


STATE OF ALABAMA)
SHELBY COUNTY)


20180417000128750 1/6 \$30.00
Shelby Cnty Judge of Probate, AL
04/17/2018 01:51:35 PM FILED/CERT

AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS
FOR
HEATHERWOOD HOMEOWNERS ASSOCIATION, INC.

THIS AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS FOR HEATHERWOOD HOMEOWNERS ASSOCIATION, INC. (this "Amendment"), is made as of this 13th day of April, 2018 by the HEATHERWOOD HOMEOWNERS ASSOCIATION, INC., an Alabama non-profit corporation (the "Association").

WITNESSETH:

WHEREAS, the Association is the "Declarant" under that certain Declaration of Protective Covenants for Heatherwood Homeowners Association, Inc. dated April 11, 2003 is filed in the Office of the Judge of Probate of Shelby County, Alabama as Instrument No. 20030411000221760 and re-recorded as Instrument No. 20070111000016540 (the "Original Declaration");

WHEREAS, the certain additional signatures to the Original Declaration were filed in Instrument No. 20050104000002410 and Instrument No. 20070403000151280 (the "Additional Signatures" and together with the Original Declaration, the "Declaration");

WHEREAS, UNITED STATES STEEL CORPORATION, a Delaware corporation ("USS") is the owner of certain real property more particularly described on Exhibit "A" attached hereto and incorporated herein by reference (the "Subject Property");

WHEREAS, by virtue of its joinder attached hereto and incorporated herein by reference, USS does hereby declare that the Subject Property shall be held, developed, improved, transferred, sold, conveyed, leased, occupied and used subject to the Declaration, and the easements, covenants, conditions, restrictions, charges, liens and regulations set forth therein, 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 Subject Property, and their respective heirs, executors, administrators, personal representatives, successors, and assigns; and

WHEREAS, by virtue of the Association's status as "Declarant" of the Declaration, the Association wishes to submit the Subject Property to the Declaration as set forth below.

NOW THEREFORE, the Association does hereby amend the Declaration as follows:

1. Pursuant to Section 1.8 of the Declaration, the Association and USS hereby submit the Subject Property to the Declaration. The Subject Property shall be conveyed subject to the provisions of the Declaration.

2. This Amendment has been duly and properly executed by the Association and USS and will be recorded in the Office of the Judge of Probate of Shelby County, Alabama for the purposes stated herein.

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

This instrument prepared by:
Heatherwood Homeowners Association, Inc.
William L. Silver, III, President E.O.
610 Preserve Parkway, Suite 200
Hoover, Alabama 35226

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IN WITNESS WHEREOF, the Association has executed this Amendment effective as of the date set forth above.

ASSOCIATION:

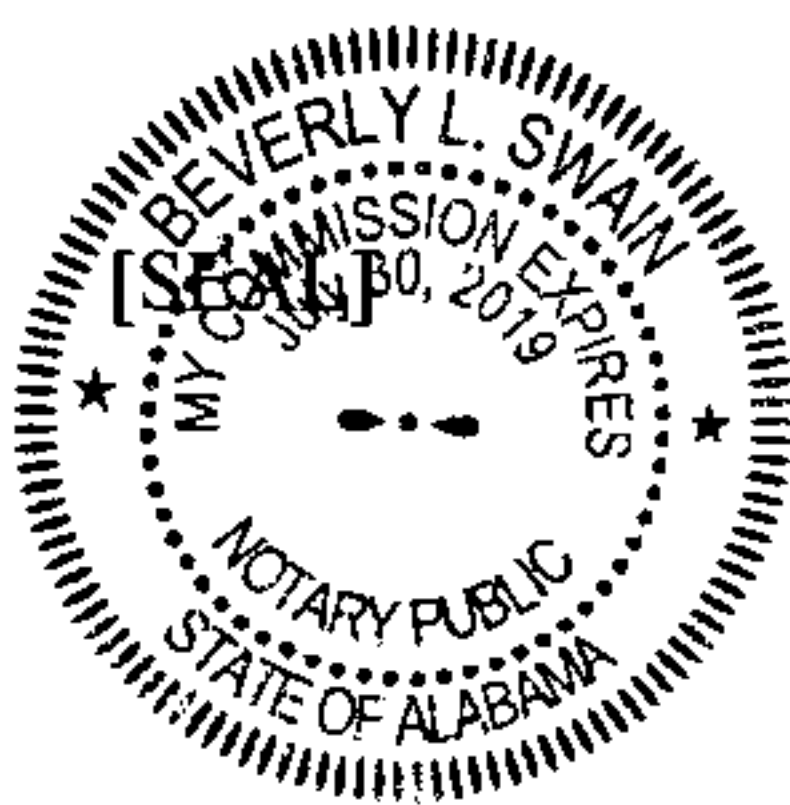
HEATHERWOOD HOMEOWNERS ASSOCIATION, INC.,
an Alabama non-profit corporation

By: W.L. Silver
Name: W.L. Silver
Its: President Ex Officio

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, Beverly L. Swain, a Notary Public in and for said County, in said State, hereby certify that W.L. Silver, III whose name as President Ex Officio of **HEATHERWOOD HOMEOWNERS ASSOCIATION, INC.**, an Alabama non-profit 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 said instrument, he, in such capacity and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 13 day of April, 2018.



Beverly L. Swain
Notary Public
My Commission Expires: 7/30/19

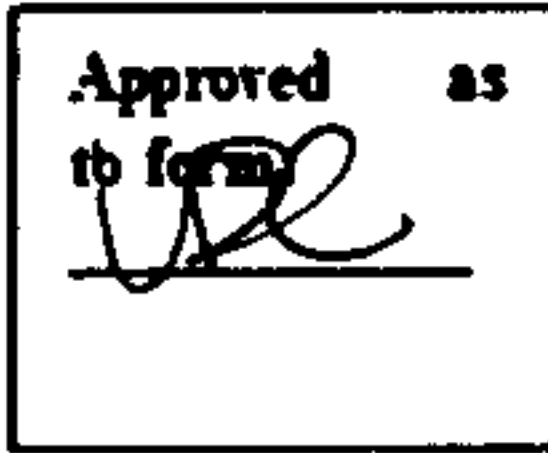
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JOINDER OF USS

The undersigned, owner of the Subject Property, hereby joins in and consents to the terms and provisions of the foregoing Amendment to Declaration of Protective Covenants for Heatherwood Homeowners Association, Inc. and agrees that the Subject Property is and shall be subject to all terms and conditions of the Declaration for all purposes.

USS:

UNITED STATES STEEL CORPORATION,
a Delaware corporation

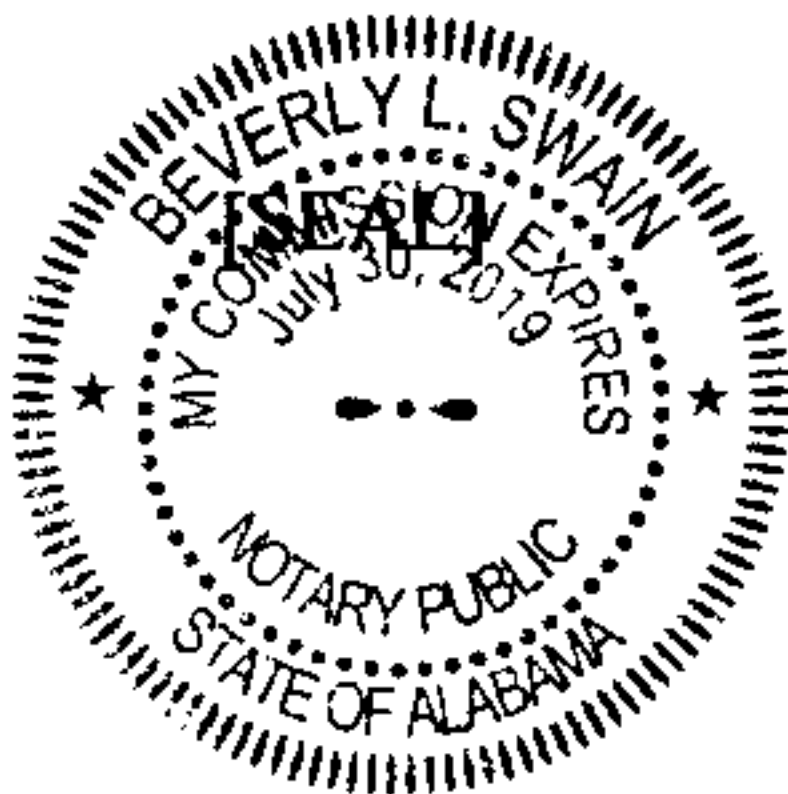


By: William L. Silver, III
William L. Silver, III
Director – USS Real Estate, a division of
United States Steel Corporation

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, Beverly L. Swain, a Notary Public in and for said County in said State, hereby certify that William L. Silver, III, whose name as Director – USS Real Estate, a division of United States Steel Corporation, a Delaware 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, in such capacity, executed the same voluntarily for and as the act of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 13 day of April, 2018.



Beverly L. Swain
Notary Public
My Commission Expires: 7/30/19

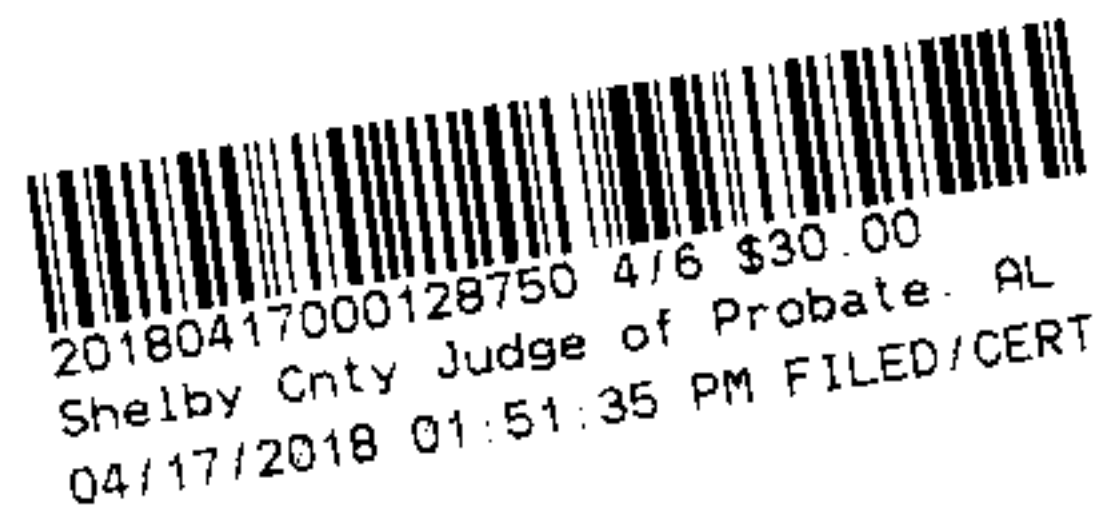



EXHIBIT "A"
Legal Description


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PARCEL 2

A parcel of land situated in the Southwest Quarter of the Southwest Quarter of Section 3, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest Corner of said Southwest Quarter of Southwest Quarter of Section 3; thence run in a Northerly direction, along the West line of said Section, a distance of 36.45 feet to the POINT OF BEGINNING of the parcel herein described; thence continue in the same direction as the last described course, in a Northerly direction, along said Section line, a distance of 335.25 feet to a point, said point being at the Southeast corner of Lot 18 of Altadena Woods, First Sector, as recorded in Map Book 10, at Page 104, in the Probate Office of Shelby County; thence continue in the same direction as the last described course, Northerly along said Section line and along the East side of said Altadena Woods First Sector subdivision, a distance 643.54 feet to a point, said point being at the Southwest corner of Lot 5, Caldwell Mill Trace, as recorded in Map Book 18, at Page 67, in the Probate Office of Shelby County, and being a PEI rebar and cap found; thence turn an interior angle of 82°28'28" and run to the right in a Southeasterly direction, along the South line of said Lot 5, a distance of 392.40 feet to a point; thence turn an interior angle of 220°29'38" and run to the left, in a Northeasterly direction, along said lot line, a distance of 89.85 feet to a point, said point being on the Westerly Right-of-Way line of Caldwell Mill Road, and being a PEI rebar and cap found; thence turn an interior angle of 66°07'41" and run to the right, in a Southeasterly direction, along said Right-of-Way, a distance of 88.26 feet to a point, being a concrete highway monument found; thence turn an interior angle of 272°02'30" and run to the left, in a Northeasterly direction, along said Right-of-Way, a distance of 29.67 feet to a point, being a concrete highway monument found, said point also being the beginning of a curve to the left; thence turn an interior angle of 86°33'18" to tangent, and run to the right in a Southeasterly direction, along said Right-of-Way, and along the arc of said curve, having a central angle of 11°16'46" and a radius of 1687.00 feet, an arc distance of 332.11 feet to a point, being a N. Hughes rebar and cap found; thence turn an interior angle of 90°41'10" to tangent, and leaving said Right-of-Way, run to the right, in a Southwesterly direction, a distance of 40.06 feet to a point, being a N. Hughes rebar and cap found; thence turn an interior angle of 270°04'04" and run to the left, in a Southeasterly direction, a distance of 40.02 feet to a point, being a N. Hughes rebar and cap found; thence turn an interior angle of 270°00'22" and run to the left, in a Northeasterly direction, a distance of 40.01 feet to a point, being a N. Hughes rebar and cap found, said point being on said Right-of-Way of Caldwell Mill Road, said point also being the beginning of a curve to the left; thence turn an interior angle of 90°35'51" to tangent, and run to the right in a Southeasterly direction, along said Right-of-Way, and along the arc of said curve, having a central angle of 04°57'25" and a radius of 1687.00 feet, an arc distance of 145.95 feet to a point, said point being the beginning of the Right-of-Way for Heatherwood Drive; thence turn an interior angle of 88°13'00" to tangent, and run to the right in a Southwesterly direction, along said Right-of-Way, a distance of 14.66 feet to a point, being a L. Weygand rebar and cap found; thence turn an interior angle of 270°42'56" and run to the left, in a Southeasterly direction, along said Right-of-Way, a distance of 39.29 feet to a point, being a L. Weygand rebar and cap found, and said point being the beginning of a curve to the left; thence turn an interior angle of 94°04'09" to tangent, and run in a Southwesterly direction, along said Right-of-Way, and along the arc of said curve, having a central angle of 74°45'10" and a radius of 52.50 feet, an arc distance of 68.50 feet to a point, being a L. Weygand rebar and cap found; thence turn an interior angle of 85°21'49" to tangent, and run to the right in a Southwesterly direction, along said Right-of-Way, a distance of 245.02 feet to a point, being a L. Weygand rebar and cap found; thence turn an interior angle of 203°40'24" and run to the left, in a Southwesterly direction, along said Right-of-Way, a distance of 345.94 feet to a point, being a L. Weygand rebar and cap found; thence turn an interior angle of

181°10'55" and run to the left, in a Southwesterly direction, along said Right-of-Way, a distance of 131.87 feet to the point of beginning. Said parcel contains 10.2044 acres, more or less.

PARCEL 4

A parcel of land situated in the Southeast Quarter of the Southeast Quarter of Section 4, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast Corner of said Southeast Quarter of Southeast Quarter of Section 4; thence run in a Northerly direction, along the East line of said Section, a distance of 36.45 feet to a point on the Northwesternly Right-of-Way line of Heatherwood Drive, and the POINT OF BEGINNING of the parcel herein described; thence turn a deflection angle to the left of 123°14'27" and run in a Southwesterly direction, along said Right-of-Way a distance of 62.61 feet to a point on the South line of said Section 4; thence turn an interior angle of 144°26'25" and run to the right, in a Westerly direction, along said Section line, a distance of 90.66 feet to a point, said point being at the Southeast corner of Lot 25 of Altadena Woods, First Sector, as recorded in Map Book 10, at Page 104, in the Probate Office of Shelby County, and being a J. Gay rebar and cap found; thence turn an interior angle of 92°27'39" and run to the right, in a Northerly direction, along the East line of said Lot 25, and along Lot 19, a distance of 180.70 feet to a point; thence turn an interior angle of 142°06'32" and run to the right, along the Southeast line of said Lot 19, and along Lot 18, a distance of 234.23 feet to a point, said point being at the Southeast corner of Lot 18 and being on the East line of said Section 4; thence turn an interior angle of 37°44'57" and run to the right, in a Southerly direction, along said Section line, a distance of 335.25 feet to the point of beginning. Said parcel contains 0.8864 acres, more or less.

PARCEL 5

A parcel of land situated in the Northeast Quarter of the Northeast Quarter of Section 9, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast Corner of said Northeast Quarter of Northeast Quarter of Section 9; thence run in a Westerly direction, along the North line of said Section, a distance of 52.41 feet to a point on the Northwesternly Right-of-Way line of Heatherwood Drive, and the POINT OF BEGINNING of the parcel herein described; thence turn a deflection angle to the left of 35°33'35" and run in a Southwesterly direction, along said Right-of-Way a distance of 54.81 feet to a point, said point being the beginning of a curve to the right; thence run in a Southwesterly direction, along the arc of said curve, having a central angle of 04°55'06" and a radius of 607.28 feet, an arc distance of 52.13 feet to a point, said point being at the Southeast corner of Lot 1 of Heatherwood First Sector, as recorded in Map Book 15, at Page 4, in the Probate Office of Shelby County; thence turn an interior angle of 961°38'49" and run to the right, in a Northerly direction, along the East line of said Lot 1, a distance of 60.38 feet to a point, said point being at the Northeast corner of said Lot 1 and being on the North line of said Section 9, being a J. Gay rebar and cap found; thence turn an interior angle of 87°42'37" and run to the right, along said Section line, a distance of 90.66 feet to the point of beginning. Said parcel contains 0.0646 acres, more or less.



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