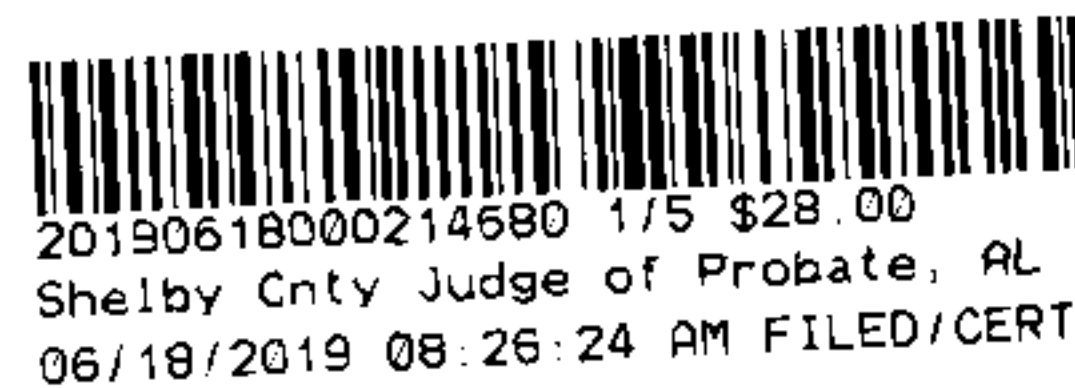


This instrument prepared by:

Gail Livingston Mils, Esq.  
Burr & Forman LLP  
420 20<sup>th</sup> Street North, Suite 3400  
Birmingham, AL 35203

STATE OF ALABAMA       )  
  
COUNTY OF SHELBY       )



**AMENDMENT TO DECLARATION OF COVENANTS  
FOR INTERSTATE COMMERCE PARK**

**THIS AMENDMENT TO DECLARATION OF COVENANTS FOR INTERSTATE COMMERCE PARK** (this “Amendment”) is entered into this the 13<sup>th</sup> day of June, 2019, by **DUNN REAL ESTATE, LLC**, an Alabama limited liability company (“Declarant”) and **BENRACHEL PROPERTIES, L.L.C.**, an Alabama limited liability company (“BenRachel” and, collectively with the Declarant, the “Owners”).

**WITNESSETH:**

**WHEREAS**, pursuant to that certain Declaration of Covenants for Interstate Commerce Park dated June 15, 2017 and recorded in the Office of the Judge of Probate of Shelby County, Alabama (the “Probate Office”), in Instrument No. 20170623000225580 (the “Declaration”; *capitalized terms used herein without definition shall have the meanings ascribed to such terms in the Declaration*), Declarant established the Interstate Commerce Park Association, Inc., an Alabama non-profit association (the “Association”) for the purposes of managing and maintaining the Common Areas described in the Declaration;

**WHEREAS**, Declarant is the Owner of Lots 1, 2, 4 and 5, according to Final Plat, Resurvey No. 1 of Interstate Commerce Park, as recorded in Map Book 48, Page 5, in the Probate Office, and Lot 6-A, according to Final Plat, Resurvey Lot 6 Interstate Commerce Park, recorded in Instrument No. 20190522000176040 (the “Lot 6-A Resurvey”);

**WHEREAS**, BenRachel is the Owner of Lot 3, according to Final Plat, Resurvey No. 1 of Interstate Commerce Park, as recorded in Map Book 48, Page 5, in the Probate Office;

**WHEREAS**, pursuant to the Lot 6-A Resurvey, Owners have established certain additional Common Areas, described as “Common Area ‘A1’” and “Common Area ‘B’” on the Lot 6-A Resurvey which shall become part of the Private Roads upon the construction thereof.

**NOW THEREFORE**, the parties hereto do to hereby amend the Declaration as follows:

1. The Declaration is hereby amended to provide that, upon construction of roads located within Common Area "A1" and Common Area "B", each as shown on the Lot 6-A Resurvey, such roads will constitute additional Private Roads and shall be subject to all terms and conditions of the Declaration. Nothing herein shall obligate the Declarant to construct any road within Common Area "B" as shown on the Lot 6-A Resurvey.

2. Except for the aforesaid, the terms and conditions of the Declaration shall continue to be in full force and effect without any other changes whatsoever.

3. This Amendment may be executed in any number of counterparts, all of which, when taken together, shall constitute one and the same document.

*[Remainder of Page Intentionally Blank]*



20190618000214680 2/5 \$28.00  
Shelby Cnty Judge of Probate, AL  
06/18/2019 08:26:24 AM FILED/CERT

**IN WITNESS WHEREOF**, the undersigned have caused this Amendment to be executed on the day and year first above written.

**DECLARANT:**

**DUNN REAL ESTATE, LLC,**  
an Alabama limited liability company

By: \_\_\_\_\_

Christopher W. Hoyt  
Its President

**STATE OF ALABAMA                    )**  
**COUNTY OF JEFFERSON            )**

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Christopher W. Hoyt, whose name as President of **DUNN REAL ESTATE, 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 said instrument, he, as such President and with full authority, executed the same for and as the act of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 13 day of June, 2019.

Carshi Welden

NOTARY PUBLIC

My Commission Expires: 1/17/21

  
20190618000214680 3/5 \$28.00  
Shelby Cnty Judge of Probate, AL  
06/18/2019 08:26:24 AM FILED/CERT

**BENRACHEL:**

**BENRACHEL PROPERTIES, L.L.C.,**  
an Alabama limited liability company

BY: [Signature]  
Name: Ben Flowers  
Its: President

STATE OF ALABAMA )  
COUNTY OF Jefferson )

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Ben Flowers, whose name as President of **BENRACHEL PROPERTIES, 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 President and with full authority, executed the same for and as the act of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 12<sup>th</sup> day of June, 2019.

Sarah D. Clark

NOTARY PUBLIC

My Commission Expires: 10-26-19

  
20190618000214680 4/5 \$28.00  
Shelby Cnty Judge of Probate, AL  
06/18/2019 08:26:24 AM FILED/CERT

**JOINDER OF ASSOCIATION**

The undersigned duly authorized representative of **INTERSTATE COMMERCE PARK ASSOCIATION, INC.**, an Alabama nonprofit association, hereby joins in the execution of the foregoing Amendment for the purpose of consenting to the recording of this Amendment.

**ASSOCIATION:**

**INTERSTATE COMMERCE PARK  
ASSOCIATION, INC.,**  
an Alabama nonprofit corporation

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

*Chris Hoyt*  
Chris Hoyt  
Director

STATE OF ALABAMA                    )  
COUNTY OF JEFFERSON            )

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Chris Hoyt, whose name as Director of **INTERSTATE COMMERCE PARK ASSOCIATION, INC.**, an Alabama nonprofit 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/she, as such Director and with full authority, executed the same for and as the act of said nonprofit corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 13 day of June, 2019.

*Carole Welden*  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: 1/17/21

