

This instrument was prepared by:
Richard A. Johnson II
3545 Market Street
Hoover, AL 35226

OWNER'S AFFIDAVIT

FLEMMING PARTNERS, LLC, an Alabama limited liability company (the "Developer"), hereby certifies to the **ABINGDON BY THE RIVER RESIDENTIAL ASSOCIATION INC.**, an Alabama non-profit corporation (the "Association"), as follows:

1. The "Turnover Date", as defined in the terms and provisions of the Abingdon by the River Declaration of Covenants, Conditions and Restrictions dated as of June 3, 2020 which has been recorded as Instrument # 20200603000223920 in the Office of the Judge of Probate of Shelby County, Alabama and recorded as Instrument # 2020057270 in the Office of the Judge of Probate of Jefferson County, Alabama, as amended, has occurred. Accordingly, Developer does hereby terminate all of its rights as "Developer" to appoint and remove members and officers of the Association as well as to make amendments to the Declaration as set forth in the Declaration and the Articles of Incorporation and Bylaws of the Association.

2. Developer has heretofore delivered to the interim members of the Board of Directors of the Association elected by the property owners all of the financial records and reports of the Association.

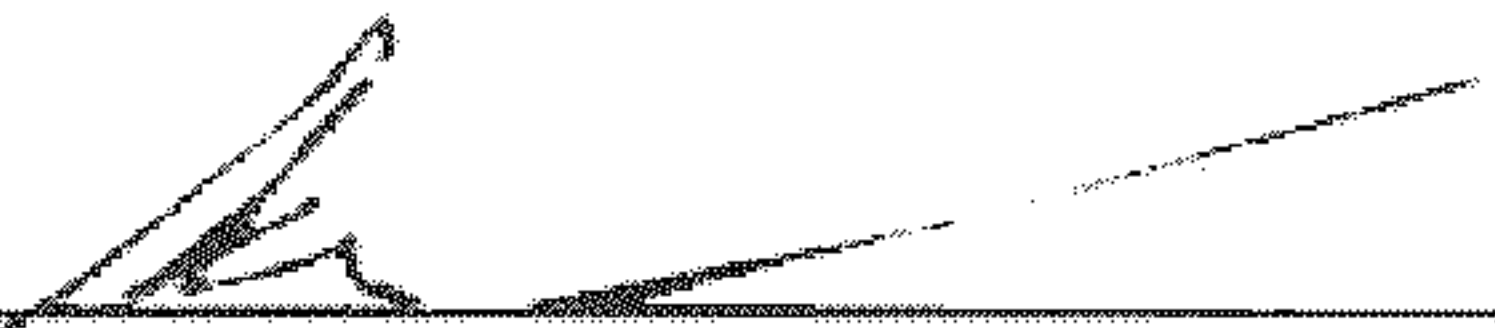
3. To the best of its knowledge, Developer is unaware of any lawsuits, litigation or legal actions pending or threatened against the Association or any of the real property owned by the Association, as more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Property").

4. To the best of its knowledge, Developer is unaware of any liens, judgments or mortgages encumbering the Property which have been created by Owner other than real estate ad valorem taxes for the current year and all subsequent years thereafter.

[Signature on the following page]

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

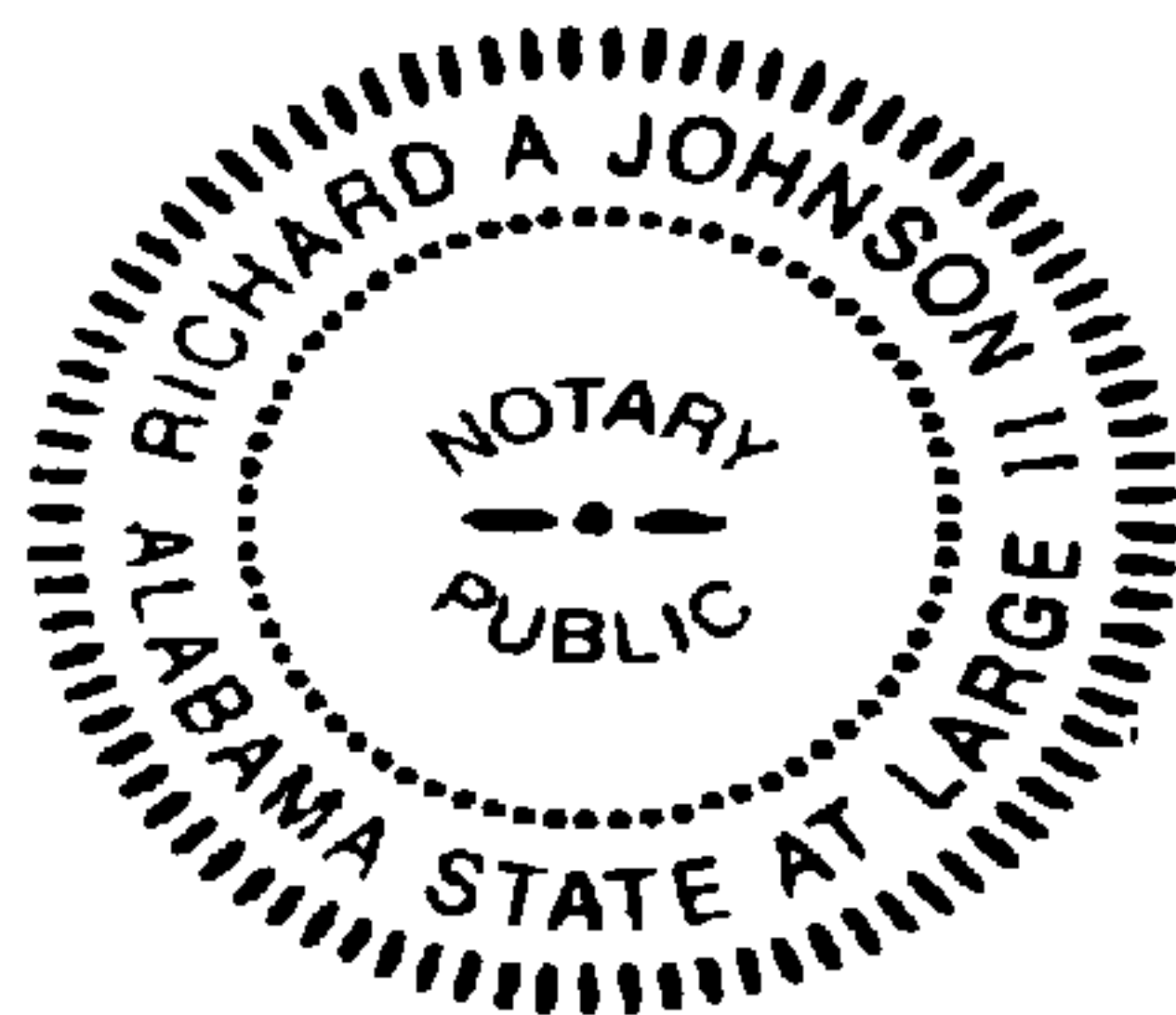
FLEMMING PARTNERS LLC, an Alabama
limited liability company

By: 
Typed Name: Scott Rohrer
Title: Vice President

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that Scott Rohrer whose name as Vice President of **FLEMMING PARTNERS, 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 corporation.

Given under my hand and official seal this the 20th day of June 2023.





Notary Public
My Commission Expires: 8/30/26

EXHIBIT A

Legal Description of Property

A parcel of land situated in the Southeast 1/4 of the Northeast 1/4 of Section 4, Township 20 South, Range 3 West, Shelby County Alabama, being more particularly described as follows:

COMMENCE at 2 " aluminum capped pipe at the Northeast corner of Section 4, Township 20 South, Range 3 West, Shelby County Alabama, and run in an Westerly direction along the North-line of said Section for a distance of 306.55 feet; thence leaving said North-line, run S 0°56'58" W for a distance of 1801.56 feet to the POINT OF BEGINNING; thence run S 43°15'38" E for a distance of 120.00 feet; thence run S 46°44'22" W for a distance of 60.00 feet; thence run N 43°15'38" W for a distance of 5.00 feet; thence run S 46°44'22" W for a distance of 14.09 feet; thence run S 2°22'45" W for a distance of 183.99 feet; thence run S 1°28'34" E for a distance of 96.62 feet; thence run S 22°57'35" E for a distance of 97.17 feet; thence run S 66°51'54" E for a distance of 132.13 feet; thence run N 46°44'22" E for a distance of 212.19 feet; thence run N 0°39'48" W for a distance of 532.85 feet; thence run S 89°20'35" W for a distance of 12.34 feet; thence run S 89°20'12" W for a distance of 23.13 feet; thence run S 46°44'19" W for a distance of 245.00 feet; thence run N 43°15'38" W for a distance of 120.00 feet; thence run S 46°44'22" W for a distance of 60.00 feet to the POINT OF BEGINNING.

Said parcel containing 3.7 acres, more or less, and

Lots CA-12, CA-14, CA-15, and CA-17

According to the Final Plat of Abingdon by the River - Phase 1, as recorded in the Office of the Judge of Probate for Shelby County, Alabama in Map Book 52, Page 66, and

Lots CA-13A and CA-16A, and

According to the Final Plat of Abingdon by the River – Phase 1 Resurvey of Common Area CA-13 and Common Area CA-16, as recorded in the Office of the Judge of Probate for Shelby County, Alabama in Map Book 53, Page 100, and

Lots CA-18, CA-19, CA-20, and CA-21

According to the Final Plat of Abingdon by the River - Phase 2, as recorded in the Office of the Judge of Probate for Shelby County, Alabama in Map Book 53, Page 43, and

Lots CA-7, CA-8, and CA-9

According to the Final Plat of Abingdon by the River - Phase 3, as recorded in the Office of the Judge of Probate for Shelby County, Alabama in Map Book 54, Page 38, and

Lot CA-10A

According to the Final Plat of Abingdon by the River – Phase 3 Resurvey No. 1, as recorded in the Office of the Judge of Probate for Shelby County, Alabama in Map Book 54, Page 71, and

Lots CA-11, CA-12, CA-13, CA-14, and CA-15

According to the Final Plat of Abingdon by the River - Phase 4, as recorded in the Office of the Judge of Probate for Shelby County, Alabama in Map Book 55, Pages 8A and 8B, and

According to the Final Plat of Abingdon by the River - Phase 4, as recorded in the Office of the Judge of Probate for Jefferson County, Alabama in Map Book 51, Page 65, pages 1/1 and ½ (collectively, the “Property”)



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
06/22/2023 11:44:39 AM
\$31.00 BRITTANI
20230622000185690

Allie S. Bayl