

THIS INSTRUMENT PREPARED BY:

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02/10/2020 12:00:32 PM
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Kelly Thrasher Fox, Esq.
Hand Arendall Harrison Sale LLC
1801 Fifth Avenue North, Suite 400
Birmingham, AL 35203
205-502-0122

STATE OF ALABAMA
COUNTY OF SHELBY

RESTATED
AMENDMENT TO DECLARATION OF EASEMENTS AND MASTER
PROTECTIVE COVENANTS FOR
CHELSEA PARK, A RESIDENTIAL SUBDIVISION,
16TH SECTOR

THIS AMENDMENT TO DECLARATION OF EASEMENTS AND MASTER PROTECTIVE COVENANTS (this "Amendment") is made this 31st day of January, 2020 (the "Effective Date"), by **Forestar (USA) Real Estate Group Inc.**, a Delaware corporation ("Forestar"), and **Chelsea Park Residential Association, Inc.**, an Alabama nonprofit corporation (the "Association").

WITNESSETH:

WHEREAS, Chelsea Park Holding, LLC, a Delaware limited liability company ("Chelsea Park Holding"), is the successor developer of Chelsea Park Subdivision (the "Subdivision") pursuant to that certain Statutory Warranty Deed, dated September 15, 2011, as recorded in Instrument 20110915000274050 in the Probate Office of Shelby County, Alabama. The Subdivision is subject to the Declaration of Easements and Master Protective Covenants for Chelsea Park, a Residential Subdivision, as set out in instrument recorded in Instrument 20041014000566950 in the Probate Office of Shelby County, Alabama (the "Master Declaration"), and the Declaration of Covenants, Conditions and Restrictions for Chelsea Park, 7th Sector, as recorded in Instrument 20061229000634370 in said Probate Office, as amended and supplemented by the Supplementary Declaration and Amendment as recorded in Instrument 20151230000442850 in said Probate Office (collectively, the "7th Sector Declaration"). The Association was established pursuant to the Master Declaration for the purpose of exercising the rights, duties and powers vested in the Association under the terms of the Master Declaration and the various Sector Covenants, including without limitation, the 7th Sector Declaration.

WHEREAS, on February 13, 2019, Chelsea Park Holding transferred to Forestar all of its right, title and interest in and to the real property described on Exhibit A hereto (the "16th Sector Property"), which is in close proximity to the Subdivision, pursuant to that certain Warranty Deed recorded on February 15, 2019 as Instrument 20190215000048650 in the Probate Office of Shelby County, Alabama.

WHEREAS, on April 22, 2019, Chelsea Park Holding assigned to Forestar its right to add the 16th Sector Property as Additional Property to the Master Declaration as provided for in Section 2.2 of the Master Declaration pursuant to that certain Partial Assignment of Developer's Rights recorded on June 17, 2019 as Instrument 20190617000212470 in the Probate Office of Shelby County, Alabama.

WHEREAS, Forestar has subdivided and developed the 16th Sector Property into Lots as part of the Subdivision as shown on the plat of subdivision for Chelsea Park, 16^h Sector recorded at Map Book 52, Page 4 in the Probate Office of Shelby County, Alabama depicted on Exhibit B hereto (the "16th Sector Plat").

WHEREAS, the 16th Sector Property has already been subjected to the provisions of the 7th Sector Declaration.

WHEREAS, Forestar and the Association desire to amend the Master Declaration in accordance with the terms and conditions hereof.

Amendment:


NOW THEREFORE, Forestar and the Association hereby amend the Master Declaration as follows:

1. Capitalized Terms. Capitalized terms used herein unless otherwise defined herein shall have the meaning ascribed to such terms in the Master Declaration.
2. Recitals. The foregoing recitals are true and correct in all material respects and form an integral part of this Amendment, the same as if said recitals were included in the numbered paragraphs hereof.
3. Annexation of 16th Sector Property. The 16th Sector Property, including any improvements located thereon and hereafter constructed, is hereby annexed and subjected to the provisions of the Master Declaration, and such property shall be held, sold, transferred, conveyed, used, and occupied subject to the covenants, conditions, restrictions, easements, and terms set forth in the Master Declaration, as amended hereby. Upon the recording of this Amendment in the Probate Office of Shelby County, Alabama, each lot shown on the 16th Sector Plat shall be a "Lot" and all common areas shown on the 16th Sector Plat shall be "Common Area," as those terms are defined in the Master Declaration.
4. Continued Effectiveness. All of the applicable terms, conditions and provisions of the Master Declaration, as hereby supplemented and amended, are in all respects hereby ratified and reaffirmed, and the Master Declaration and this Amendment shall be read, taken, and construed as one and the same instrument. References in the Master Declaration and all exhibits thereto shall be deemed to be references to the Master Declaration as amended by this Amendment.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, Forestar has executed this Amendment by and through its duly authorized representative as of the date first set forth above.

Forestar (USA) Real Estate Group Inc.,
a Delaware corporation

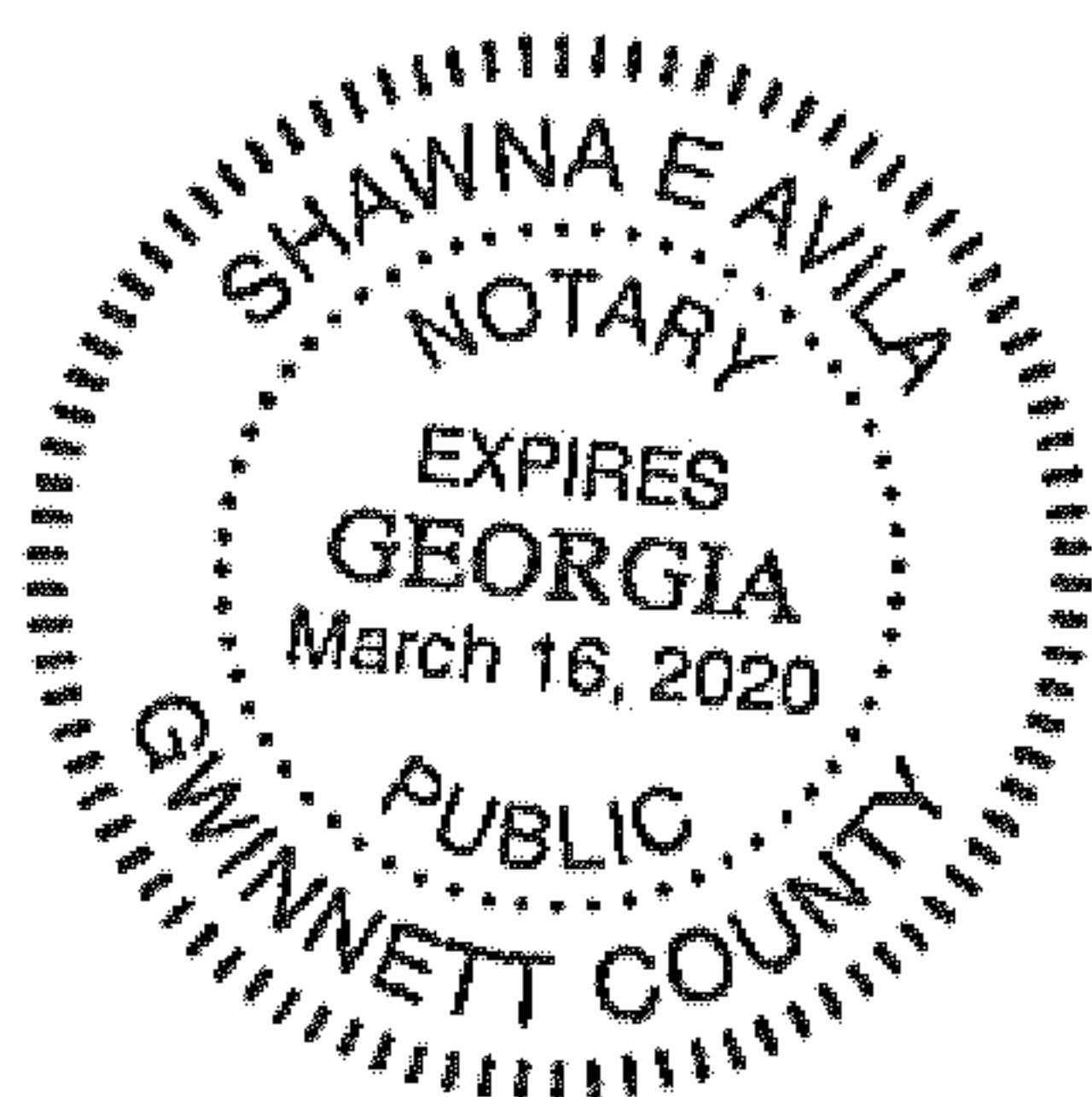
By: 
Name: Mark S. Walker
As Its: SVP; President – East Region


STATE OF GEORGIA
COUNTY OF COBB

I, the undersigned notary public in and for said state and county, hereby certify that, Mark S. Walker, whose name as the SVP; President – East Region of **Forestar (USA) Real Estate Group Inc.**, 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 this instrument, 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 this 29th day of January, 2020.

{SEAL}




NOTARY PUBLIC
My Commission Expires: 3.16.2020

IN WITNESS WHEREOF, the Association has executed this Amendment by and through its duly authorized representative as of the date first set forth above.

ASSOCIATION:

Chelsea Park Residential Association, Inc.,
An Alabama non-profit corporation

By: 

Name: Douglas D. Eddleman

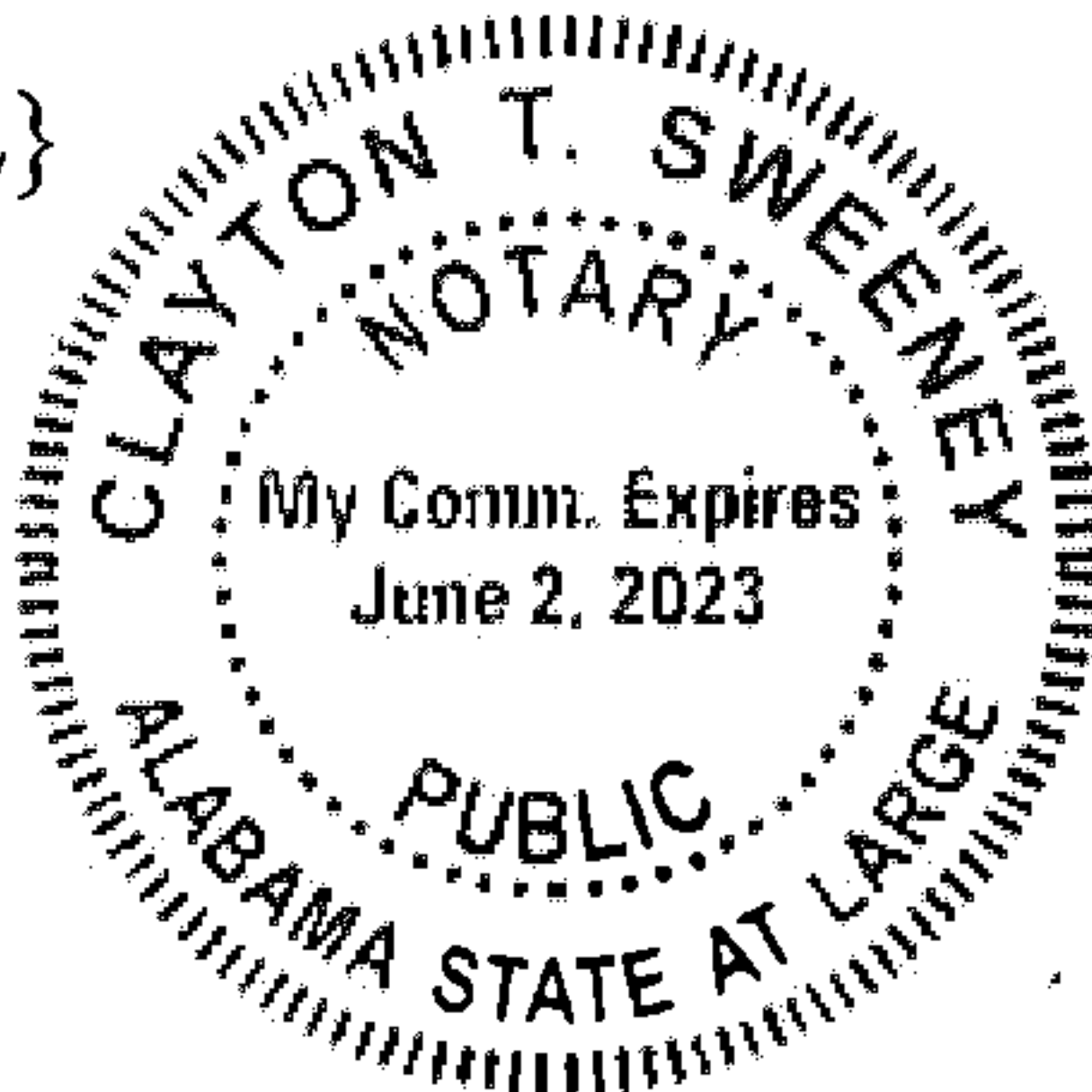
As Its: President

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned notary public in and for said state and county, hereby certify that, Douglas D. Eddleman, whose name as the President of Chelsea Park Residential 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 this instrument, he/she, 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 this 31st day of January, 2020.

{SEAL}





NOTARY PUBLIC

My Commission Expires: 06/02/2023

EXHIBIT A
16th SECTOR PROPERTY

A TRACT OF LAND SITUATED IN NORTHWEST QUARTER OF SECTION 32, AND THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 19 SOUTH, RANGE 1 EAST, SHELBY COUNTY ALABAMA.

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 1 EAST, SHELBY COUNTY ALABAMA; THENCE RUN NORTH 01 DEGREES 28 MINUTES 51 SECONDS EAST FOR 503.48 FEET; THENCE RUN NORTH 04 DEGREES 23 MINUTES 15 SECONDS EAST FOR 67.88 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 04 DEGREES 23 MINUTES 15 SECONDS EAST FOR 286.18 FEET; THENCE RUN NORTH 04 DEGREES 27 MINUTES 18 SECONDS EAST FOR 425.58 FEET; THENCE RUN NORTH 01 DEGREES 37 MINUTES 42 SECONDS EAST FOR 453.31 FEET; THENCE RUN NORTH 85 DEGREES 22 MINUTES 59 SECONDS WEST FOR 220.25 FEET; THENCE RUN NORTH 89 DEGREES 00 MINUTES 46 SECONDS WEST FOR 99.35 FEET; THENCE RUN SOUTH 41 DEGREES 00 MINUTES 58 SECONDS WEST FOR 79.53 FEET; THENCE RUN SOUTH 27 DEGREES 56 MINUTES 47 SECONDS WEST FOR 202.72 FEET; THENCE RUN SOUTH 05 DEGREES 02 MINUTES 19 SECONDS EAST FOR 557.64 FEET; THENCE RUN SOUTH 02 DEGREES 44 MINUTES 23 SECONDS WEST FOR 165.60 FEET; THENCE RUN SOUTH 07 DEGREES 01 MINUTES 26 SECONDS EAST FOR 155.61 FEET; TO A NON TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 220.00 FEET, A CHORD BEARING OF SOUTH 60 DEGREES 38 MINUTES 38 SECONDS WEST, AND A CHORD LENGTH OF 4.20 FEET; THENCE RUN ALONG SAID ARC FOR 4.20 FEET; THENCE RUN SOUTH 61 DEGREES 11 MINUTES 29 SECONDS WEST FOR 122.81 FEET; THENCE RUN NORTH 28 DEGREES 48 MINUTES 31 SECONDS WEST FOR 140.00 FEET; THENCE RUN SOUTH 61 DEGREES 21 MINUTES 14 SECONDS WEST FOR 489.64 FEET; THENCE RUN SOUTH 07 DEGREES 20 MINUTES 15 SECONDS EAST FOR 177.31 FEET; TO A NON TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF SOUTH 80 DEGREES 17 MINUTES 30 SECONDS WEST, AND A CHORD LENGTH OF 2.07 FEET; THENCE RUN ALONG SAID ARC FOR 2.07 FEET; THENCE RUN SOUTH 07 DEGREES 20 MINUTES 14 SECONDS EAST FOR 207.96 FEET; THENCE RUN NORTH 61 DEGREES 05 MINUTES 09 SECONDS EAST FOR 559.64 FEET; THENCE RUN NORTH 28 DEGREES 48 MINUTES 31 SECONDS WEST FOR 155.44 FEET; THENCE RUN NORTH 61 DEGREES 11 MINUTES 29 SECONDS EAST FOR 159.66 FEET; THENCE RUN SOUTH 28 DEGREES 48 MINUTES 31 SECONDS EAST FOR 162.73 FEET; THENCE RUN NORTH 61 DEGREES 06 MINUTES 40 SECONDS EAST FOR 303.97 FEET TO THE POINT OF BEGINNING. CONTAINING 15.82 ACRES MORE OR LESS.

EXHIBIT B
16th SECTOR PLAT

See attached

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