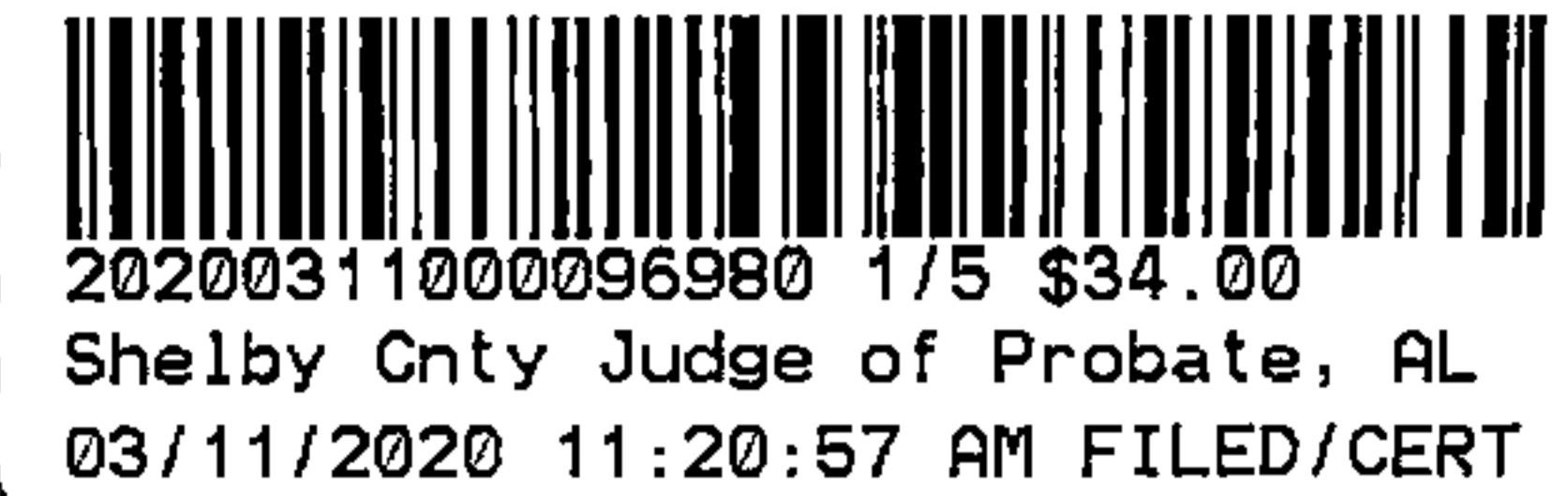


STATE OF ALABAMA)
SHELBY COUNTY)



FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS
FOR
LEXINGTON PARC

THIS FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS FOR LEXINGTON PARC (this “Amendment”) dated March 9, 2020 (the “Effective Date”) is made by **STARS & STRIPES 3M, LLC**, an Alabama limited liability company (“Declarant”).

RECITALS

WHEREAS, Declarant is the owner of certain property located in Shelby County, Alabama, which Declarant developed into a residential subdivision known as Lexington Parc, 1st Sector (the “Phase One Property”), the subdivision plat of which is recorded in the Probate Office of Shelby County, Alabama in Map Book 38, Page 81; and

WHEREAS, Declarant subjected the Phase One Property to the terms of that certain Declaration of Protective Covenants for Lexington Parc, 1st Sector, dated May 1, 2007 and recorded in the Probate Office of Shelby County, Alabama as Instrument Number 20070501000200350 (as amended from time to time, the “Declaration”), under which Declaration Declarant is the declarant, pursuant to that certain Assignment of Declarant’s Rights Developer’s Rights, and Other Intangible Rights for Lexington Parc, recorded in the Probate Office of Shelby County, Alabama as Instrument No. 20191023000399570. Capitalized terms not otherwise defined herein shall have the same meanings assigned to them in the Declaration; and

WHEREAS, Declarant has subsequently developed additional property owned by Declarant which is adjacent to the Phase One Property as the second phase of Lexington Parc, which is commonly known as Lexington Parc, Sector 2, the subdivision plat of which is recorded in the Probate Office of Shelby County, Alabama in Map Book 42, Page 28, and re-recorded in Map Book 42, Page 29, which is more particularly described on Exhibit A attached hereto and by this reference incorporated herein (the “Phase Two Property”); and

WHEREAS, Declarant has subsequently developed additional property owned by Declarant which is adjacent to the Phase Two Property, as the third phase of Lexington Parc, which is commonly known as Lexington Parc, Section 3, which is more particularly described on Exhibit B attached hereto and by this reference incorporated herein (the “Phase Three Property”).

WHEREAS, Declarant now desires to amend the Declaration, as more fully set forth herein, to subject the Phase Two Property and the Phase Three Property to the Declaration.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, Declarant does hereby amend the Declaration as follows, which shall run with the land and shall be binding upon all parties having or acquiring any right, title or interest in any of the Property or any part thereof and shall inure to the benefit of each Owner and Declarant.

1. **Recitals.** The Recitals set forth above are incorporated herein by reference.
2. **Addition of the Phase Two Property and Phase Three Property.** In accordance with Section 8.01 of the Declaration, Declarant hereby amends the Declaration in order to subject the Phase Two Property and the Phase Three Property to the covenants, easements, restrictions and other provisions of the Declaration. Accordingly, from and after the Effective Date, the term "Property" as used in the Declaration shall include the Phase One Property, the Phase Two Property and the Phase Three Property.
3. **Covenant for Assessments.** Section 5.4 of the Declaration is hereby deleted in its entirety and replaced with the following: "The annual assessment for the Property shall commence on June 1 of each year, and shall be paid in advance. The Association in accordance with its rules, regulations and Bylaws shall establish the annual assessment. Lots owned by the Declarant or Lots sold by Declarant to any builder contracted by Declarant for the purpose of constructing a dwelling within the Development shall not be subject to any assessment or fee by the Association, be it annual, special or individual, including the initiation fee."
4. **Effect of Amendment.** Except as specifically modified and amended hereby, the Declaration shall remain in full force and effect in accordance with its terms.
5. **Governing Law.** This Amendment shall be governed by and construed and enforced in accordance with the substantive laws of the State of Alabama.

[Signature on following page]



20200311000096980 2/5 \$34.00
Shelby Cnty Judge of Probate, AL
03/11/2020 11:20:57 AM FILED/CERT

IN WITNESS WHEREOF, Declarant has executed this Amendment as the date first set forth above.

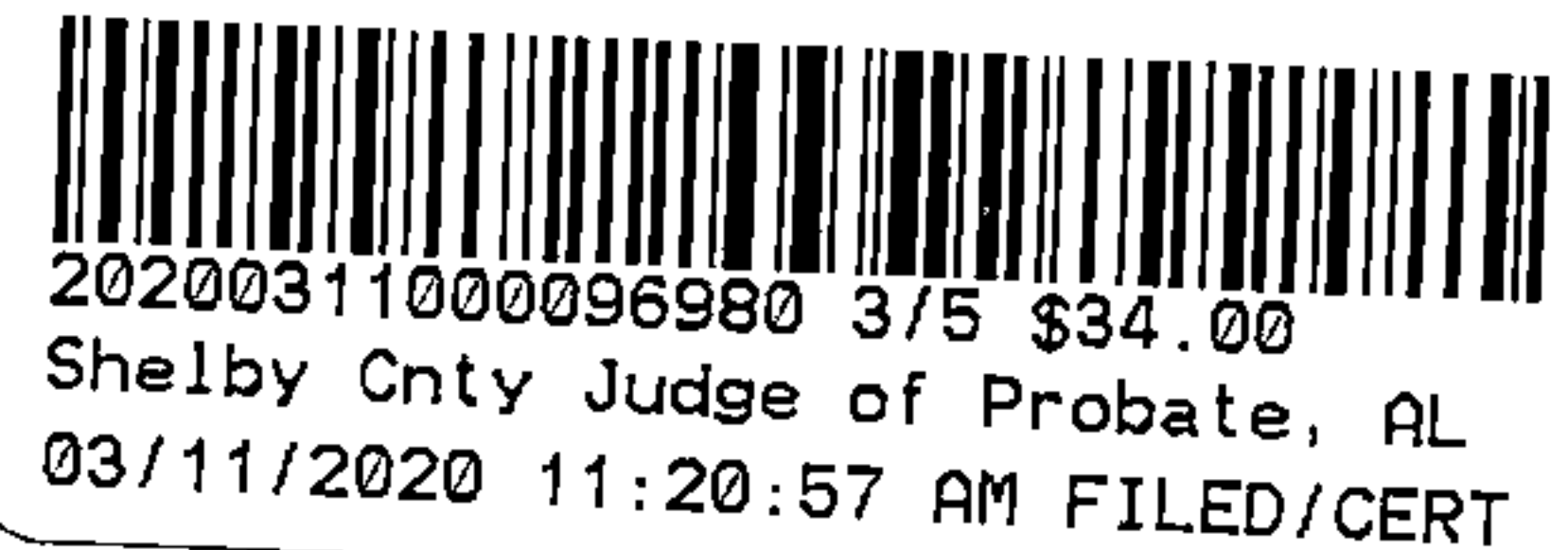
"DECLARANT":

STARS & STRIPES 3M, LLC,
an Alabama limited liability company

By: DSSIII Holding Co, LLC, a Delaware limited liability company
Its: Managing Member

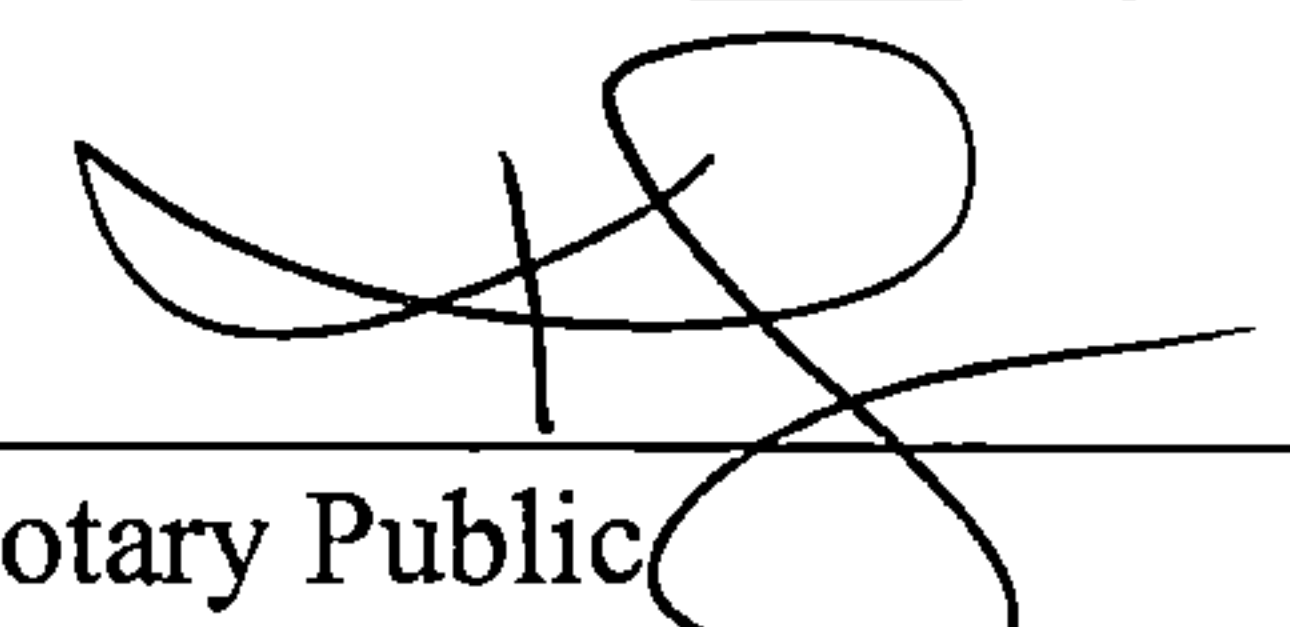
By: 
Name: Costa Alexiou
Its: Manager

STATE OF Georgia)
COUNTY OF Fulton)



I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Costa Alexiou, whose name as Manager of DSSIII Holding Co, LLC, a Delaware limited liability company, in its capacity as Managing Member of Stars & Stripes 3M, 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 officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

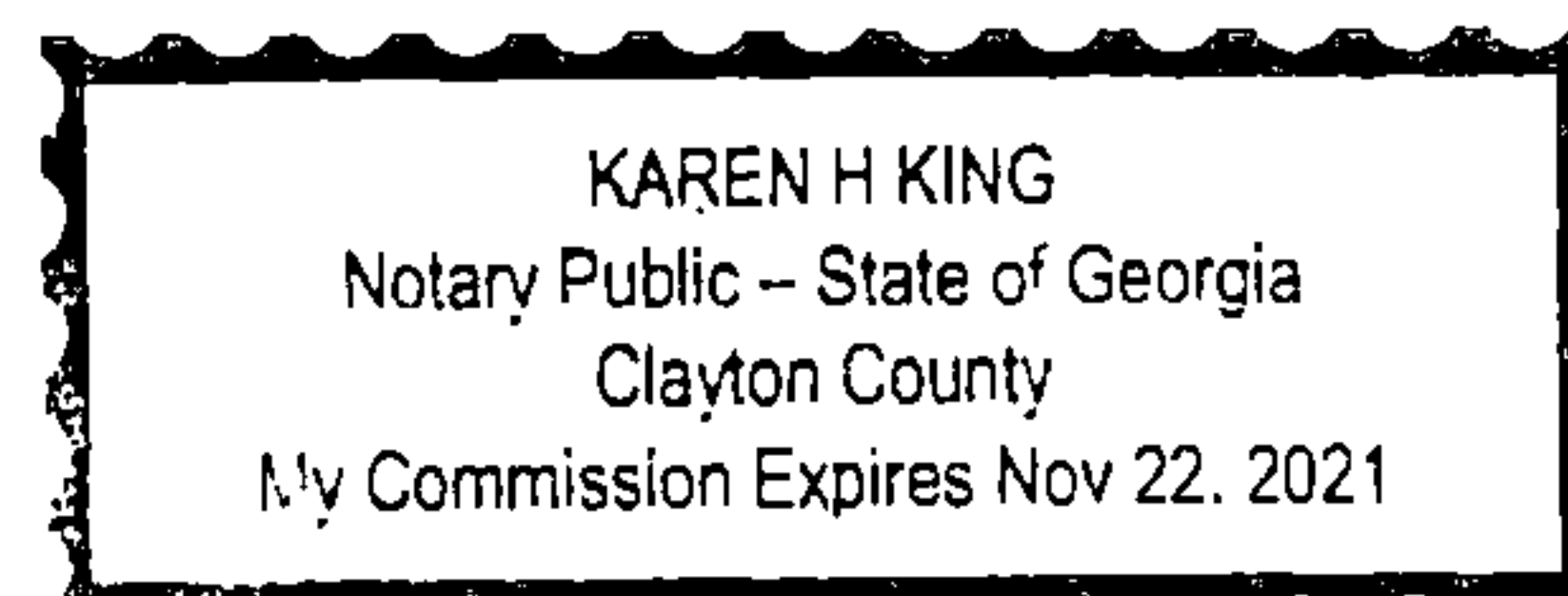
Given under my hand and official seal of office this 6th day of March, 2020.



Notary Public

My commission expires:

[SEAL]



This Instrument was prepared by:
Matthew W. Grill
Maynard, Cooper & Gale, P.C.
1901 Sixth Avenue North
Suite 2400 Regions Harbert Plaza
Birmingham, Alabama 35203-2618
205.254.1000

EXHIBIT A
PHASE TWO PROPERTY

A parcel of land lying in Section 2, Township 22 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows: Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 130, 135, 136, 142, 143, 148, 149, 150 and 165 according to the Map of Lexington Parc, Sector 2, as recorded in Map Book 42, Page 28, and re-recorded in Map Book 42, Page 29, in the office of the judge of probate of Shelby County, Alabama.

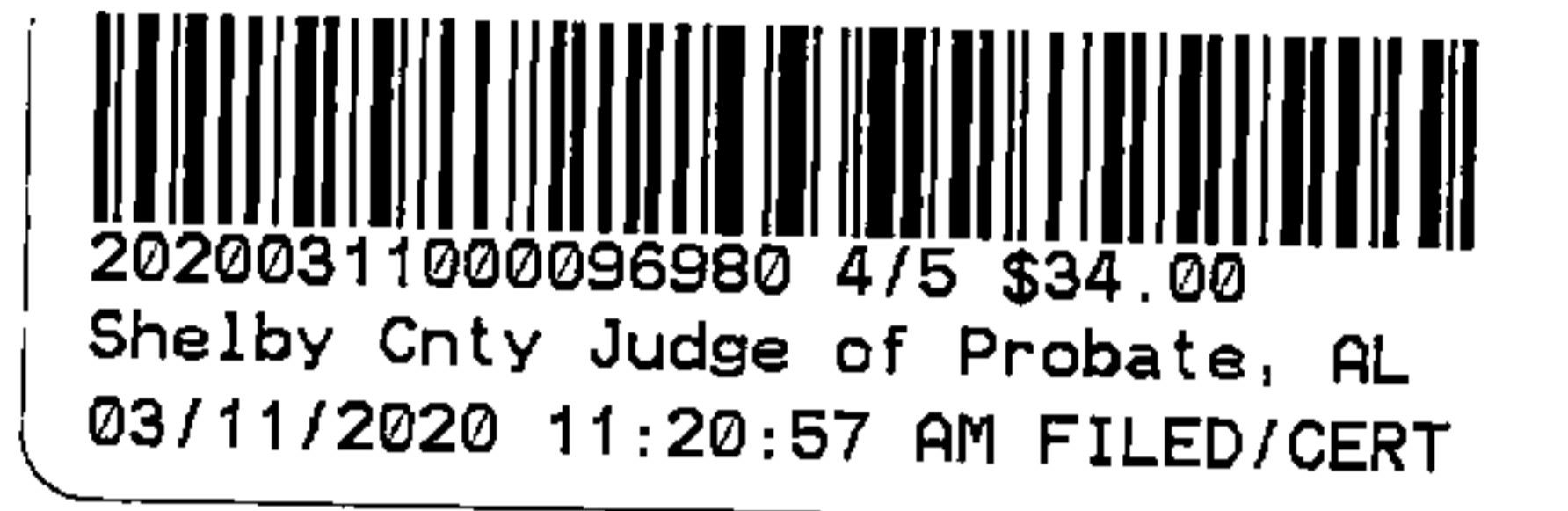


EXHIBIT B

PHASE THREE PROPERTY

A parcel of land lying in Section 2, Township 22 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

COMMENCE at a 1" iron rod found in place at the Southeast corner of said Section 2; thence N 02°23'15" W 1177.70 feet to a point; thence S 87°43'05" W 278.88 feet to the POINT OF BEGINNING; thence S 06°18'00" W 453.92 feet to a point; thence N 83°42'00" W 180.00 feet to a point; thence N 06°18'00" E 32.95 feet to a point; thence N 83°42'00" W 325.53 feet to a point; thence S 82°07'30" W 528.49 feet to a point; thence N 07°52'30" W 120.00 feet to a point; thence S 82°07'30" W 179.21 feet to a point; thence N 07°52'30" W 240.34 feet to a point; thence S 86°14'25" E 348.77 feet to a point; thence N 82°07'30" E 767.59 feet to a point; thence N 82°07'30" E 134.16 feet to a point; thence N 87°43'05" E 57.85 feet to the POINT OF BEGINNING.

Containing 395,609.23 square feet (9.08 acres), more or less.



20200311000096980 5/5 \$34.00
Shelby Cnty Judge of Probate, AL
03/11/2020 11:20:57 AM FILED/CERT