

This instrument was prepared by:

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STATE OF ALABAMA)
COUNTY OF SHELBY)


20190822000307850 1/4 \$24.00
Shelby Cnty Judge of Probate, AL
08/22/2019 11:36:36 AM FILED/CERT

**FIRST AMENDMENT TO
SUPPLEMENTARY DECLARATION AND AMENDMENT TO
THE DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR HIGHLAND LAKES,
A RESIDENTIAL SUBDIVISION
WITH RESPECT TO 32ND SECTOR**

KNOW ALL MEN BY THESE PRESENTS THAT,

WHEREAS, Highland Lakes Development, LLLP, an Alabama limited liability limited partnership, formerly known as Highland Lakes Development, Ltd., an Alabama limited partnership, pursuant to an Amended and Restated Certificate of Formation recorded on October 5, 2017, in Instrument No. 2017103845 in the Probate Office of Jefferson County, Alabama ("Developer") and Highland Lakes Residential Association, Inc. (the "Association") previously filed a Declaration of Covenants, Conditions and Restrictions in the Probate Office of Shelby County, Alabama, recorded on June 9, 2005, as Instrument Number 20050609000280550 (the "Original Declaration") with respect to certain real property situated in Shelby County, Alabama, which is part of a residential subdivision known as Highland Lakes, A Residential Subdivision (the "Development"), and which is more particularly described in the Plat of Highland Lakes, 32nd Sector, as recorded in Map Book 35, at page 23 in the Probate Office of Shelby County, Alabama;

WHEREAS, Developer has created the Association pursuant to the Declaration of Easements and Master Protective Covenants for Highland Lakes recorded as Instrument Number 1994-07111 in the Probate Office of Shelby County, Alabama, as amended by the documents recorded as Instrument Number 1996-17543 and Instrument Number 1999-31095 and in said office (the "Master Covenants"), for the purpose of maintaining certain lakes (the "Lakes") and other property located adjacent to or near the Subject Property which is intended to be for the non-exclusive use and benefit of the owners of the Development (the "Common Areas"), regulating the use of the Lakes and Common Areas, and levying assessments for the maintenance, preservation and regulation of the Common Areas and the Lakes;

WHEREAS, Developer and the Association filed a Supplementary Declaration and Amendment to the Original Declaration with the Probate Office of Shelby County, Alabama, recorded as Instrument #20151230000442920 in said office (the "Supplementary Declaration") to submit certain property to be developed as part of the Development to the Original Declaration and the Master Covenants in accordance with and pursuant to the terms thereof, each of which permit the Developer, with the approval in writing of the Association, to evidence the submission of such property to the Original Declaration and the Master Covenants by filing a Supplementary Declaration to that effect in the Office of the Judge of Probate of Shelby County, Alabama;

WHEREAS, the Developer has subdivided and developed part of the land subject to the Supplementary Declaration in accordance with the subdivision plat recorded in the Probate Office of Shelby County, Alabama, as Highland Lakes 32nd Sector Phase IIA and a Resurvey of Lot 3229 as more particularly described in the subdivision plat recorded in Map Book 51, at page 28 in the Office of the Judge of Probate of Shelby County, Alabama (the "Subject Property");

WHEREAS, the Developer desires to amend the description of the Subject Property in the Supplemental Declaration to reflect the subdivision of part of the Subject Property and the rights and obligations of the Developer

CLAYTON T. STEPHENSON, ATTORNEY AT LAW

with respect to the Subject Property by filing this First Amendment to the Supplementary Declaration with the Probate Office of Shelby County, Alabama;

NOW THEREFORE, the Developer and the Association (collectively the "Declarants"), do, upon the recording hereof, declare and make the Subject Property and any portion thereof subject to the covenants, conditions, restrictions, uses, limitations and affirmative obligations of the Original Declaration and the Master Covenants, as each has been heretofore amended and as amended hereby, all of which are declared to be in furtherance of a plan for the use and improvement of the Subject Property in a desirable and uniform manner and for the maintenance, preservation, and regulation of the Lakes and Common Areas within the property subject to the Original Declaration and the Master Covenants.

ARTICLE I

The Declarants hereby reaffirm and restate the terms and provisions of the Original Declaration and the Master Covenants, as each has been amended, in their entirety without any change whatsoever, except as follows:

1. The legal description of the Subject Property is hereby amended to refer to the real property described in the subdivision plat recorded as Highland Lakes, 32nd Sector Phase IIA and Resurvey of Lot 3229, as recorded in the Probate Office of Shelby County, Alabama in Map Book 51, at page 28.

2. The Subject Property shall be subject in all respects to the Original Declaration and the Master Covenants as amended by the Supplementary Declaration and as further amended by this First Amendment to the Supplementary Declaration.

3. No assessments shall be due on any Lot owned by the Developer in the Subject Property. Assessments on individual Lots within the Subject Property shall commence in accordance with Section 6.3 of the Master Covenants upon the conveyance of the Lot to a person other than the Developer.

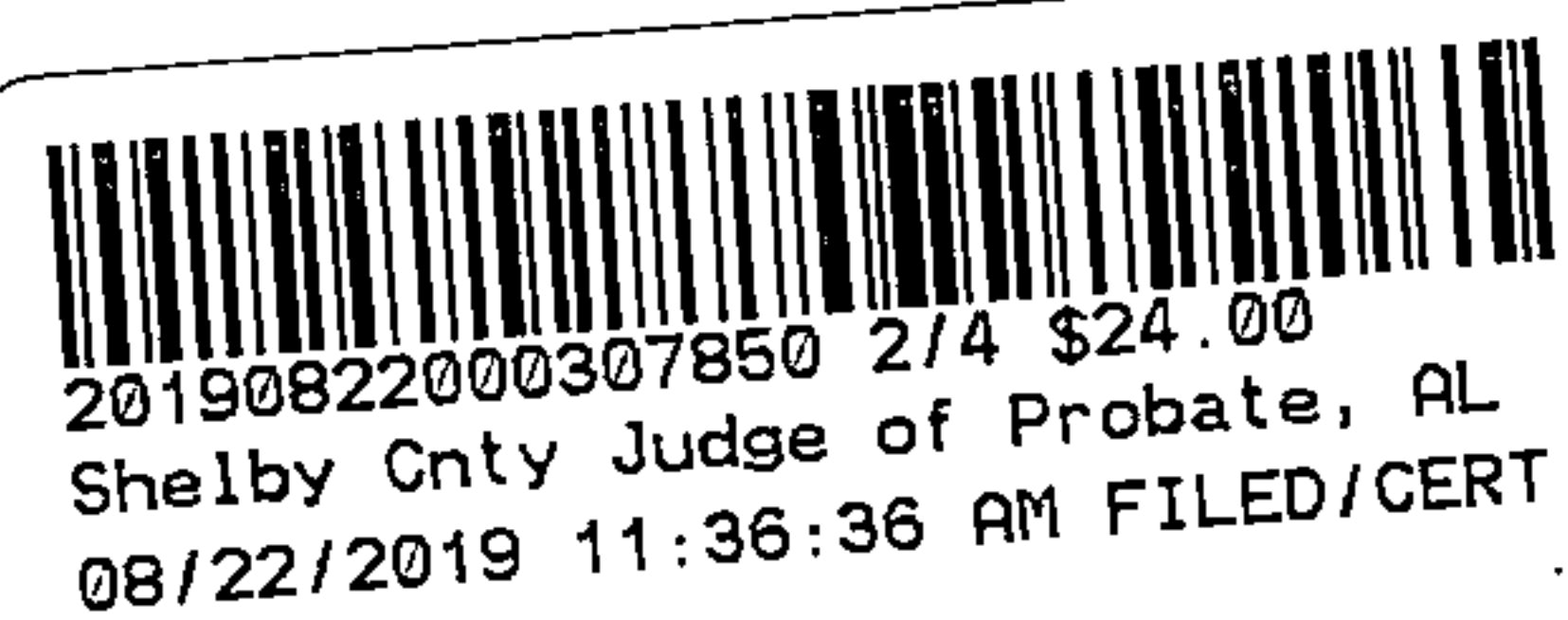
ARTICLE II

Declarants hereby declare that said provisions of the Original Declaration and Master Covenants as so amended shall run with the land and be binding upon, and shall inure to the benefit of, the Subject Property and all parties having or acquiring any right, title or interest in and to the Subject Property or any part thereof, and their successors in interest.

ARTICLE III

The Association has joined in the execution of this Supplementary Declaration for the purpose of evidencing its written approval of this amendment to the Supplementary Declaration and to the filing of this amendment with the Office of the Judge of Probate of Shelby County, Alabama.

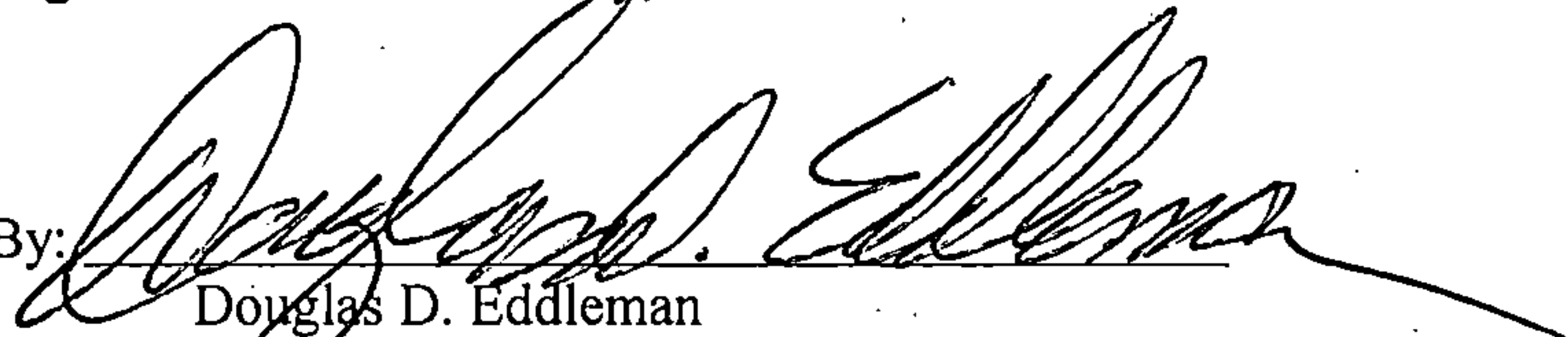
[Signatures on following pages]



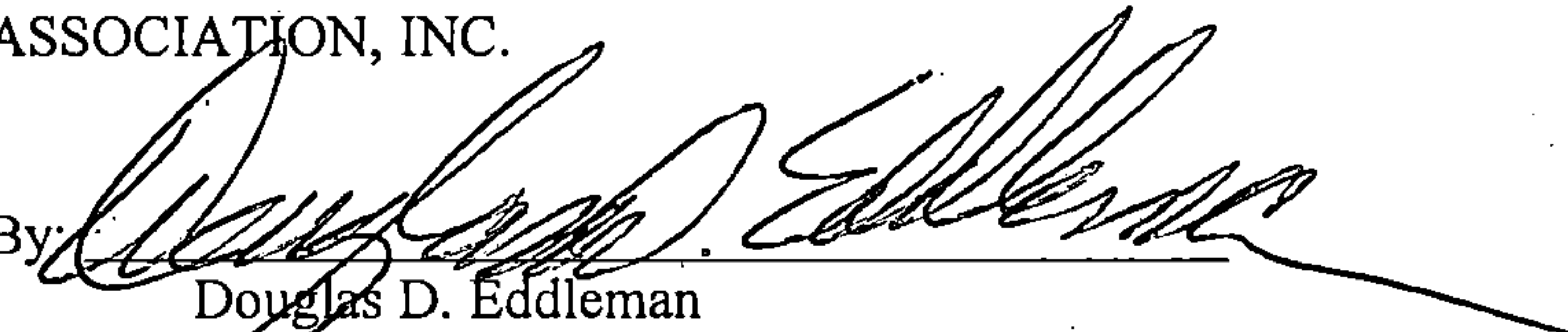
IN WITNESS WHEREOF, the undersigned have caused this Declaration to be executed as of the 15th
day of August, 2019.

DECLARANTS:

HIGHLAND LAKES DEVELOPMENT, LLLP
an Alabama limited liability limited partnership
formerly known as
HIGHLAND LAKES DEVELOPMENT, LTD.,
an Alabama limited partnership,
By its General Partner:
Highland Lakes Community, Inc.

By: 
Douglas D. Eddleman
President

HIGHLAND LAKES RESIDENTIAL
ASSOCIATION, INC.

By: 
Douglas D. Eddleman
President

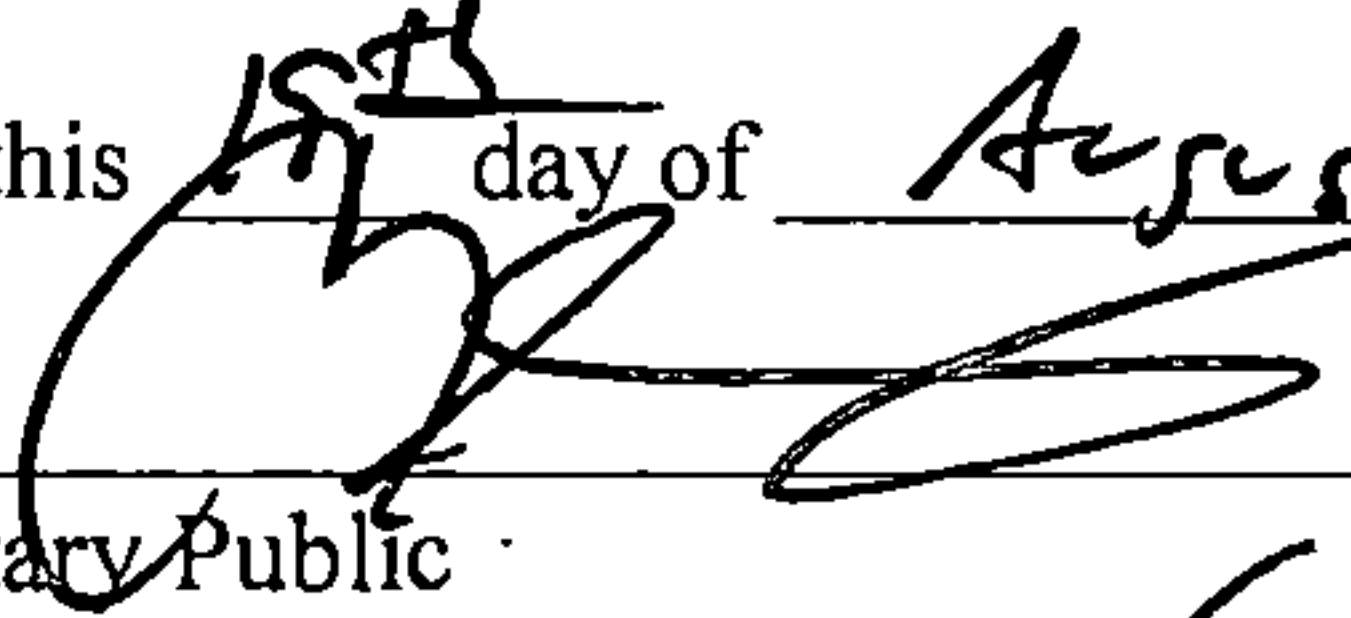


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STATE OF ALABAMA)
JEFFERSON COUNTY)

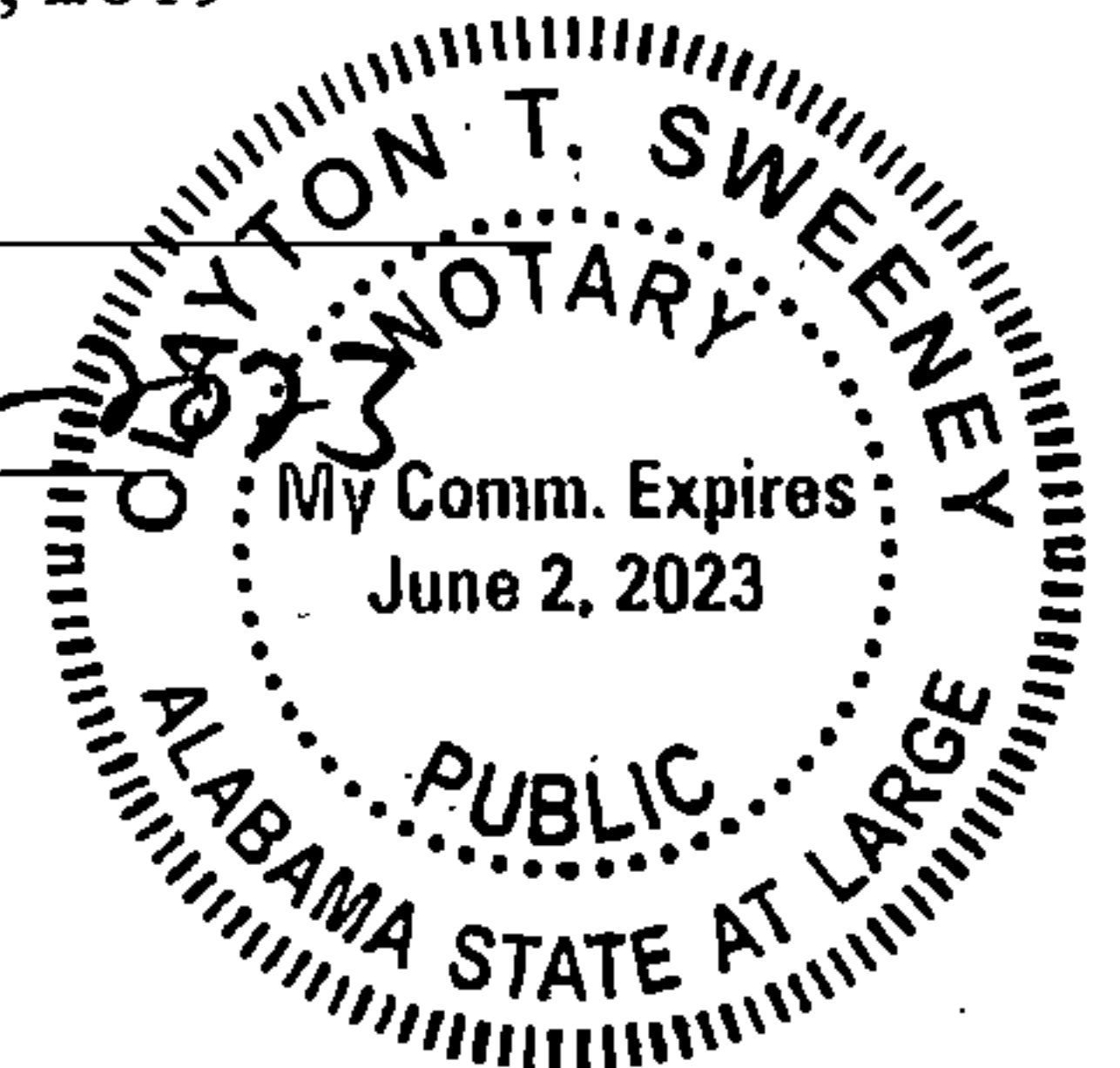
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Douglas D. Eddleman, whose name as President of Highland Lakes Community, Inc., a corporation, as General Partner for Highland Lakes Development, LLLP, an Alabama limited liability limited partnership, formerly known as Highland Lakes Development, Ltd., an Alabama limited partnership, is signed to the foregoing First Amendment to Supplementary Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing First Amendment to Supplementary Declaration, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as General Partner of said limited liability limited partnership as aforesaid.

Given under my hand and official seal of office this 18th day of August, 2019



Notary Public

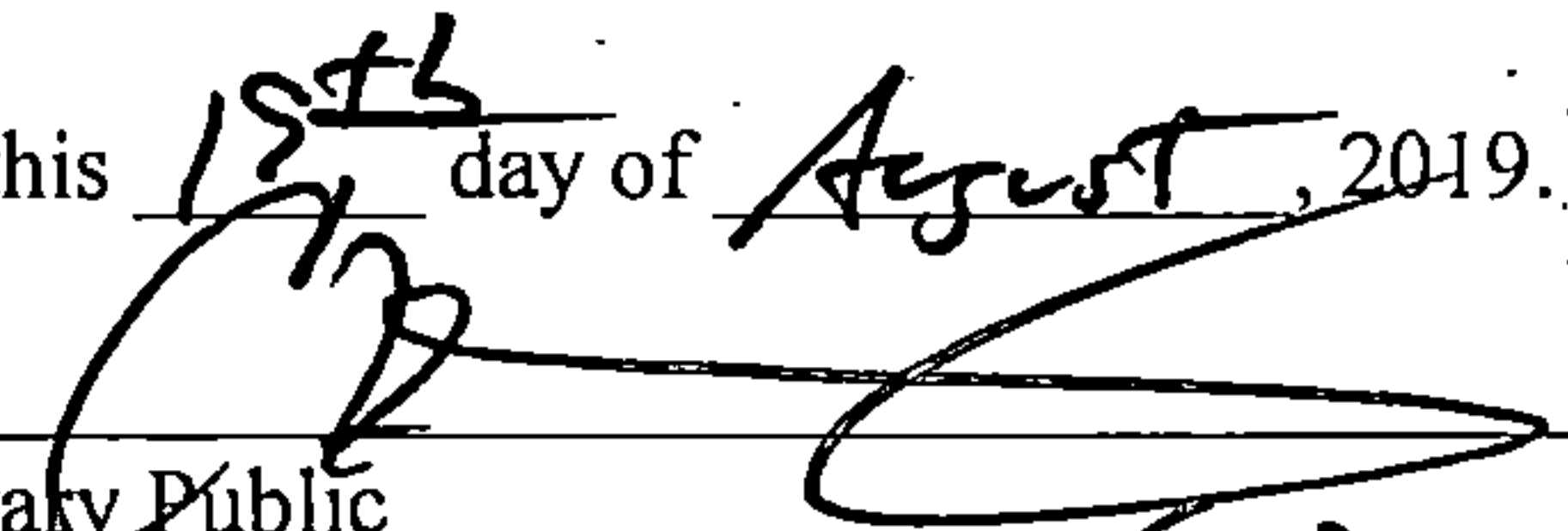
My Commission Expires: 6-2-2023



STATE OF ALABAMA)
JEFFERSON COUNTY)

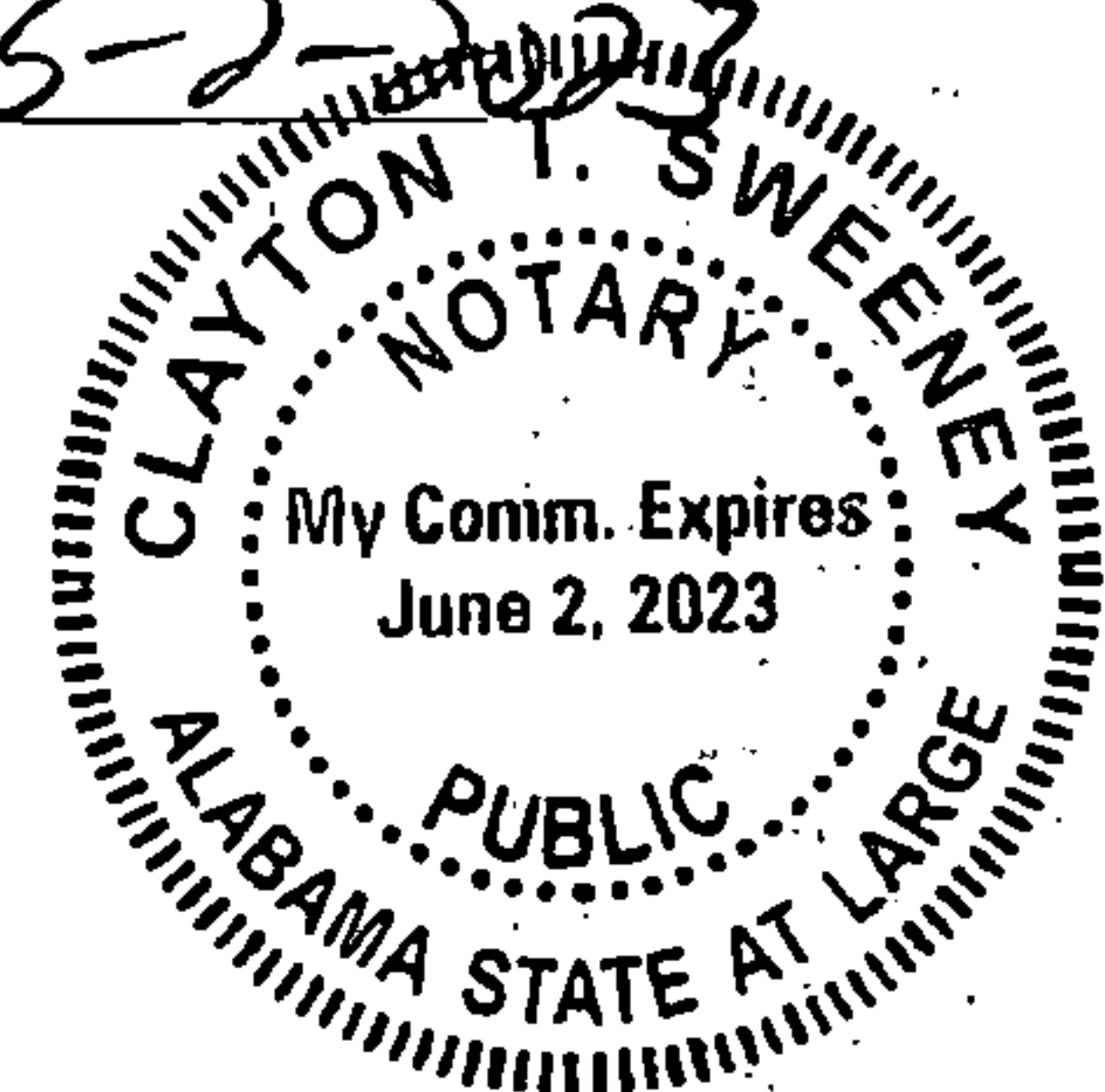
I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of Highland Lakes Residential Association, Inc., an Alabama nonprofit corporation, is signed to the foregoing First Amendment to Supplementary Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the First Amendment to Supplementary Declaration, he as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal of office this 18th day of August, 2019.



Notary Public

My Commission Expires: 6-2-2023



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