

Rerecord to add legal

STATE OF ALABAMA)
SHELBY COUNTY)

**SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR WILLOW BRANCH, A RESIDENTIAL SUBDIVISION**

This Second Amendment to Declaration of Covenants, Conditions and Restrictions for Willow Branch, a Residential Subdivision (this "Amendment") amends the Declaration of Covenants, Conditions and Restrictions for Willow Branch, a Residential Subdivision dated March 20, 2007.

WITNESSETH:

WHEREAS, Willow Branch First Sector, LLC (the "original developer") was the developer of Willow Branch, a residential subdivision in Shelby County, Alabama (the "development"); and

WHEREAS, the original developer recorded the Declaration of Covenants, Conditions and Restrictions for Willow Branch, a Residential Subdivision in Instrument Number 20070320000126220 in the Office of the Judge of Probate of Shelby County, Alabama (the "Declaration"); and

WHEREAS, the original developer has sold the remaining lots in the development to Laurel Grove, Inc. ("Laurel Grove"); and

WHEREAS, the original developer previously amended the Declaration to substitute Laurel Grove as the Developer under the Declaration; and

WHEREAS, Laurel Grove desires to add and submit Additional Property to the provisions of the Declaration; and

WHEREAS, Laurel Grove desires to amend Section 3.2 of the Declaration to reserve additional easements for surface water drainage; and

NOW THEREFORE, pursuant to the powers contained in Sections 2.2, 2.3, and 10.1 of the Declaration, the Laurel Grove hereby amends the Declaration as follows:

1. Laurel Grove hereby adds and submits the following described property to the provisions of the Declaration:

All property described in and shown on the Final Subdivision Plat for Willow Branch, Sector 2, as recorded in Map Book 48, Page 35, in the Office of the Judge of Probate of Shelby County, Alabama ("Sector 2").


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Shelby Cnty Judge of Probate, AL
04/12/2018 04:00:28 PM FILED/CERT


20180409000118420 1/4 \$24.00
Shelby Cnty Judge of Probate, AL
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2. To the extent any lots in Sector 2 have been conveyed by Laurel Grove to Scotch Homes & Land Development, Inc. ("Scotch"), Scotch hereby agrees and consents to Sector 2 being added and submitted to the Declaration.

3. Section 3.2 of the Declaration is amended to add the following language:

Developer specifically reserves easements for surface water drainage, together with the right to construct within such reserved easements such swales and other surface water drainage systems as Developer shall, in its sole discretion, deem necessary, on, over, and across the property described on Exhibit A.

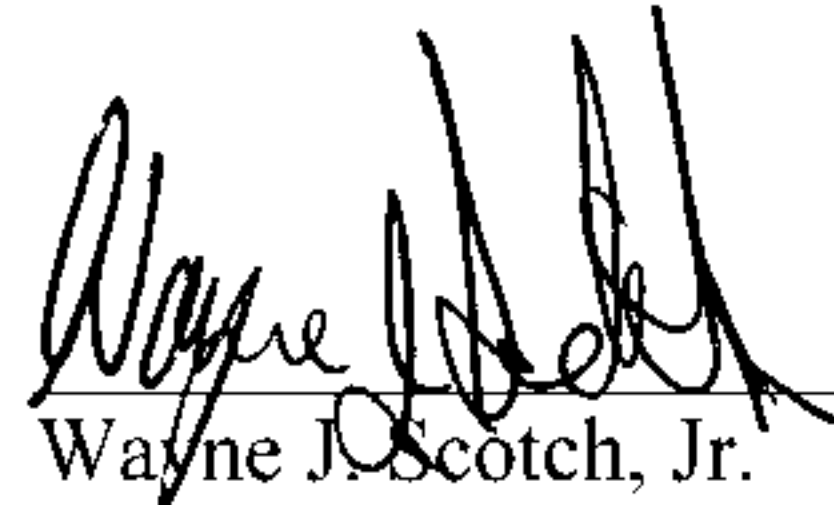
4. All terms and conditions of the Declaration that are not specifically amended by this Amendment shall remain in full force and effect.

5. All other terms and conditions contained in the Declaration shall remain in full force and effect and are not otherwise amended.

IN WITNESS WHEREOF, Laurel Grove, Inc. has caused this Amendment to be executed this the 9th day of April, 2018.

LAUREL GROVE, INC.

By:


Wayne J. Scotch, Jr.

Its:

President

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned Notary Public, in and for said County and State hereby certify that Wayne J. Scotch, Jr., whose name as President of Laurel Grove, Inc., 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 and in my presence.

Given under my hand and Official seal this 9 day of April, 2018.



Notary Public

My Commission Expires: 2/22/22



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SCOTCH HOMES & LAND
DEVELOPMENT, INC.

By: Wayne J. Scotch, Jr.
Its: President

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned Notary Public, in and for said County and State hereby certify that Wayne J. Scotch, Jr., whose name as President of Scotch Homes & Land Development, Inc., 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 and in my presence.

Given under my hand and Official seal this 9 day of April, 2018.

Jessica L. Holland
Notary Public
My Commission Expires: 2/22/22

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EXHIBIT A

[insert legal description for drainage easements]


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EXHIBIT A

LEGAL DESCRIPTION

Grantor owns property which lies within Northeast Quarter of the Northwest Quarter (NE 1/4 of the NW 1/4) Section 07, Township 20 South, Range 01 West, Shelby County, Alabama ("Grantors' Property").

The Easements herein granted by Grantor consist of strips of land which vary in width, lying within Lots 131 – 136, inclusive, of the Final Subdivision Plat for Willow Branch - Sector 2, as recorded on August 29, 2017 in the records of the Shelby County Judge of Probate, Map Book 48, Page 35, Recording No. 20170829000313610; such strips being more particularly described as follows:

A strip of land over the Southerly 25 feet of Lots 132, 133, 134 and 135, adjacent to the Right-of-Way of Willow Branch Lane.

Together with, three strips of land 20 feet in width, lying 10 feet on either side of the Lot lines between Lots 132 and 133, and Lots 133 and 134 and Lots 134 and 135.

Together with portions of Lots 131, 132 and 136 described as follows:

Commencing at the Northwest corner of Lot 136, marked by a found iron pipe;
Thence S00°29'32"E along the Westerly line of said Lot 136 a distance of 125.39 feet;
Thence continuing along said Westerly line, S48°22'55"E a distance of 249.10 feet to the Point of Beginning;

Thence S82°58'37"W a distance of 9.55 feet:

Thence S07°01'23"E a distance of 20.00 feet:

Thence N82°58'37"E a distance of 43.84 feet:

Thence S83°44'19"E a distance of 32.59 feet:

Thence S69°29'43"E a distance of 26.05 feet to a point on the 25 foot setback line of Willow Branch Lane:

Thence along said setback line in a Northeasterly direction, a distance of 22.96 feet;

Thence N69°29'43"W a distance of 38.75 feet:

Thence N83°44'19"W a distance of 37.41 feet:

Thence S82°58'37"W a distance of 36.61 feet to the Point of Beginning.


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