

**STATE OF ALABAMA)
COUNTY OF SHELBY)**

**20200207000052620
02/07/2020 03:42:11 PM
RESTCOVN 1/10**

**RESURVEY OF LOT 2A
OF CAHABA VALLEY FARMS**

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS:

The Declaration of Restrictive Covenants (the "Cahaba Valley Farms Covenants") for Cahaba Valley Farms ("CVF") were fully executed as of May 31, 1991, and recorded in Book 345, Page 293, in the Probate Office of Shelby County, Alabama, and

CVF is made up of ten (10) tracts (the "CVF Lots") as described in the survey of Cahaba Valley Farms as recorded in Map Book 15, Page 31, in the Probate Office of Shelby County, Alabama, and as resurveyed under Map Book 42, Page 146 and approved by instrument recorded in April 18, 2012 in said Probate Office, and

The current owner (Petitioner) of Lot 2A of CVF, pursuant to Paragraph 14 of Article V of the Cahaba Valley Farms Covenants, wishes to petition the current owners of CVF Lots within the Cahaba Valley Farms subdivision to allow Lot 2A to be subdivided and resurveyed as hereinafter described, and

The Cahaba Valley Farms Covenants provide that any subdivision or resurvey of any of the CVF Lots requires the written approval of at least two-thirds (2/3) of the owners of CVF Lots (i.e., at least seven (7) owners of CVF Lots must approve any such subdivision or resurvey).

NOW, THEREFORE, the following is hereby approved upon the execution of this instrument by at least two-thirds (2/3) of the owners of CVF Lots:

- (a) The subdivision of Lot 2A reducing the acreage of Lot 2A by approximately 2.16 acres resulting in Lot 2A being 31.3 acres as indicated on the Resurvey of Lot 2A, Cahaba Valley Farms (the "Resurvey"), a copy of which is attached hereto as Exhibit "A", which Resurvey reflects that Lot 2A will become Lot 2AA ("Lot 2AA").

- (b) The addition of the above 2.16 acres to what will become Lot 1AA ("Lot 1AA") as reflected on the Resurvey attached hereto.

The foregoing approval is given subject to the following requirements which have been approved by Petitioner and the owners of the CVF Lots:

1. In no event will Lot 2AA according to the Resurvey be less than 20 Acres.
2. In no event shall the Resurvey increase the number of lots within CVF. CVF will remain a ten (10) lot subdivision.
3. As provided in the Cahaba Valley Farms Covenants, the Resurvey shall be deemed approved with the execution of this instrument by a minimum of seven (7) lot owners.
4. The 2.16 acre portion of Lot 2A which is to be resurveyed out of Lot 2A and included within Lot 1AA of the Resurvey, is improved with a portion of a single family dwelling. Said 2.16 acre portion of Lot 2A shall not be improved with any additional single family dwelling.
5. The owners of Lot 1AA pursuant to the Resurvey shall not be entitled to vote on any matters requiring approval by the owners of Lots within CVF pursuant to the Cahaba Valley Farms Covenants.
6. The 2.16 acre portion of Lot 1AA of the Resurvey, which is currently a part of Lot 2A of CVF, shall be subject to the restrictions under the Cahaba Valley Farms Covenants.
7. Petitioner, subject to approval by the required number of owners of CVF Lots, shall obtain the required approvals of all governing authorities and file the Resurvey with the Probate Office of Shelby County, Alabama.

AS APPROVAL HEREOF, the signatures below of the owners of CVF Lots shall constitute full agreement with and approval of the subdivision of Lot 2A as reflected on the attached Resurvey and described above. This approval may be executed in separate counterparts which together shall constitute one single document.

Cynthia D. Kinnebrew, member
CVF ONE LLC—Lot 1A

12/17/19
Date

Estate of Michael E. Stephens—Lot 2A

Date

- (b) The addition of the above 2.16 acres to what will become Lot 1AA ("Lot 1AA") as reflected on the Resurvey attached hereto.

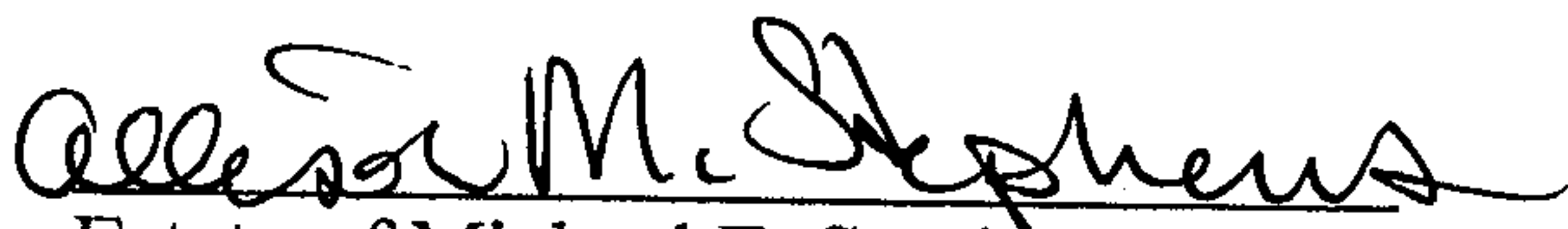
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2. In no event shall the Resurvey increase the number of lots within CVF. CVF will remain a ten (10) lot subdivision.
3. As provided in the Cahaba Valley Farms Covenants, the Resurvey shall be deemed approved with the execution of this instrument by a minimum of seven (7) lot owners.
4. The 2.16 acre portion of Lot 2A which is to be resurveyed out of Lot 2A and included within Lot 1AA of the Resurvey, is improved with a portion of a single family dwelling. Said 2.16 acre portion of Lot 2A shall not be improved with any additional single family dwelling.
5. The owners of Lot 1AA pursuant to the Resurvey shall not be entitled to vote on any matters requiring approval by the owners of Lots within CVF pursuant to the Cahaba Valley Farms Covenants.
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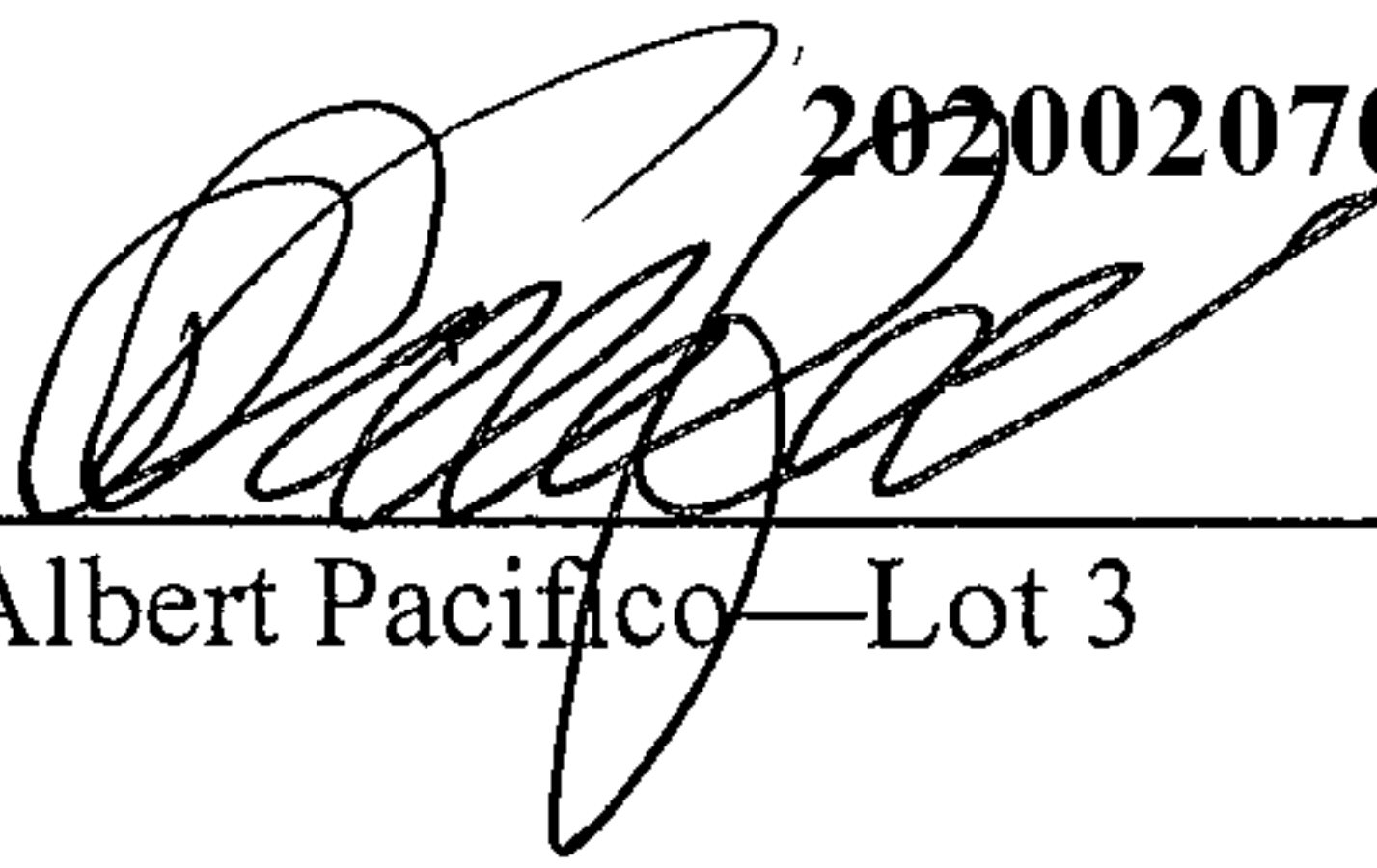
AS APPROVAL HEREOF, the signatures below of the owners of CVF Lots shall constitute full agreement with and approval of the subdivision of Lot 2A as reflected on the attached Resurvey and described above. This approval may be executed in separate counterparts which together shall constitute one single document.

CVF ONE LLC—Lot 1A

Date


Estate of Michael E. Stephens—Lot 2A
Personal Representative


Date



Albert Pacifico—Lot 3

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12.5.19

Date

John and Debbie Tanner—Lot 4

Date

Rick and Joy Brown—Lot 5

Date

Lee and Cindy Kinnebrew—Lot 6A

Date

Mark and Karen Bailey—Lot 6B

Date

Tim and Pam Real—Lot 7

Date

Jack and Camille Dixon—Lot 8

Date

James and Deborah Franks—Lot 9

Date

Albert Pacifico—Lot 3

Date

John and Debbie Tanner—Lot 4

Date

Richard Brown Joy Brown
Rick and Joy Brown—Lot 5

12-23-19
Date

Lee and Cindy Kinnebrew—Lot 6A

Date

Mark and Karen Bailey—Lot 6B

Date

Tim and Pam Real—Lot 7

Date

Jack and Camille Dixon—Lot 8

Date

James and Deborah Franks—Lot 9

Date

Albert Pacifico—Lot 3

Date

John and Debbie Tanner—Lot 4

Date

Rick and Joy Brown—Lot 5

Date

Cynthia Kinnebrew
Cynthia Kinnebrew—Lot 6A

12/17/19
Date

J. Mark and Karen Bailey—Lot 6B

Date

Tim and Pam Real—Lot 7

Date

Jack and Camille Dixon—Lot 8

Date

James and Deborah Franks—Lot 9

Date

Albert Pacifico—Lot 3

Date

John and Debbie Tanner—Lot 4

Date

Rick and Joy Brown—Lot 5

Date

Lee and Cindy Kinnebrew—Lot 6A

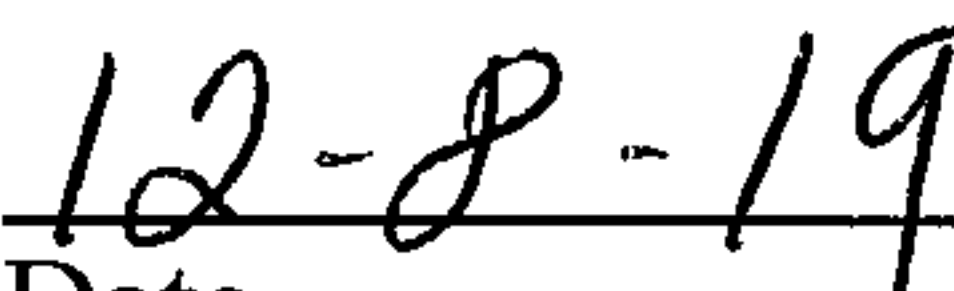
Date

Mark and Karen Bailey—Lot 6B

Date




Tim and Pam Real—Lot 7


Date

Jack and Camille Dixon—Lot 8

Date

James and Deborah Franks—Lot 9

Date

Albert Pacifico—Lot 3

Date

John and Debbie Tanner—Lot 4

Date

Rick and Joy Brown—Lot 5

Date

Lee and Cindy Kinnebrew—Lot 6A

Date

Mark and Karen Bailey—Lot 6B

Date

Tim and Pam Real—Lot 7

Date

 Jack and Camille Dixon—Lot 8

12-12-19
Date

James and Deborah Franks—Lot 9

Date

Albert Pacifico—Lot 3

Date

John and Debbie Tanner—Lot 4

Date

Rick and Joy Brown—Lot 5

Date

Lee and Cindy Kinnebrew—Lot 6A

Date

Mark and Karen Bailey—Lot 6B

Date

Tim and Pam Real—Lot 7

Date

Jack and Camille Dixon—Lot 8

Date

James and Deborah Franks—Lot 9

Date

James Franks - deceased
6-29-18

12-06-2019

Albert Pacifico—Lot 3

Date

John and Debbie Tanner
John and Debbie Tanner—Lot 4

12/07/2019
Date

Rick and Joy Brown—Lot 5

Date

Lee and Cindy Kinnebrew—Lot 6A

Date

Mark and Karen Bailey—Lot 6B

Date

Tim and Pam Real—Lot 7

Date

Jack and Camille Dixon—Lot 8

Date

James and Deborah Franks—Lot 9

Date



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
02/07/2020 03:42:11 PM
\$49.00 CHERRY
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Allie S. Bayl