

20221003000376740 1/4 \$33.00
Shelby Cnty Judge of Probate, AL
10/03/2022 11:12:52 AM FILED/CERT

This instrument was prepared by:
Jack P. Stephenson, Jr.
Burr & Forman LLP
420 N. 20th Street, Suite 3400
Birmingham, Alabama 35203

STATE OF ALABAMA)
COUNTY OF SHELBY)

**FIRST AMENDMENT TO SUPPLEMENTARY DECLARATION AND AMENDMENT
TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
CHELSEA PARK, A RESIDENTIAL SUBDIVISION, 7th SECTOR
(ADDITION OF 19TH AND 20TH SECTORS, PHASE ONE)**

KNOW ALL MEN BY THESE PRESENTS THAT,

WHEREAS, Chelsea Park, Inc. ("Original Developer") and Chelsea Park Residential Association, Inc. (the "Association") previously filed a Declaration of Covenants, Conditions and Restrictions for Chelsea Park, a Residential Subdivision,, 7th Sector, in the Probate Office of Shelby County, Alabama, recorded on December 29, 2006, as Instrument Number 20061229000634370, (the "Original Declaration") with respect to certain real property owned by Original Developer and situated in Shelby County, Alabama, which is part of a residential subdivision known as Chelsea Park, A Residential Subdivision (the "Development"), and which is more particularly described in the Plat of Chelsea Park, 7th Sector, as recorded in Map Book 37, at page 120 in the Probate Office of Shelby County, Alabama;

WHEREAS, Original Developer has created the Association pursuant to the Declaration of Easements and Master Protective Covenants for Chelsea Park, a Residential Subdivision, recorded as Instrument Number 20041014000566950 in the Probate Office of Shelby County, Alabama, (the "Master Covenants"), for the purpose of maintaining certain property within the Development, which is intended to be for the non-exclusive use and benefit of the owners of the Development ("Common Area"), regulating the use of the Common Area, and levying assessments for the maintenance, preservation and regulation of the Common Area;

WHEREAS, by Statutory Warranty Deed recorded on September 15, 2011, in the Office of the Judge of Probate of Shelby County, Alabama, as Instrument Number 20110915000274030, Original Developer conveyed to Chelsea Park Holding, LLC (the "Successor Developer"), all of the real property owned by the Original Developer in the Development and assigned to the New Developer all of Original Developer's rights and obligations as the "Developer" under the Master Covenants and the Original Declaration with respect to the property conveyed by said deed;

WHEREAS, Original Developer, Successor Developer, and the Association filed a Supplementary Declaration and Amendment to the Original Declaration with the Probate Office of Shelby County, Alabama, recorded on December 30, 2015, as Instrument #20151230000442850 in said office (the "Supplementary Declaration") to submit certain property to be developed as part of the Development to the Original Declaration and the Master Covenants in accordance with and pursuant to the terms thereof, each of which permit the Developer, with the approval in writing of the Association, to evidence the submission of such property to the Original Declaration and the Master Covenants by filing a Supplementary Declaration to that effect in the Office of the Judge of Probate of Shelby County, Alabama;

WHEREAS, the Successor Developer has subdivided and developed part of the land subject to the Supplementary Declaration in accordance with the subdivision plat recorded in the Probate Office of Shelby County, Alabama, as Chelsea Park, 19th and 20th Sectors, Phase One, as more particularly described in the subdivision plat recorded in Map Book 55, at page 96 in the Office of the Judge of Probate of Shelby County, Alabama (the "Subject Property");

CLAYTON T. SWEENEY, ATTORNEY AT LAW



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WHEREAS, the Original Developer, Successor Developer and the Association desire to amend the description of the Subject Property in the Supplementary Declaration to reflect the subdivision of part of the Subject Property and the rights and obligations of the Developer with respect to the Subject Property by filing this First Amendment to the Supplementary Declaration with the Probate Office of Shelby County, Alabama;

NOW THEREFORE, the Original Developer, Successor Developer and the Association (the "Declarants") do, upon the recording hereof, declare and make the Subject Property and any portion thereof subject to the covenants, conditions, restrictions, uses, limitations and affirmative obligations of the Original Declaration and the Master Covenants, as each has been heretofore amended and as amended hereby, all of which are declared to be in furtherance of a plan for the use and improvement of the Subject Property in a desirable and uniform manner and for the maintenance, preservation, and regulation of the Common Areas within the property subject to the Original Declaration and the Master Covenants.

The Declarants hereby reaffirm and restate the terms and provisions of the Original Declaration and the Master Covenants in their entirety without any change whatsoever, except as follows:

1. The legal description of the Subject Property is hereby amended to include the real property described in the subdivision plat recorded as Chelsea Park, 19th and 20th Sectors, Phase One, in the Probate Office of Shelby County, Alabama in Map Book 55, page 96.
2. The Subject Property shall be subject in all respects to the Original Declaration and the Master Covenants as amended by the Supplementary Declaration and as further amended by this First Amendment to the Supplementary Declaration.
3. No assessments shall be due on any Lot owned by the Successor Developer in the Subject Property. Assessments on individual Lots within the Subject Property shall commence in accordance with Section 6.3 of the Master Covenants upon the conveyance of the Lot to a person other than the Successor Developer.

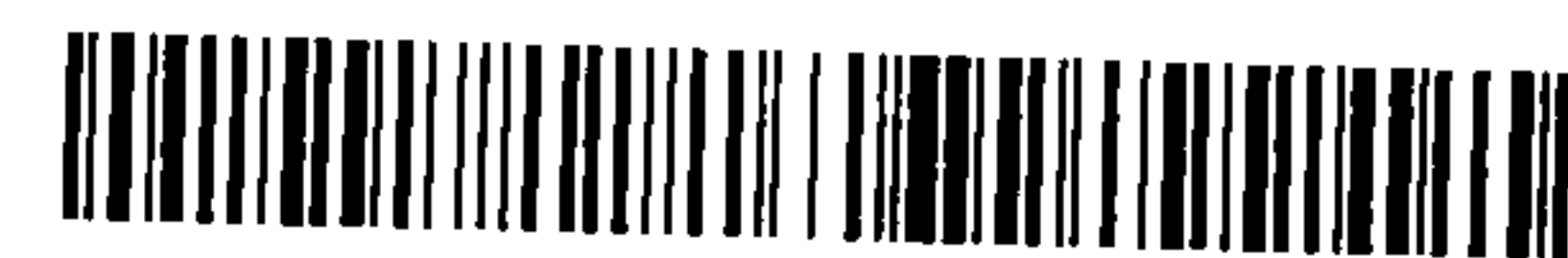
ARTICLE II

Declarants hereby declare that said provisions of the Original Declaration and Master Covenants as so amended shall run with the land and be binding upon, and shall inure to the benefit of, the real property, including the Subject Property, subject to the Original Declaration as amended hereby and all parties having or acquiring any right, title or interest in and to said real property or any part thereof, and their successors in interest.

ARTICLE III

The Association has joined in the execution of this First Amendment to the Supplementary Declaration for the purpose of evidencing its written approval of the amendment of the description of the Subject Property in the Supplementary Declaration as herein provided and does hereby authorize the filing of this First Amendment to the Supplementary Declaration with the Office of the Judge of Probate of Shelby County, Alabama.

[SIGNATURES ON FOLLOWING PAGES]



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IN WITNESS WHEREOF, the undersigned have caused this Declaration to be executed as of the _____
day of September, 2022.

DECLARANTS:

CHELSEA PARK, INC.

By


Douglas D. Eddleman
President

CHELSEA PARK HOLDING, LLC

By


Douglas D. Eddleman
Manager

CHELSEA PARK RESIDENTIAL
ASSOCIATION, INC.

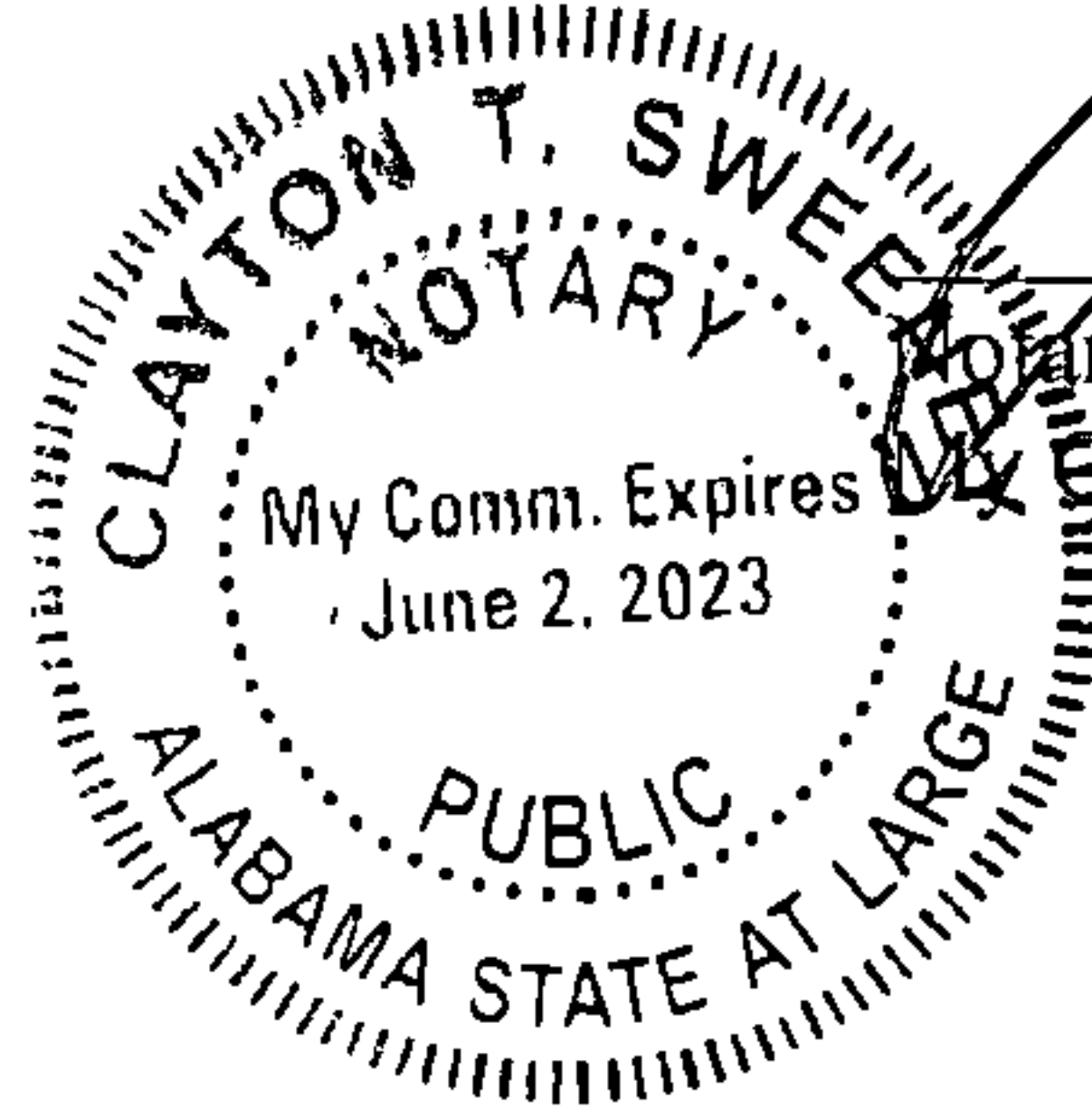
By


Douglas D. Eddleman
President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Douglas D. Eddleman, whose name as President of Chelsea Park, Inc., a corporation, is signed to the foregoing First Amendment to Supplementary Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing First Amendment to Supplementary Declaration, 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 of office this 27th day of September, 2022.



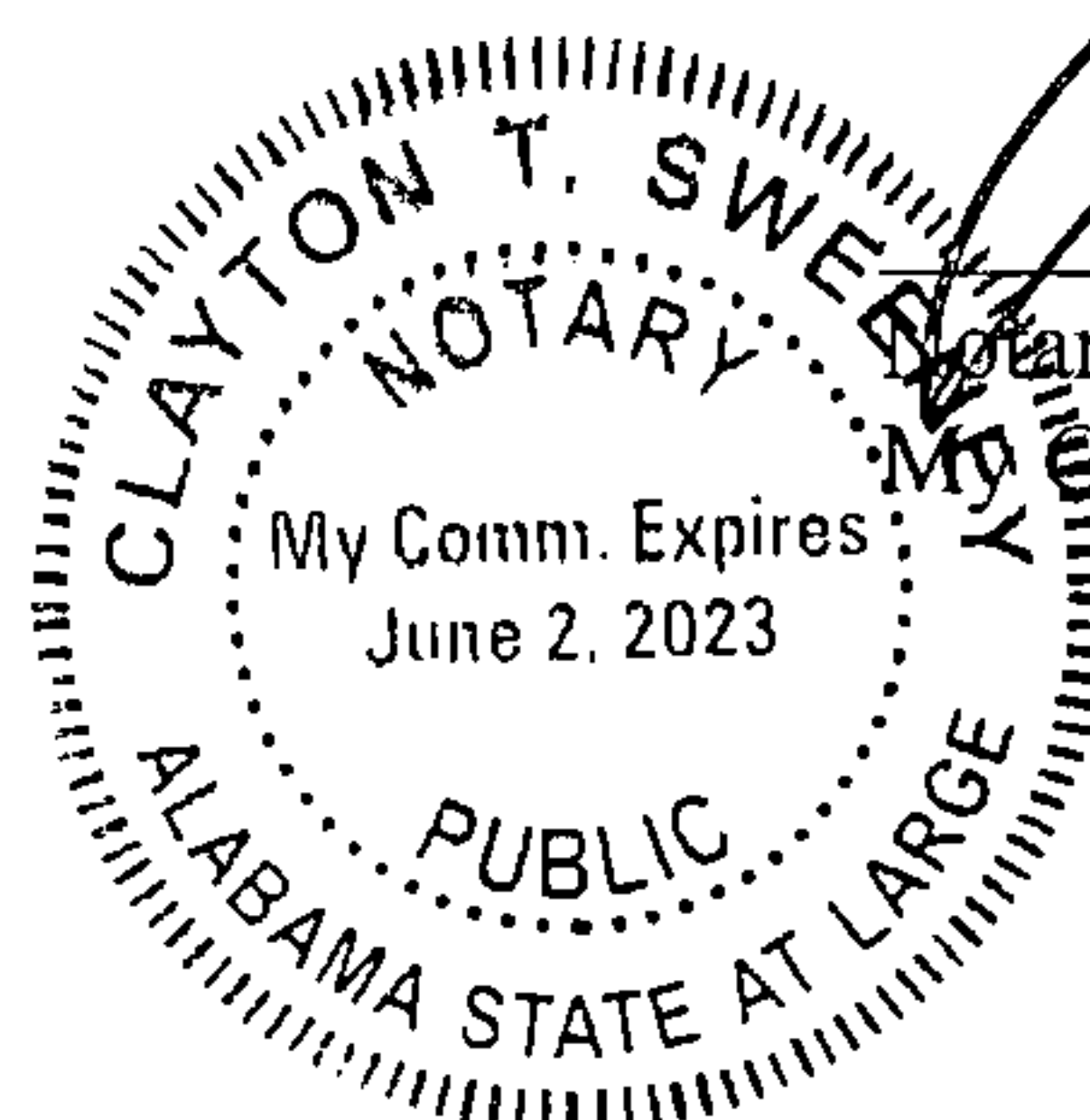
Notary Public

My Commission Expires: 6-2-2023

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as Manager of Chelsea Park Holding, LLC, a limited liability company, is signed to the foregoing First Amendment to Supplementary Declaration, and who is known to me, acknowledged before me on this day that, being informed of the above and foregoing First Amendment to Supplementary Declaration, he as such manager 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 27th day of September, 2022.



Notary Public

My Commission Expires: 6-2-2023

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of Chelsea Park Residential Association, Inc., an Alabama nonprofit corporation, is signed to the foregoing First Amendment to Supplementary Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the First Amendment to Supplementary Declaration, 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 of office this 27th day of September, 2022.



Notary Public

My Commission Expires: 6-2-2023