

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

**THIRD AMENDMENT TO AMENDED AND RESTATED DECLARATION
OF PROTECTIVE COVENANTS OF HILLSBORO**

THIS THIRD AMENDMENT TO AMENDED AND RESTATED DECLARATION OF PROTECTIVE COVENANTS OF HILLSBORO (this "Third Amendment") is made and entered into as of the 21 day of ~~August~~^{September}, 2020 by **UNITED STATES STEEL CORPORATION**, a Delaware corporation ("Developer"), and **NEWCASTLE DEVELOPMENT, LLC**, an Alabama limited liability company ("Owner").

RECITALS:

Developer has heretofore executed an Amended and Restated Declaration of Protective Covenants of Hillsboro dated as of September 4, 2014 which has been recorded as Instrument No. 20140908000281620 in the Office of the Judge of Probate of Shelby County, Alabama, as amended by First Amendment thereto dated June 27, 2018 and recorded as Instrument No. 20180629000233800 in the aforesaid Probate Office, and as further amended by Second Amendment thereto dated August 18, 2020 (the "Second Amendment") and recorded as Instrument No. 20200819000361150 (as so amended and as may be further amended from time to time, collectively, the "Declaration"). *Capitalized terms not otherwise expressly defined herein shall have the same meanings given to them in the Declaration.*

Owner is the owner of that certain real property (the "LPS Property") situated in Shelby County, Alabama which is more particularly described in **EXHIBIT A** attached hereto and incorporated herein by reference.

The LPS Property is subject to the terms and provisions of the Declaration and is serviced by low pressure sewer which will require maintenance services by the Association and will result in special assessments against the LPS Property.

Pursuant to Section 16.1(a) of the Declaration, Developer and Owner desire to designate the LPS Property as "Applicable Property", as defined in the Second Amendment, and submit the LPS Property to all of the terms and provisions of Article XVI of the Declaration.

NOW, THEREFORE, in consideration of the premises, the mutual covenants and agreements hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Developer and Newcastle do hereby agree as follows:

1. **Declaration of Applicable Property.** Pursuant to the terms and provisions of Section 16.1(a) of the Declaration, Developer and Owner do hereby declare that the LPS Property described in **EXHIBIT A** hereto (a) shall be and hereby is deemed to be Applicable Property and is hereby submitted to all of the terms and provisions of Article XVI of the Declaration and (b) shall be held, developed, improved, transferred, sold, conveyed, leased, occupied and used subject to all of the easements, covenants, conditions, restrictions, assessments, charges, liens and regulations set forth in Article XVI of the Declaration, which shall be binding upon and inure to the benefit of all parties acquiring or having any right, title or interest in any portion of the LPS Property and their respective heirs, executors, administrators, personal representatives, successors and assigns. From and after the date hereof, all references in the

RESTCOVNAMEN 2/4


Declaration to the Applicable Property shall mean and include the LPS Property described in **EXHIBIT A** hereto and the Applicable Property described in Article XVI of the Declaration.

2. **Full Force and Effect.** Except as specifically modified and amended herein, all of the terms and provisions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, Developer has caused this Second Amendment to be executed as of the day and year first above written.

DEVELOPER:

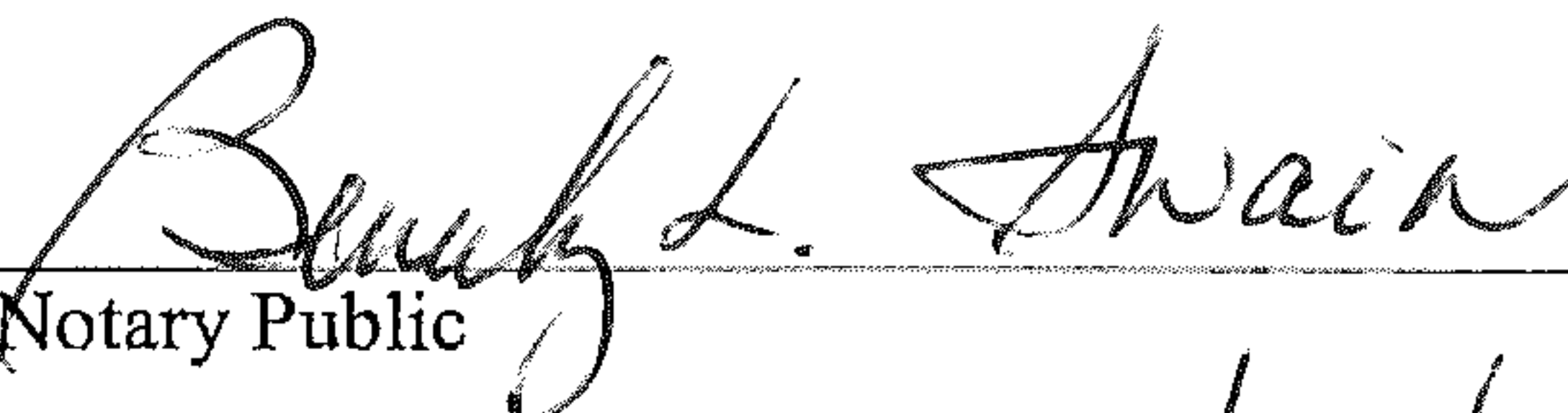
UNITED STATES STEEL CORPORATION, a
Delaware corporation

By: 
Jammie P Cowden
Title: Director-Real Estate, Southeast
USS Real Estate, a division of
United States Steel Corporation

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jammie P Cowden, whose name as Director-Real Estate, Southeast, of USS Real Estate a division of **United States Steel Corporation**, 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 said instrument, he, in such capacity and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal of office, this the 21 day of September, 2020.


Notary Public
My Commission Expires: 7/30/2023



20200924000428490 09/24/2020 08:23:11 AM

**RESTCOVNAMEN 3/4
DEVELOPER:**

NEWCASTLE DEVELOPMENT, LLC, an Alabama
limited liability company

By: [Signature]
Printed Name: SHAWN E. ARTERBURN
Title: PRESIDENT

STATE OF ALABAMA)
)
Shelby COUNTY)

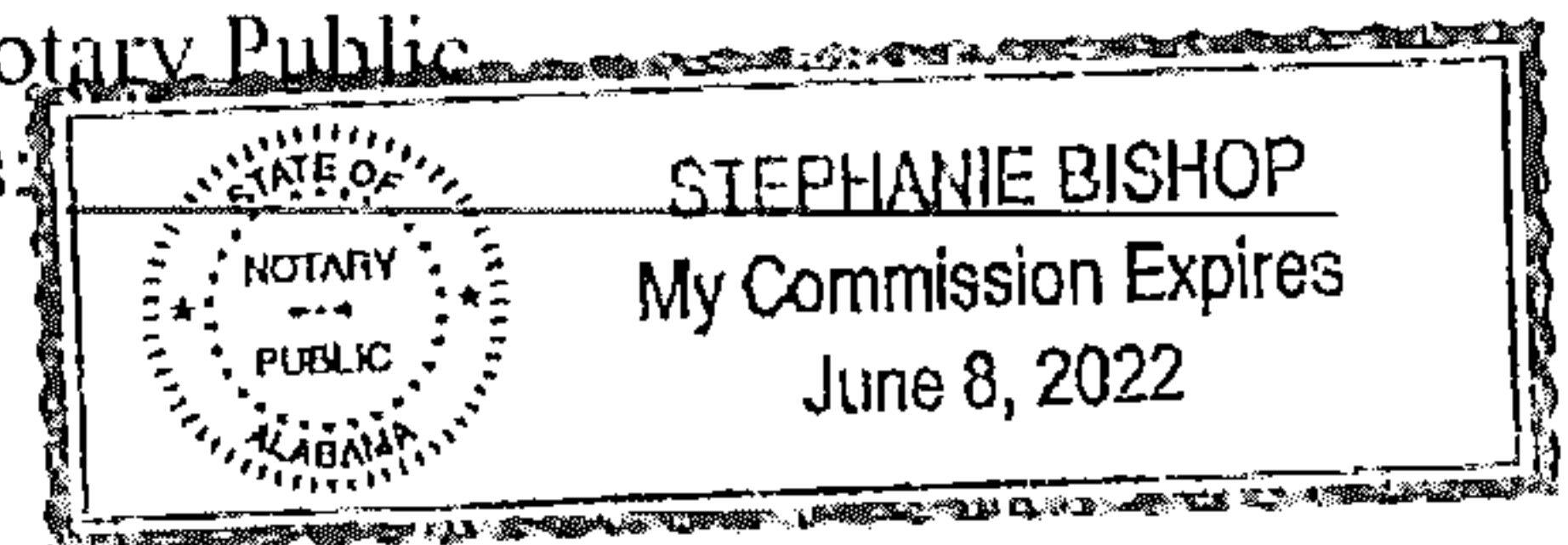
I, the undersigned, a notary public in and for said county in said state, hereby certify that Shawn Arterburn, whose name as President of **NEWCASTLE DEVELOPMENT, LLC**, an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such Capacity 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 this 31st day of August, 2020.

[NOTARIAL SEAL]

[Signature]
Notary Public

My commission expires:



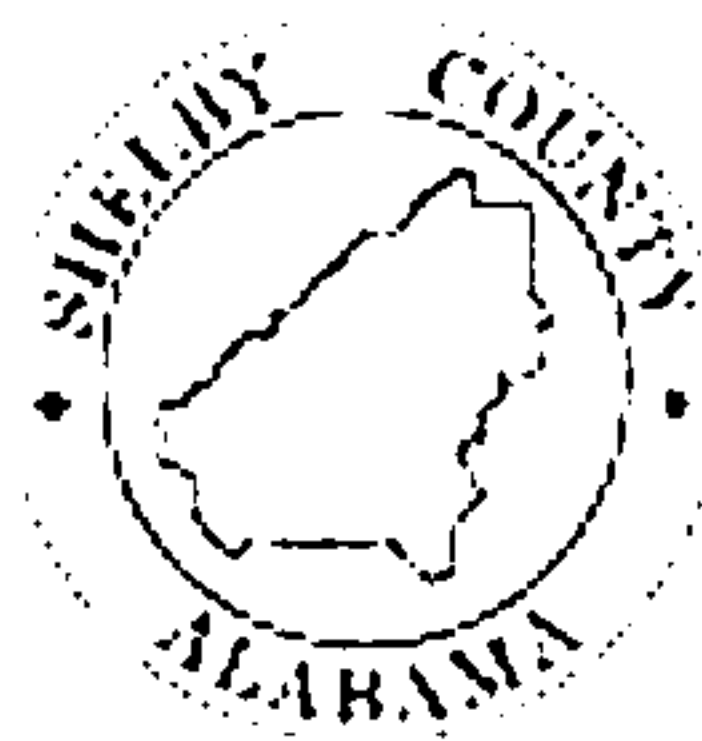
**This instrument prepared by and upon
recording should be returned to:**

Stephen R. Monk, Esq.
Bradley Arant Boult Cummings LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, AL 35203

20200924000428490 09/24/2020 08:23:11 AM
RESTCOVNAMEN 4/4
EXHIBIT A

Legal Description of LPS Property

Lots 1 – 14, inclusive, Lots 16 – 22, inclusive, and Lots 36 through 44, inclusive, according to the Henley Subdivision Sector 1 subdivision plat, as recorded in Map Book 52, Pages 89A and 89B in the Office of the Judge of Probate of Shelby County, Alabama.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
09/24/2020 08:23:11 AM
\$31.00 CHARITY
20200924000428490

Allen S. Bayl