

This instrument prepared by:

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STATE OF ALABAMA)

COUNTY OF SHELBY)

**AMENDMENT TO LIMESTONE MARKETPLACE
DECLARATION OF PROTECTIVE COVENANTS**

THIS AMENDMENT TO LIMESTONE MARKETPLACE DECLARATION OF PROTECTIVE COVENANTS (this “Amendment”) is executed as of September 15th, 2022, by **CALERA COMMONS LLC**, an Alabama limited liability company (“Developer”).

WITNESSETH:

WHEREAS, pursuant to that certain Limestone Marketplace Declaration of Protective Covenants recorded in the Probate Office of Shelby County, Alabama (the “Probate Office”), in Instrument No. 20080115000020240 (the “Declaration”; *capitalized terms used herein without definition shall have the meanings ascribed to such terms in the Declaration*), Developer established certain uniform standards of development for the Property as more particularly described in the Declaration;

WHEREAS, Developer is, as of the date hereof, the Owner of the Lots set forth on Exhibit A attached hereto and incorporated herein by reference (the “Developer Lots”); and

WHEREAS, in consideration of the sale of Lot 18-A, according the Final Plat, a Resurvey of Lot 18 of a Resurvey of Lot 2, Limestone Marketplace Subdivision, as recorded in Map Book 56, Page 80, in the Probate Office of Shelby County, Alabama, by Developer to Calera Hospitality Group, LLC, occurring contemporaneously herewith, and in accordance with Section 9.1 of the Declaration, Developer desires to amend the Declaration in order to amend and restate the Hotel Limitation Restriction set forth in Section 5.3 thereof with respect to the Developer Lots.

NOW THEREFORE, Developer does hereby amend the Declaration as follows:

1. Section 5.3 of the Declaration is hereby amended and restated in its entirety as follows:

Section 5.3 Specific Limitations on Hotel Uses.

(a) Subject to the provisions of subsection (b) below, Developer covenants and agrees that, following the sale of Lot 18-A, according the Final Plat, a Resurvey of Lot 18 of a Resurvey of Lot 2, Limestone Marketplace Subdivision, as recorded in Map Book 56, Page 80, in the Probate Office of Shelby County, Alabama ("Lot 18-A"), to Calera Hospitality Group, LLC ("CHG"), Developer shall not offer to sell or sell any of the remaining Lots owned by Developer for purposes of developing such Lot for a Hotel Use (the "Hotel Limitation Restriction").

(b) Notwithstanding the foregoing, the Hotel Limitation Restriction will expire and terminate on the earlier to occur of (i) eight (8) years from the date of recording of the deed for Lot 18-A from Developer to CHG (the "CHG Deed"); (ii) CHG's failure commence construction of a Hotel Use on Lot 18-A within twenty-four (24) months from the date of recording of the CHG Deed (the "Construction Commencement Deadline"), or (iii) CHG's failure to open and operate a Hotel Use on Lot 18-A within twenty-four (24) months following the Construction Commencement Deadline. In the event of the occurrence of any of the termination events set forth in this subsection (b), Developer shall have the right, at its option, to record an amendment to this Declaration in the Probate Office of Shelby County, Alabama, and such amendment shall be deemed prima facie evidence that the Hotel Limitation Restriction is null and void.

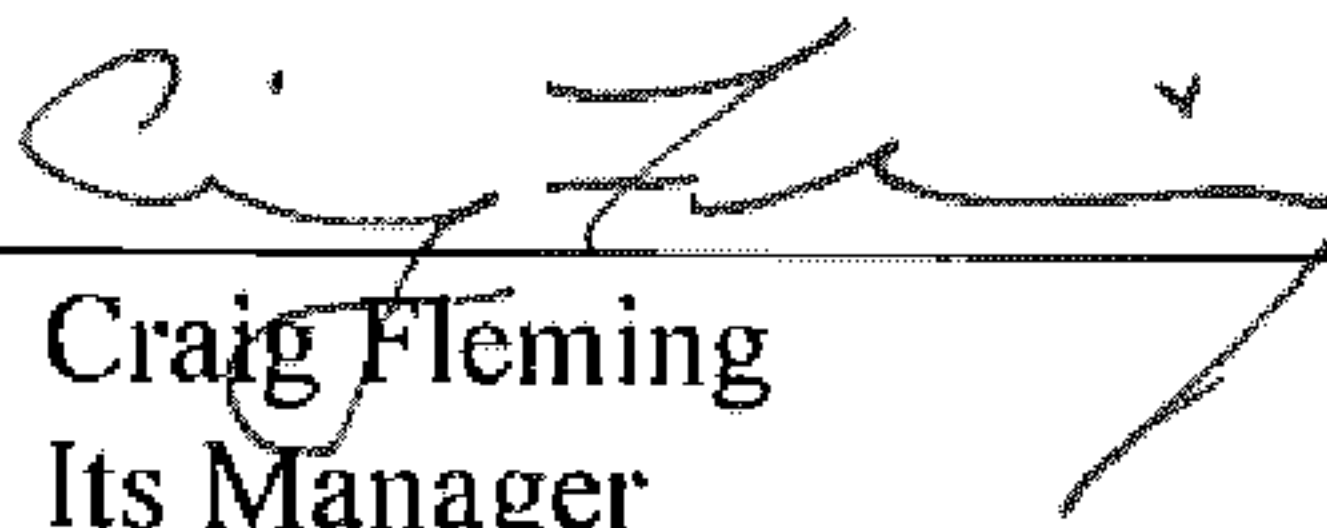
2. Except for the aforesaid, the terms and conditions of the Declaration shall continue to be in full force and effect without any other changes whatsoever.

[Remainder of Page Intentionally Blank]

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

DEVELOPER:

CALERA COMMONS LLC,
an Alabama limited liability company

By: 
Craig Fleming
Its Manager

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Craig Fleming, whose name as Manager of **CALERA COMMONS 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 Manager and with full authority, executed the same for and as the act of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 15 day of September, 2022.



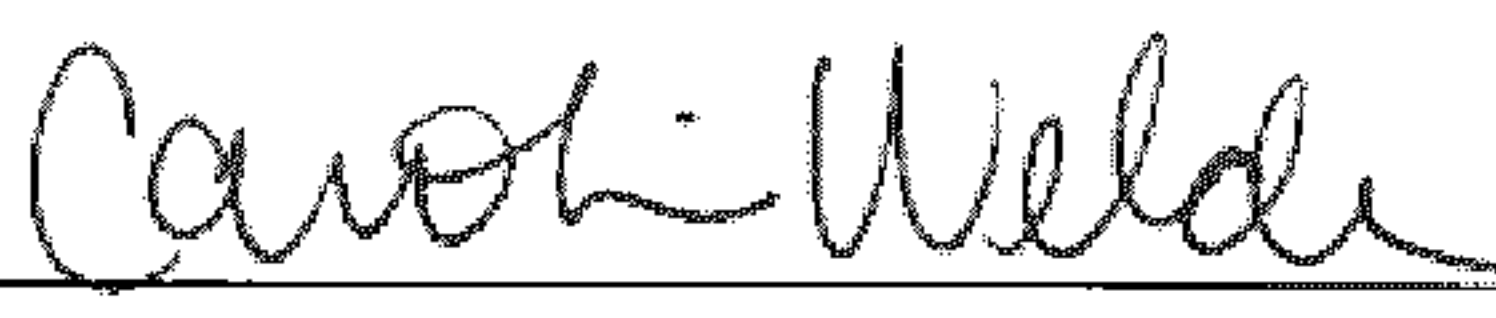
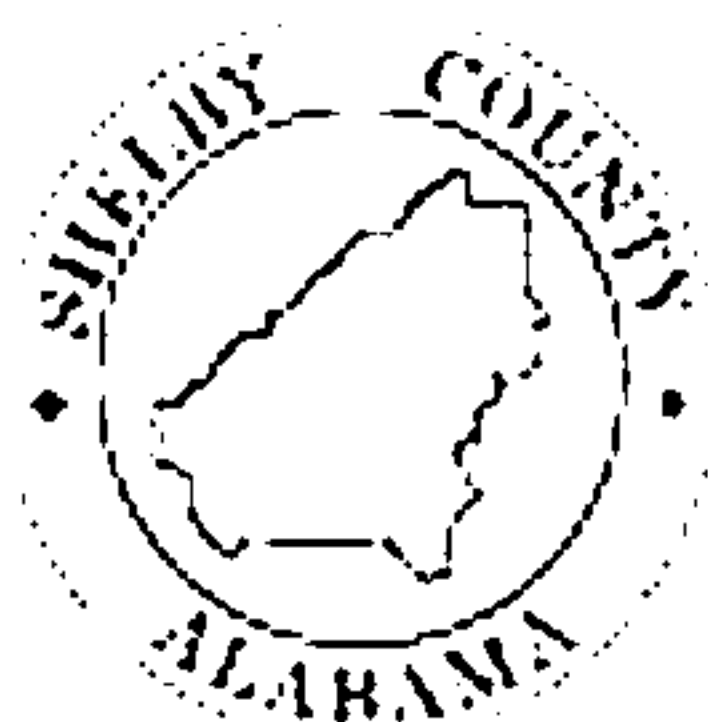

NOTARY PUBLIC
My Commission Expires: 1/17/25

EXHIBIT A
DEVELOPER LOTS

1. Lot 3, according to A Resurvey of Lot 2, Limestone Marketplace Subdivision, as recorded in Map Book 39, Page 50, in the Probate Office of Shelby County, Alabama.
2. Lot 6-A, according to the Resurvey of Lot 2 and Lot 6 of a Resurvey of Lot 2, Limestone Marketplace Subdivision, as recorded in Map Book 41, Page 57, in the Probate Office of Shelby County, Alabama.
3. Lot 7, according to A Resurvey of Lot 2, Limestone Marketplace Subdivision, as recorded in Map Book 39, Page 50, in the Probate Office of Shelby County, Alabama.
4. Lot 10, according to A Resurvey of Lot 2, Limestone Marketplace Subdivision, as recorded in Map Book 39, Page 50, in the Probate Office of Shelby County, Alabama.
5. Lot 11, according to A Resurvey of Lot 2, Limestone Marketplace Subdivision, as recorded in Map Book 39, Page 50, in the Probate Office of Shelby County, Alabama.
6. Lot 12, according to A Resurvey of Lot 2, Limestone Marketplace Subdivision, as recorded in Map Book 39, Page 50, in the Probate Office of Shelby County, Alabama.
7. Lot 13-A-2, according to the Final Plat, a Resurvey of Lots 8-A and 13-A of a Resurvey of Lots 4, 8, & 13 of a Resurvey of Lot 2, Limestone Marketplace Subdivision, as recorded in Map Book 56, Page 21, in the Probate Office of Shelby County, Alabama.
8. Lot 18-A, according the Final Plat, a Resurvey of Lot 18 of a Resurvey of Lot 2, Limestone Marketplace Subdivision, as recorded in Map Book 56, Page 80, in the Probate Office of Shelby County, Alabama.
9. Lot 18-B, according the Final Plat, a Resurvey of Lot 18 of a Resurvey of Lot 2, Limestone Marketplace Subdivision, as recorded in Map Book 56, Page 80, in the Probate Office of Shelby County, Alabama.
10. Lot 20-C, according to A Resurvey of Lot 20-A of a Resurvey of Lots 16, 17, & 20, Limestone Marketplace Subdivision, as recorded in Map Book 52, Page 43, in the Probate Office of Shelby County, Alabama.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
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Allen S. Bayl