H. Acton, Jr. Irrevocable
Trust, dated November 3, 1988



Donald Mark Acton, as Co-Trustee of
the Mark H. Acton, Jr. Irrevocable
Trust, dated November 3, 1988



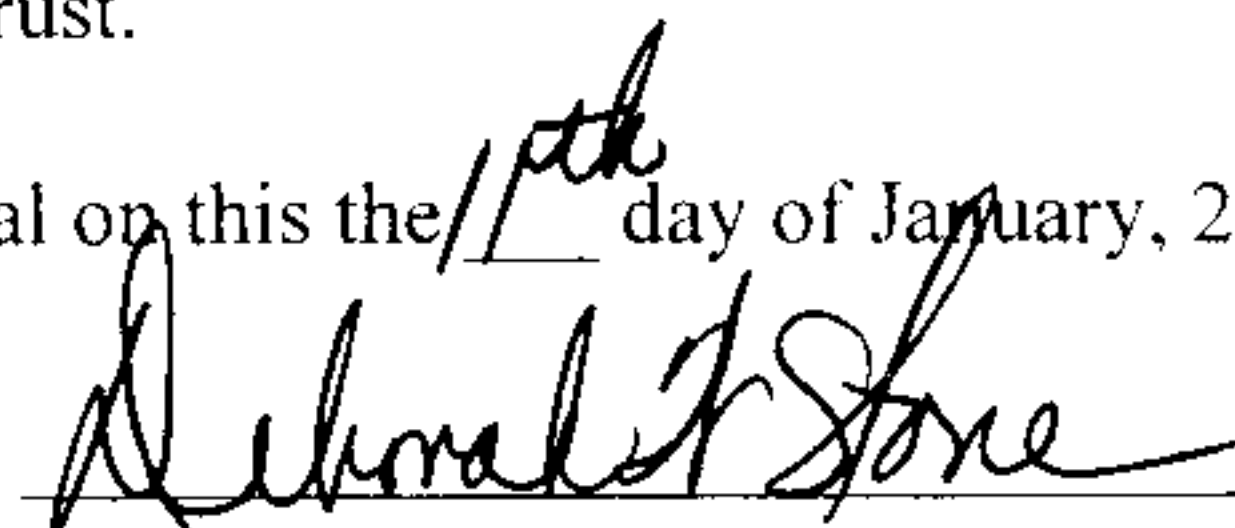
Danny Franklin Acton, as Co-Trustee
of the Mark H. Acton, Jr. Irrevocable
Trust, dated November 3, 1988



STATE OF ALABAMA)
COUNTY OF JEFFERSON)

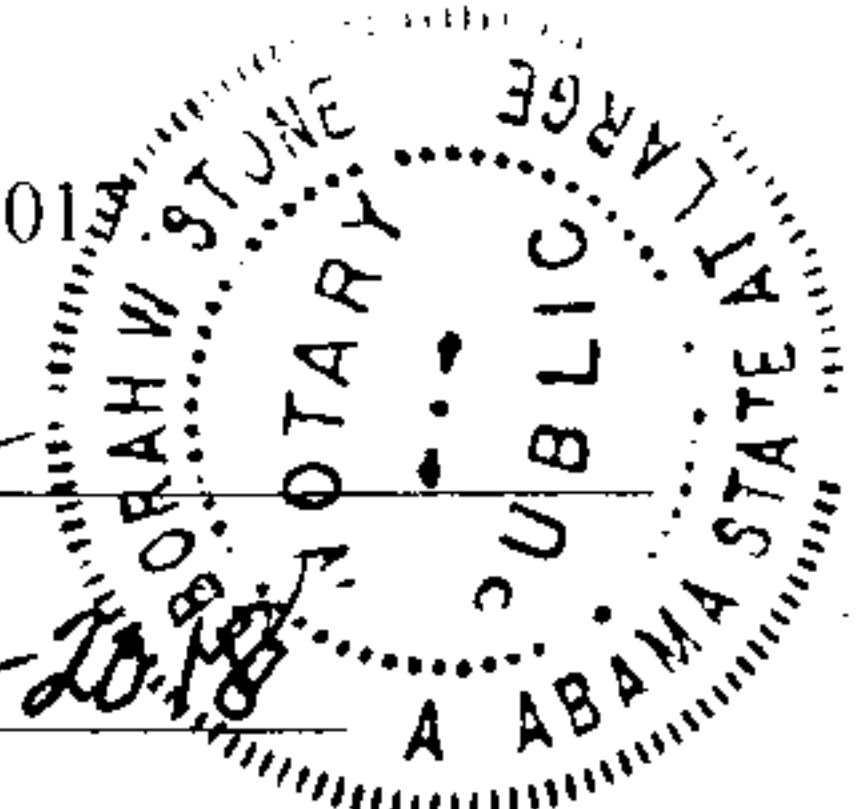
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Douglas Lee Acton, whose name as Co-Trustee of the Mark H. Acton, Jr. Irrevocable Trust, dated November 3, 1988, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that being informed of the contents of the instrument, he, in his capacity as such Co-Trustee and with full authority, executed the same voluntarily on the day the same bears date, for and as the act of said Irrevocable Trust.

Given under my hand and official seal on this the 11th day of January, 2017.



Notary Public

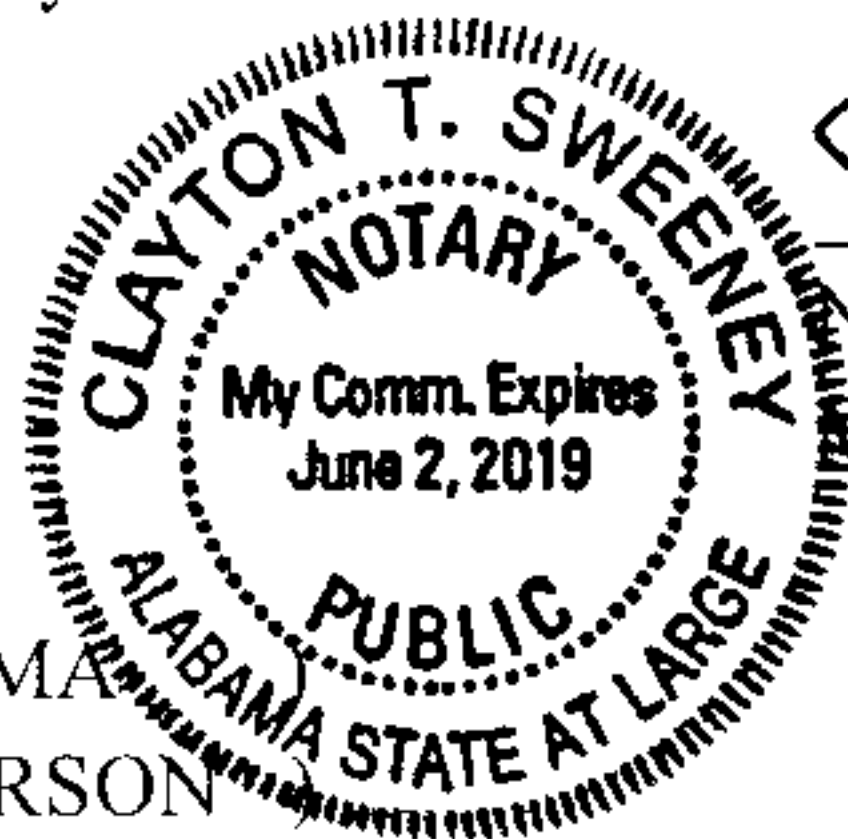
My Commission Expires: 3-26-2018

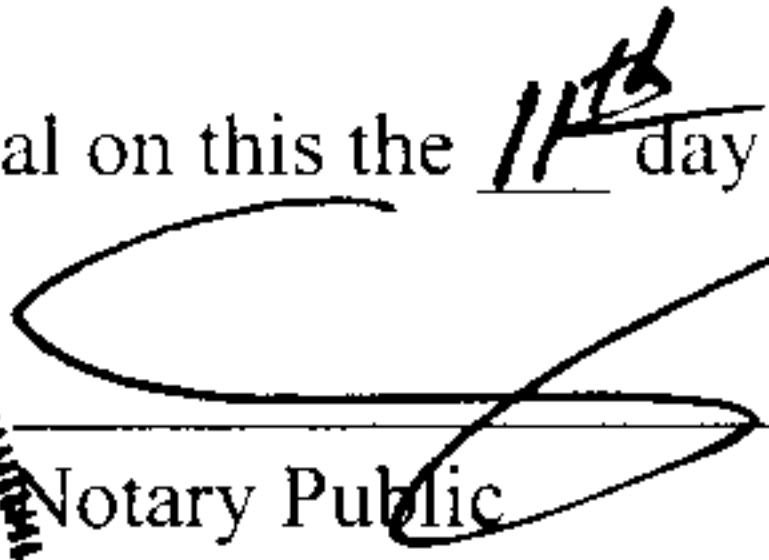


STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Donald Mark Acton, whose name as Co-Trustee of the Mark H. Acton, Jr. Irrevocable Trust, dated November 3, 1988, 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 the instrument, he, in his capacity as such Co-Trustee and with full authority, executed the same voluntarily on the day the same bears date, for and as the act of said Irrevocable Trust.

Given under my hand and official seal on this the 11th day of January, 2017.



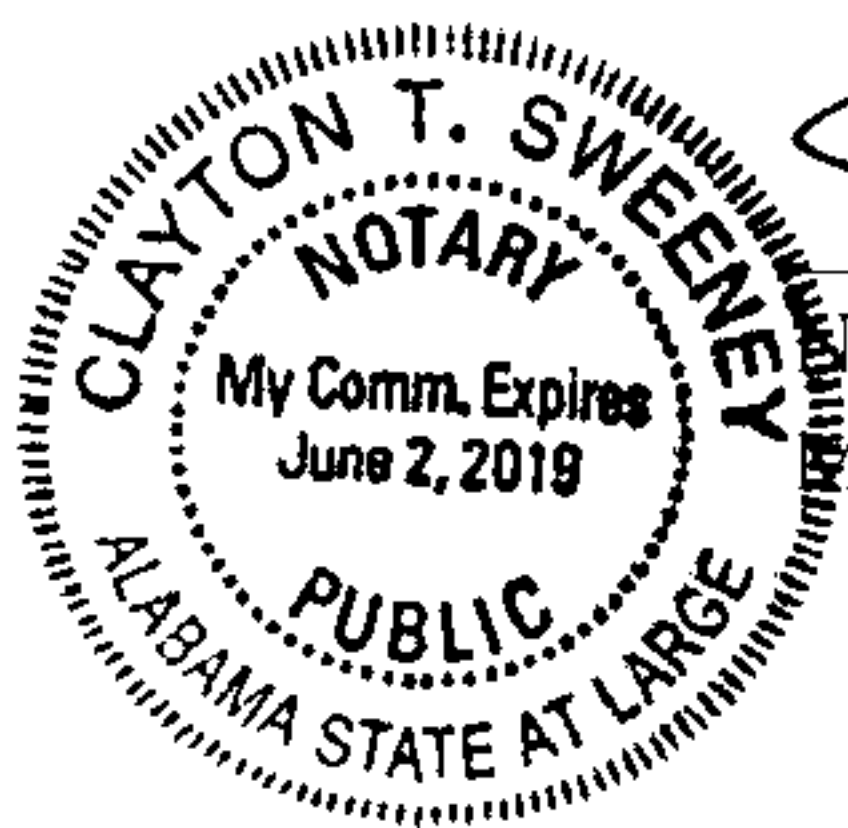

Notary Public

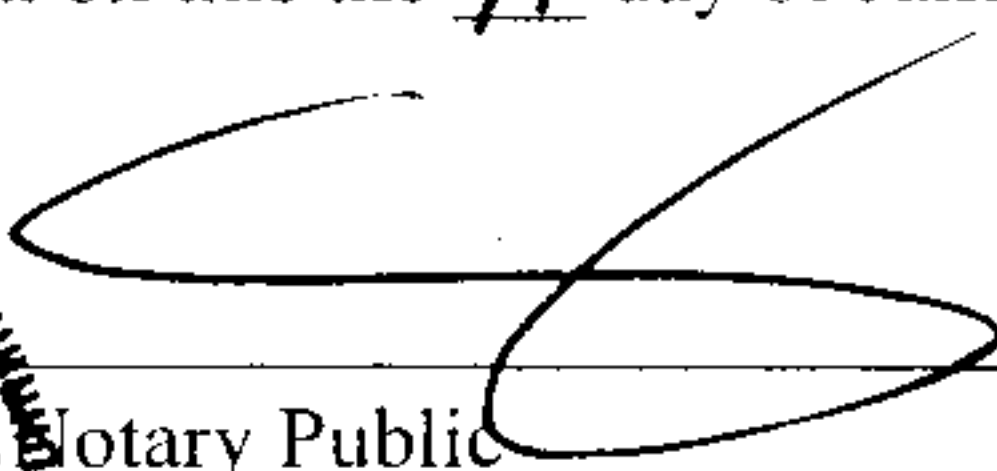
My Commission Expires: 6-2-2019

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Danny Franklin Acton, whose name as Co-Trustee of the Mark H. Acton, Jr. Irrevocable Trust, dated November 3, 1988, 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 the instrument, he, in his capacity as such Co-Trustee and with full authority, executed the same voluntarily on the day the same bears date, for and as the act of said Irrevocable Trust.

Given under my hand and official seal on this the 11th day of January, 2017.




Notary Public

My Commission Expires: 6-2-2019

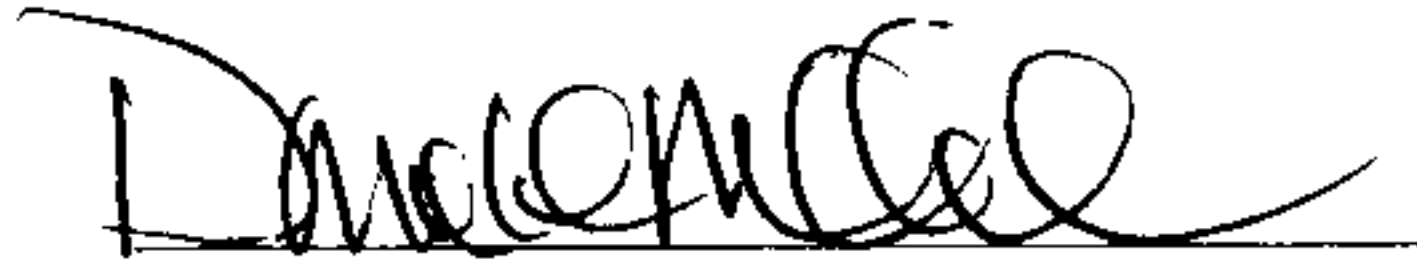


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Shelby Cnty Judge of Probate, AL
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CONSENT OF CORNERSTONE BUILDING, LLC

Cornerstone Building, LLC, an Alabama limited liability company ("Cornerstone"), is the owner of Lots 60, 61, and 62, according to the survey of Kinsale Gardens 3rd Sector, as recorded in Map Book 41, Page 90 in the Probate Office of Shelby County, Alabama ("Cornerstone Property"). In consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Cornerstone hereby consents to and joins in the execution of this Amendment for purposes of subjecting the Cornerstone Property to all of the terms and provisions set forth in the Declaration, as amended by this Amendment, and does hereby agree that the Cornerstone Property shall hereafter be owned, held, used, sold and conveyed subject to the terms and conditions of the Declaration, as amended by this Amendment..

Cornerstone Building, LLC, an Alabama
limited liability company

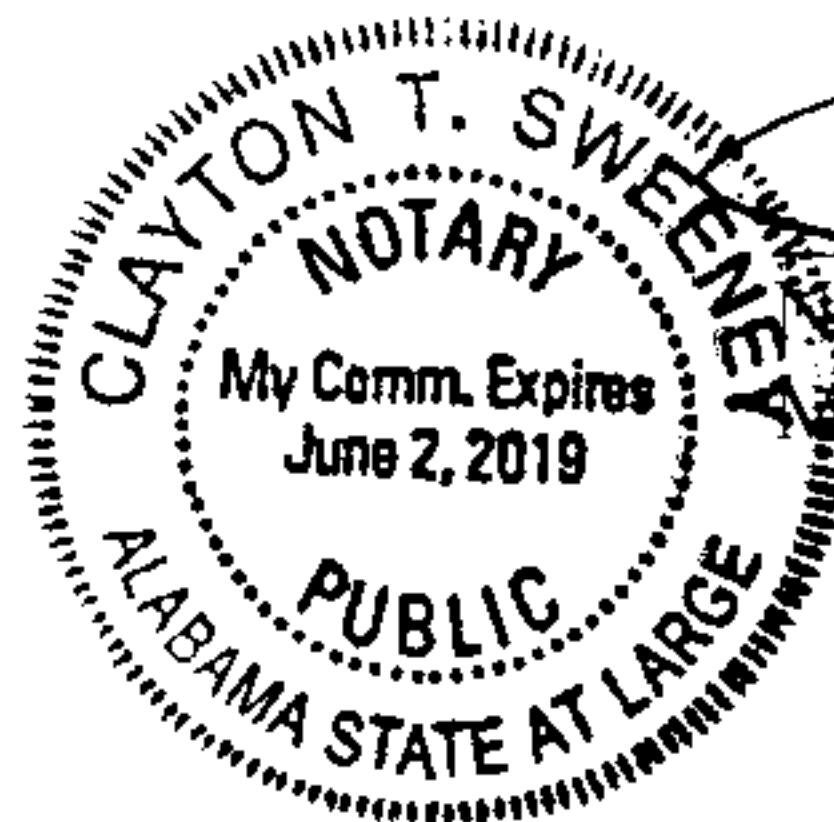
By: 
Name: Donald M. Acton
Title: Sole Member

STATE OF ALABAMA)
COUNTY OF JEFFERSON)


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Shelby Cnty Judge of Probate, AL
01/13/2017 02:53:23 PM FILED/CERT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Donald M. Acton, whose name as Sole Member of Cornerstone Building, LLC, 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 the instrument, he, as such Sole Member and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this 11th day of January, 2017.



Notary Public

My Commission Expires:

6-2-2019