

1929  
266

AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
PERTAINING TO GROVE HILL - LAKEWOOD

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS is made  
as of the 8th day of March, 1995,  
by JIM W. CLEVELAND, III AND WILLIAM A. CLEVELAND ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of  
Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume  
1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer  
hereby adds and submits the following Additional Property to the provisions of the  
Declaration:

All that property shown on the plat of Grove Hill Lakewood Subdivision, filed  
of record in Plat Book 17, at Page 86, in the Office of the Judge of Probate  
of Lee County, Alabama, which shows Lots 300 through 317.

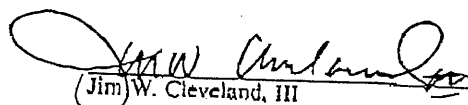
The above described property will be conveyed by the Developer subject to all of the  
provisions of the Declaration and to the following:

Common Drive Easement and Annual Assessment for Maintenance

An easement for a common driveway in favor of Lots 308-315, is created over the  
strip of land encompassed by the "pole" portion of Lots 309-314. This easement shall run  
with the land, and shall be binding upon and shall inure to the benefit of the Owners of  
Lots 308-315, their respective heirs, successors, or assigns.

Each Owner of Lot 308-315, by acceptance of a deed or other instrument conveying  
any interest therein, regardless of whether such deed or instrument contains a reference to  
the Declaration or this Amendment, is hereby deemed to covenant and agree to pay to the  
Association, an annual Assessment (in addition to the annual Assessment provided for in  
paragraph 8.01 of the Declaration). The annual Assessment provided for herein, shall be  
used for the repair and maintenance of the joint driveway. The Board of the Association  
shall determine the amount of the Assessment. The provisions of paragraph 8.09 of the  
Declaration (Effect of Non-Payments; Remedies of the Association), and paragraph 8.10  
(Subordination of Lien) are hereby incorporated as a part of this Amendment, as those  
provisions are applicable to the Assessment created herein for the maintenance of the joint  
driveway.

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

  
Jim W. Cleveland, III

  
William A. Cleveland

STATE OF ALABAMA

COUNTY OF LEE

I the undersigned, notary public in and for said County in said State, hereby certify that Jim W. Cleveland, III and William A. Cleveland whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 8th day of March, 1995.

(SEAL)

*Debra P. Maddox*  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

DEBRA P. MADDOX, NOTARY PUBLIC  
STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES FEB. 6, 1996

20737  
1995 266  
LEE COUNTY ALA  
55 MAR 14 PM 2:11  
PLEASE FAX  
LEED FAX

1929  
268

AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
PERTAINING TO GROVE HILL - CREEKSIDE

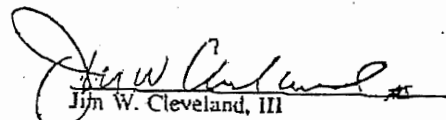
THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS is made  
as of the 8th day of March, 1995,  
by JIM W. CLEVELAND, III AND WILLIAM A. CLEVELAND ("Developer").

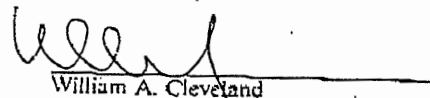
Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of  
Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume  
1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer  
hereby adds and submits the following Additional Property to the provisions of the  
Declaration:

All that property shown on the plat of Grove Hill Lakewood Subdivision, filed  
of record in Plat Book 17, at Page 85, in the Office of the Judge of Probate  
of Lee County, Alabama, which shows Lots 100 through 157.

The above described property will be conveyed by the Developer subject to all of the  
provisions of the Declaration.

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

  
Jim W. Cleveland, III

  
William A. Cleveland

STATE OF ALABAMA

COUNTY OF LEE

I the undersigned, notary public in and for said County in said State, hereby certify  
that Jim W. Cleveland, III and William A. Cleveland whose names are signed to the  
foregoing instrument and who are known to me, acknowledged before me on this day that,  
being informed of the contents of said instrument they executed the same voluntarily on the  
day the same bears date.

Given under my hand and official seal, this the 8th day of March, 1995.

(SEAL)

  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

DEBRA P. MADDOX, NOTARY PUBLIC  
STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES FEB. 6, 1996

25733

1929-268  
LEE COUNTY, ALA.

15 MAR 14 PM 2:41  
NOTARY TAX  
STATE TAX

BCL 1829 268

2037/8

**GROVE HILL SUBDIVISION, FIRST ADDITION  
LOTS 200 - 245  
AUBURN, LEE COUNTY, ALABAMA  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of Covenants, Conditions and Restrictions ("the Declaration"), filed of record in Deed Volume 1827, at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer hereby adds and submits the Additional Property described hereinabove to the provisions of the Declaration except for the following modification to the cited paragraphs:

1.02 ARC. Add, "As pertaining only to the subject Additional Property, the Architectural Review Committee (ARC) shall be defined as Richard A. Compton, Dan Durand, and Nancy N. Durand or their designated replacements."

2.05 Subdivision Plat. Add, "Notwithstanding the foregoing, the Developer shall obtain the written consent of Dan-Ric, Inc., prior to recording any changes to the plat known as Grove Hill Subdivision, First Addition, dated April 17, 1996, and recorded in Plat Book 18 Page 27 during the period of contractual and fee simple ownership by Dan-Ric, Inc."

5.01 Committee Composition. Add, "Notwithstanding the foregoing, the only members of the ARC for the subject Additional Property shall be Richard A. Compton, Dan Durand, and Nancy N. Durand. Dan-Ric, Inc., shall approve any changes or additions to the ARC so long as it owns a Lot within the subject Additional Property. Upon disposition of its last Lot, Dan-Ric, Inc., shall relinquish control of the ARC to the Developer, and the ARC members shall resign."

6.16 Windows, Window Treatments, and Doors (b). Add, "Pre-finished, white aluminum windows, aluminum fascia, vinyl soffits, and pre-finished aluminum gutters and downspouts shall be permitted for all Dwellings in the subject Additional Property."

6.32 Additional Regulations. Add, "However, during the period of ownership of any Lot by Dan-Ric, Inc., in the subject Additional Property, the Developer shall only have authority to impose additional regulations by the written mutual consent of Dan-Ric, Inc."

6.34 Enforcement and Remedies. Add, "The Association shall uphold and defend the decisions of the ARC during the period of ownership of any Lot by Dan-Ric, Inc., in the subject Additional Property."

8.01 Assessments and Creation of Lien. Dan-Ric, Inc. shall not be responsible for the payment of Annual or Special Assessments on any Lots or Dwelling it owns located in the Subject Additional Property. Assessments shall commence as to each lot or Dwelling located in the Additional Property on the day on which such Lot or Dwelling is conveyed to a person other than Dan-Ric, Inc. and shall be due and payable in such manner and on

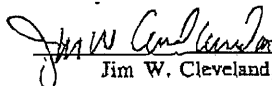
BOOK 2037 PAGE 003


such schedule as may be established from time to time by the Board of the Association.

10.04 Restrictions on Amendment. Add, "The Developer shall not initiate or approve any Amendment to this Declaration affecting the subject Additional Property so long as Dan-Ric, Inc., owns a Lot therein without the written mutual consent of Dan-Ric, Inc."

12.01 Control by Developer. Add; "The Developer shall not initiate or approve any action, regulation, or decision by itself, the Association, or the Board pertaining to the subject Additional Property so long as Dan-Ric, Inc., owns a Lot therein without the written mutual consent of Dan-Ric, Inc."

IN WITNESS WHEREOF, Developer has caused this Declaration and its modifications to be duly executed as of the 17<sup>th</sup> day of April, 1996.

  
Jim W. Cleveland, III

  
William A. Cleveland

STATE OF ALABAMA

COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Jim W. Cleveland III and William A. Cleveland whose names are signed to the foregoing agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents of the agreement, they executed the same voluntarily on the day the same bears date.

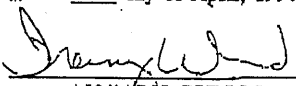
Given under my hand and official seal, this the 17<sup>th</sup> day of April, 1996.

(SEAL)

My commission expires: 3/29/98

This instrument prepared by:

William A. Cleveland  
Haygood, Cleveland, Pierce & Speakman  
P. O. Box 3310  
Auburn, Alabama 36831-3310  
(334) 821-3892

  
NOTARY PUBLIC

96 APR 17 PM 3:00  
2037-1008  
RECORDING OFFICE  
SHELBY COUNTY, ALA  
DEFINITION: JUDGE  
MESSAGE TX  
DEFINITION: JUDGE

005454

BOOK 2037 PAGE 009

STATE OF ALABAMA

LEE COUNTY

AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR GROVE HILL SUBDIVISION

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of Covenants, Conditions and Restrictions (the "Declaration"), filed of record in Deed Volume 1827, at page 142, in the Office of the Judge of Probate, Lee County, Alabama, Developer, as defined in the Declaration, does hereby amend the Declaration in the following respect:

There shall be added to paragraph 3.04 (a) Reservation of Easements for Signs, Walks, Trails, Walls and Fences, the following:

In addition, Developer does hereby establish and reserve for itself and the Association, and their respective heirs, successors, and assigns, a permanent and perpetual easement appurtenant, over, across, through, and upon the strip of land thirty feet (30') in width located at the rear of lots 110-120 of Grove Hill - Creekside Subdivision, as recorded in Plat Book 17, at page 85, in the Office of the Judge of Probate of Lee County, Alabama, parallel to and running along the rear lines of said lots, for the purpose of constructing, installing, maintaining, repairing, operating, replacing, and the use of sidewalks, walkways, trails, bicycle and jogging lanes and related improvements. The strip of land shall also include that portion of the said lots shown as a drainage and utility easement on the recorded subdivision plat.

IN WITNESS WHEREOF, the Developer has caused this amendment to be duly executed as of the 18th day of July, 1996.

  
Jim W. Cleveland, III

  
William A. Cleveland

STATE OF ALABAMA

LEE COUNTY

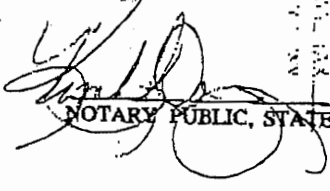
I, Kimberly D. May, a Notary Public in and for said County in said State, hereby certify that Jim W. Cleveland, III and William A. Cleveland, whose names are signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand the 18th day of July, 1996.

(NOTARY SEAL)

MY COMMISSION EXPIRES:

Kimberly D. May  
My Commission Expires April 27, 1999

  
NOTARY PUBLIC, STATE OF ALABAMA

2061/179

96 JUN 18 AM 9

010269

2083  
168

AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
PERTAINING TO GROVE HILL - PINECREST

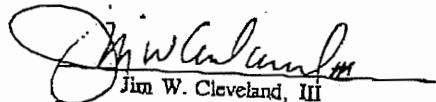
THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS is made  
as of the 26th day of September, 1996  
by JIM W. CLEVELAND, III AND WILLIAM A. CLEVELAND ("Developer").

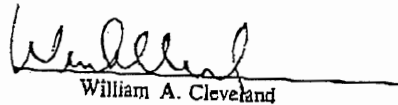
Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of  
Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume  
1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer  
hereby adds and submits the following Additional Property to the provisions of the  
Declaration:

All that property shown on the plat of Grove Hill-Pinewood Subdivision, filed  
of record in Plat Book 13, at Page 104, in the Office of the Judge of  
Probate of Lee County, Alabama.

The above described property will be conveyed by the Developer subject to all of the  
provisions of the Declaration.

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

  
Jim W. Cleveland, III

  
William A. Cleveland

STATE OF ALABAMA

COUNTY OF LEE

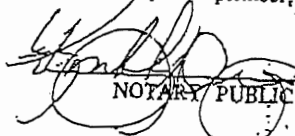
I, the undersigned, a notary public in and for said County in said State, hereby certify  
that Jim W. Cleveland, III and William A. Cleveland, whose names are signed to the  
foregoing instrument and who are known to me, acknowledged before me on this day that  
being informed of the contents of said instrument, they executed the same voluntarily on the  
day the same bears date.

Given under my hand and official seal, this the 26th day of September, 1996.

(SEAL)

MY COMMISSION EXPIRES:

Kimberly D. Hay  
My Commission Expires April 21, 1999

  
NOTARY PUBLIC

2083  
168  
96 SEP 30 11:11:55  
FILED IN PROBATE OFFICE

014453



AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
PERTAINING TO GROVE HILL - CREEKSIDE

2083/169

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS is made  
as of the 30th day of September, 1996,  
by JIM W. CLEVELAND, III AND WILLIAM A. CLEVELAND ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of  
Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume  
1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer  
hereby adds and submits the following Additional Property to the provisions of the  
Declaration:

All that property shown on the plat of Grove Hill-Creekside Subdivision,  
Phase II, filed of record in Plat Book 18, at Page 58, in the Office of the  
Judge of Probate of Lee County, Alabama.

The above described property will be conveyed by the Developer subject to all of the  
provisions of the Declaration.

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

  
Jim W. Cleveland, III

  
William A. Cleveland

STATE OF ALABAMA

COUNTY OF LEE

I the undersigned, notary public in and for said County in said State, hereby certify  
that Jim W. Cleveland, III and William A. Cleveland whose names are signed to the  
foregoing instrument and who are known to me, acknowledged before me on this day that,  
being informed of the contents of said instrument they executed the same voluntarily on the  
day the same bears date.

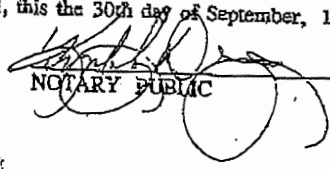
Given under my hand and official seal, this the 30th day of September, 1996.

(SEAL)

MY COMMISSION EXPIRES:

January 2, 1997

My Commission Expires April 21, 1997

  
NOTARY PUBLIC

96 SEP 30 AM 11:55  
NOTARY PUBLIC  
OFFICIAL SEAL  
NOTARY

014454

2083-169



2091  
325

AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
PERTAINING TO GROVE HILL - HIGH POINT

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS is made  
as of the 17th day of October, 1996,  
by JIM W. CLEVELAND, III AND WILLIAM A. CLEVELAND ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of  
Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume  
1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer  
hereby adds and submits the following Additional Property to the provisions of the  
Declaration:

All that property shown on the plat of Grove Hill High Point Subdivision,  
filed of record in Plat Book 18, at Page 111, in the Office of the Judge of  
Probate of Lee County, Alabama, which shows Lots 400 through 404.

The above described property will be conveyed by the Developer subject to all of the  
provisions of the Declaration.

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

  
Jim W. Cleveland, III

  
William A. Cleveland

STATE OF ALABAMA

COUNTY OF LEE

I the undersigned, notary public in and for said County in said State, hereby certify  
that Jim W. Cleveland, III and William A. Cleveland whose names are signed to the  
foregoing instrument and who are known to me, acknowledged before me on this day that,  
being informed of the contents of said instrument they executed the same voluntarily on the  
day the same bears date.

Given under my hand and official seal, this the 17th day of October, 1996.

(SEAL)

  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

DEBRA P. MADDOX, NOTARY PUBLIC  
STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES FEB. 6, 2000

016056  
2091  
325  
JUL 24 1996  
LEE COUNTY  
ALABAMA  
NOTARY PUBLIC  
DEBRA P. MADDOX

**AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
PERTAINING TO GROVE HILL - WINDWAY**

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS is made  
as of the 14th day of August 1997,  
by JIM W. CLEVELAND, III AND WILLIAM A. CLEVELAND ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume 1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer hereby adds and submits the following Additional Property to the provisions of the Declaration:

All that property shown on the plat of Grove Hill - Windway Subdivision, filed of record in Plat Book 19, at Page 62, in the Office of the Judge of Probate of Lee County, Alabama, which shows Lots 701 through 708 and Lots 753 through 756.

The above described property will be conveyed by the Developer subject to all of the provisions of the Declaration.

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

  
Jim W. Cleveland, III

  
William A. Cleveland

STATE OF ALABAMA

COUNTY OF LEE

MISC 1259 372  
Recorded In Above Book and Page  
09/11/1997 02:17PM  
HAL SMITH  
JUDGE OF PROBATE  
LEE COUNTY

I the undersigned, notary public in and for said County in said State, hereby certify that Jim W. Cleveland, III and William A. Cleveland whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 20<sup>th</sup> day of August, 1997.

(SEAL)

  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

DEBRA P. MADDOX, NOTARY PUBLIC  
STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES FEB. 6, 2000

SPI Fee	4.00
Recording Fee	3.50
TOTAL	7.50

**AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
PERTAINING TO GROVE HILL - RIDGEVIEW**

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS is made  
as of the 14th day of August 1997,  
by JIM W. CLEVELAND, III AND WILLIAM A. CLEVELAND ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume 1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer hereby adds and submits the following Additional Property to the provisions of the Declaration:

All that property shown on the plat of Grove Hill - Ridgeview Subdivision, filed of record in Plat Book 19, at Page 63, in the Office of the Judge of Probate of Lee County, Alabama, which shows Lots 701 through 708 and Lots 753 through 756.

The above described property will be conveyed by the Developer subject to all of the provisions of the Declaration.

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

  
\_\_\_\_\_  
Jim W. Cleveland, III

  
\_\_\_\_\_  
William A. Cleveland

STATE OF ALABAMA

COUNTY OF LEE

MISC 1259 373  
Recorded In Above Book and Page  
09/11/1997 02:18PM  
HAL SMITH  
JUDGE OF PROBATE  
LEE COUNTY

I the undersigned, notary public in and for said County in said State, hereby certify that Jim W. Cleveland, III and William A. Cleveland whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 29<sup>th</sup> day of August, 1997.

(SEAL)

  
\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

DEBRA P. MADDOX, NOTARY PUBLIC  
STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES FEB. 6, 2000

SPJ Fee	4.00
Recording Fee	3.50
TOTAL	7.50

STATE OF ALABAMA

LEE COUNTY

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR GROVE HILL SUBDIVISION

WHEREAS, by instrument dated February 22, 1994 and recorded in Deed Book 1827, at Page 142, et seq., Jim W. Cleveland, III and William A. Cleveland, as Developer, did impose certain covenants, conditions and restrictions on real property being developed as single family residential lots as Grove Hill Subdivision; and,

WHEREAS, under the provisions of Article VI. USE AND DEVELOPMENT RESTRICTIONS, in subparagraph 6.04 Building Setbacks, the method of establishing and determining building setbacks from public streets is established; and,

WHEREAS, it has been determined by the Developer and the Architectural Review Committee that in cases where the building setbacks are established on the recorded subdivision plats for corner lots that more flexibility in the placement of the dwelling is desirable and will enhance the esthetic qualities of the neighborhood.

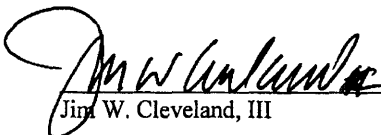
WHEREAS, the Developer does find that an amendment to Article VI. General Covenants and Restrictions, subparagraph 6.04 Building Setbacks, to permit more flexibility in the placement of dwellings on corner lots will not materially or adversely affect or change any Owner's rights to the use and enjoyment of any lot and that acting under the provisions of Article X: General Provisions, in subparagraph 10.02, the Developer is acting within the rights reserved to it in the Declaration.


NOW, THEREFORE, in consideration of the premises and under the authority reserved to it, the Developer does hereby amend the Declaration in the following respect:

Subparagraph 6.04 Building Setbacks of Article VI. General Covenants and Restrictions shall be changed to read as follows:

(c) Provided, however, in the case of corner lots where the building set back lines are established on both streets, the lot owner shall designate one side as the front lot line which shall have a building setback of not less than 30 feet in which case the remaining side located on the street, notwithstanding the building setback line established on the subdivision plat shall have a building setback line of not less than 20 feet, or the minimum street side yard setback set forth in the Zoning Ordinance for the City of Auburn, and shall extend along said remaining side to the street upon which the building fronts.

IN WITNESS WHEREOF, Developer has caused this Amendment to Declaration to be duly executed as of the 9th day of January, 1998.

 (SEAL)  
Jim W. Cleveland, III

 (SEAL)  
William A. Cleveland

MISC 1260 44  
Recorded In Above Book and Page  
01/26/1998 11:03AM  
HNL SMITH  
JUDGE OF PROBATE  
LEE COUNTY  
SPT Fee 4.00  
Recording Fee 6.00  
TOTAL 10.00

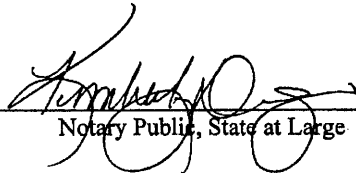
STATE OF ALABAMA

COUNTY OF LEE

I, Kimberly D. May, a Notary Public in and for said State and County, hereby certify that Jim W. Cleveland, III and William A. Cleveland, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 9th day of January, 1998.

(NOTARY SEAL)

  
Notary Public, State at Large

MY COMMISSION EXPIRES: 4/21/99

Kimberly D. May  
My Commission Expires

MISC 1260 45  
Recorded In Above Book and Page  
01/26/1998 11:03AM  
HALL SMITH  
JUDGE OF PROBATE  
LEE COUNTY

This document prepared by:  
William A. Cleveland  
P.O. Box 3310  
Auburn, AL 36831

**AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
PERTAINING TO GROVE HILL - WINDWAY SUBDIVISION, FIRST ADDITION**

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS is made

as of the 24th day of April 1998,  
by JIM W. CLEVELAND, III AND WILLIAM A. CLEVELAND ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of  
Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume 1827  
at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer hereby adds  
and submits the following Additional Property to the provisions of the Declaration:

All that property shown on the plat of Grove Hill - Windway Subdivision, First  
Addition, filed of record in Plat Book 19, at Page 191, in the Office of the Judge  
of Probate of Lee County, Alabama, which shows Lots 709 through 752.

The above described property will be conveyed by the Developer subject to all of the  
provisions of the Declaration.

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

  
Jim W. Cleveland, III

  
William A. Cleveland

STATE OF ALABAMA

COUNTY OF LEE

I the undersigned, notary public in and for said County in said State, hereby certify that  
Jim W. Cleveland, III and William A. Cleveland whose names are signed to the foregoing  
instrument and who are known to me, acknowledged before me on this day that, being informed  
of the contents of said instrument they executed the same voluntarily on the day the same bears  
date.

Given under my hand and official seal, this the 24<sup>th</sup> day of April, 1998.

(SEAL)

  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 3/3/2002

MISC 1260 560  
Recorded In Above Book and Page  
04/29/1998 03:15PM  
HOL SMITH  
JUDGE OF PROBATE  
LEE COUNTY  
SPJ Fee 4.00  
Recording Fee 3.50  
TOTAL 7.50

**AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
PERTAINING TO GROVE HILL - INGLESIDE SUBDIVISION**

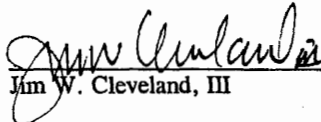
THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS is made  
as of the 14th day of January, 2000,  
by JIM W. CLEVELAND, III AND WILLIAM A. CLEVELAND ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume 1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer hereby adds and submits the following Additional Property to the provisions of the Declaration:

All that property shown on the plat of Grove Hill - Ingleside Subdivision, filed of record in Plat Book 21, at Page 76, in the Office of the Judge of Probate of Lee County, Alabama, which shows Lots 801 through 841.

The above described property will be conveyed by the Developer subject to all of the provisions of the Declaration.

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

  
\_\_\_\_\_  
Jim W. Cleveland, III

  
\_\_\_\_\_  
William A. Cleveland

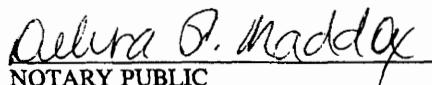
STATE OF ALABAMA

COUNTY OF LEE

I the undersigned, notary public in and for said County in said State, hereby certify that Jim W. Cleveland, III and William A. Cleveland whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 14th day of January, 2000.

(SEAL)

  
\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

DEBRA P. MADDOX, NOTARY PUBLIC  
STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES FEB. 6, 2000

MISC 1264 12  
Recorded in Above Book and Page  
01/20/2000 02:23PM  
HNL SMITH  
JUDGE OF PROBATE  
LEE COUNTY  
SPJ Fee 4.00  
Recording Fee 4.50  
TOTAL 8.50  
\*\*\* NO TAX FEE COLLECTED \*\*\*



**AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
ADDING GROVE HILL SUBDIVISION, SECOND ADDITION AS  
ADDITIONAL PROPERTY**

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS is made as of the 21st day of March, 2003, by CLEVELAND BROTHERS, INC. ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume 1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer hereby adds and submits the following Additional Property to the provisions of the Declaration:

All that property shown on the plat of **Grove Hill Subdivision Second Addition**, filed of record in Plat Book 23, at Page 196, in the Office of the Judge of Probate of Lee County, Alabama.

The above described property will be conveyed by the Developer subject to all of the provisions of the Declaration, modified as follows:

(1) The following section shall be added to the Declaration:

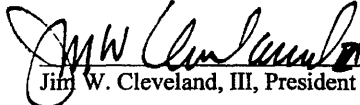
**8.12 Date of Commencement of Assessments for Builders.** Notwithstanding any provisions of Article VIII of the Declaration to the contrary, annual Assessments shall not commence for, and no special Assessment shall be levied against, any Lot in Grove Hill Subdivision Second Addition, or any other Additional Property added or submitted to the provisions of the Declaration, until such time as any such Lot is conveyed to an Owner who occupies, intends to occupy, or leases the Dwelling constructed on the Lot. The intent of this section is that Assessments not be levied against Lots on which licensed residential home builders are constructing houses for speculation.

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

CLEVELAND BROTHERS, INC.

Attest:

  
William A. Cleveland, Secretary

  
Jim W. Cleveland, III, President

STATE OF ALABAMA

COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jim W. Cleveland, III, whose name as President of Cleveland Brothers, Inc., a 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as act of said corporation.

Given under my hand and official seal, this the 21st day of March, 2003.

(SEAL)

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

KRISTEN THOMSON  
Notary Public, AL State at Large  
My Comm. Expires Mar. 20, 2006

Recorded In MISC BK 1269 PG 445, 03/24/2003 02:39:33 PM Recording Fee 8.00, TOTAL 8.00  
BILL ENGLISH, PROBATE JUDGE, LEE COUNTY

**AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
ADDING GROVE HILL SUBDIVISION, SECOND ADDITION AS  
ADDITIONAL PROPERTY**

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS is made as of the 15th day of August, 2003, by CLEVELAND BROTHERS, INC. ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume 1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer hereby adds and submits the following Additional Property to the provisions of the Declaration:

All that property shown on the plat of **Grove Hill Subdivision Third Addition**, filed of record in Plat Book 24, at Page 122, in the Office of the Judge of Probate of Lee County, Alabama.

The above described property will be conveyed by the Developer subject to all of the provisions of the Declaration, modified as follows:

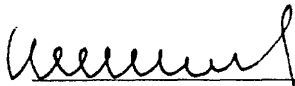
(1) The following section shall be added to the Declaration:

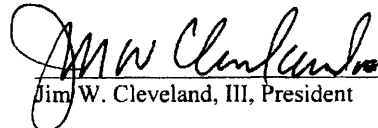
**8.12 Date of Commencement of Assessments for Builders.** Notwithstanding any provisions of Article VIII of the Declaration to the contrary, annual Assessments shall not commence for, and no special Assessment shall be levied against, any Lot in Grove Hill Subdivision Second Addition, or any other Additional Property added or submitted to the provisions of the Declaration, until such time as any such Lot is conveyed to an Owner who occupies, intends to occupy, or leases the Dwelling constructed on the Lot. The intent of this section is that Assessments not be levied against Lots on which licensed residential home builders are constructing houses for speculation.

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

CLEVELAND BROTHERS, INC.

Attest:

  
William A. Cleveland, Secretary

  
Jim W. Cleveland, III, President

STATE OF ALABAMA

COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jim W. Cleveland, III, whose name as President of Cleveland Brothers, Inc., a 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as act of said corporation.

Given under my hand and official seal, this the 15th day of August, 2003.

(SEAL)

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 31.12.2006

MISC 1271 44  
Recorded In Above Book and Page  
08/18/2003 02:35:19 PM  
BILL ENGLISH  
PROBATE JUDGE  
LEE COUNTY  
Recording Fee 8.00  
TOTAL 8.00

**AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
ADDING GROVE HILL SUBDIVISION, FIFTH ADDITION, SECOND  
REVISION AS ADDITIONAL PROPERTY**

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS is made as of the 15th day of August, 2003, by CLEVELAND BROTHERS, INC. ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume 1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer hereby adds and submits the following Additional Property to the provisions of the Declaration:

All that property shown on the plat of **Grove Hill Subdivision Fifth Addition, Second Revision**, filed of record in Plat Book 25, at Page 107, in the Office of the Judge of Probate of Lee County, Alabama.

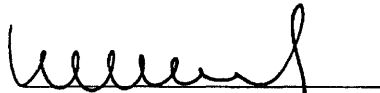
The above described property will be conveyed by the Developer subject to all of the provisions of the Declaration, modified as follows:

(1) The following section shall be added to the Declaration:

**8.12 Date of Commencement of Assessments for Builders.** Notwithstanding any provisions of Article VIII of the Declaration to the contrary, annual Assessments shall not commence for, and no special Assessment shall be levied against, any Lot in Grove Hill Subdivision Second Addition, or any other Additional Property added or submitted to the provisions of the Declaration, until such time as any such Lot is conveyed to an Owner who occupies, intends to occupy, or leases the Dwelling constructed on the Lot. The intent of this section is that Assessments not be levied against Lots on which licensed residential home builders are constructing houses for speculation.

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

Attest:

  
William A. Cleveland, Secretary

CLEVELAND BROTHERS, INC.

  
Jim W. Cleveland, III, President

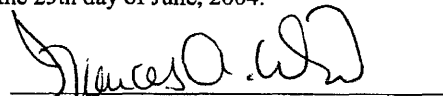
STATE OF ALABAMA

COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jim W. Cleveland, III, whose name as President of Cleveland Brothers, Inc., a 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as act of said corporation.

Given under my hand and official seal, this the 25th day of June, 2004.

(SEAL)

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

FRANCES A. WARD  
Notary Public, AL State at Large  
My Comm. Expires Mar. 1, 2006

Recorded in Misc BK 1273 PG 224, 07/01/2004 03:13:24 PM Recording Fee 8.00, TOTAL 8.00  
BILL ENGLISH, PROBATE JUDGE, LEE COUNTY

**AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
ADDING GROVE HILL SUBDIVISION, SIXTH ADDITION AS  
• ADDITIONAL PROPERTY**

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS is made as of the 16th day of May, 2005, by CLEVELAND BROTHERS, INC. ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume 1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer hereby adds and submits the following Additional Property to the provisions of the Declaration:

All that property shown on the plat of **Grove Hill Subdivision Sixth Addition**, filed of record in Plat Book 26, at Page 140, in the Office of the Judge of Probate of Lee County, Alabama.

The above described property will be conveyed by the Developer subject to all of the provisions of the Declaration, modified as follows:

(1) The section regarding **Minimum Living Space** is amended by adding the following sentence:

**Minimum Living Space** for Grove Hill Subdivision, Sixth Addition, shall be twenty-five hundred (2,500) square feet.

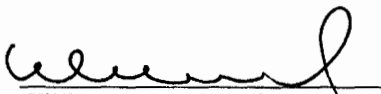
(2) The following section shall be added to the Declaration:

**8.12 Date of Commencement of Assessments for Builders.** Notwithstanding any provisions of Article VIII of the Declaration to the contrary, annual Assessments shall not commence for, and no special Assessment shall be levied against, any Lot in Grove Hill Subdivision Sixth Addition, or any other Additional Property added or submitted to the provisions of the Declaration, until such time as any such Lot is conveyed to an Owner who occupies, intends to occupy, or leases the Dwelling constructed on the Lot. The intent of this section is that Assessments not be levied against Lots on which licensed residential home builders are constructing houses for speculation.

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

CLEVELAND BROTHERS, INC.

Attest:

  
William A. Cleveland, Secretary

  
Jim W. Cleveland, III, President

STATE OF ALABAMA  
COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jim W. Cleveland, III, whose name as President of Cleveland Brothers, Inc., a 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as act of said corporation.

Given under my hand and official seal, this the 16th day of May, 2005.

(SEAL)

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:

CAROL M. JAMES  
Notary Public, AL State at Large  
My Commission Expires 11-06-07

Recorded BIL MISC BK 1275 PG 735 05/17/2005 03:42:17 PM Recording Fee 8.00, TOTAL 8.00

**AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
ADDING GROVE HILL SUBDIVISION, FOURTH ADDITION AS  
ADDITIONAL PROPERTY**

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS is made as of the 16th day of May, 2005, by CLEVELAND BROTHERS, INC. ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume 1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer hereby adds and submits the following Additional Property to the provisions of the Declaration:

All that property shown on the plat of **Grove Hill Subdivision Fourth Addition**, filed of record in Plat Book 26, at Page 139, in the Office of the Judge of Probate of Lee County, Alabama.

The above described property will be conveyed by the Developer subject to all of the provisions of the Declaration, modified as follows:

(1) The section regarding **Minimum Living Space** is amended by adding the following sentence:

**Minimum Living Space** for Grove Hill Subdivision, Fourth Addition, shall be twenty-five hundred (2,500) square feet.


(2) The following section shall be added to the Declaration:


**8.12 Date of Commencement of Assessments for Builders.** Notwithstanding any provisions of Article VIII of the Declaration to the contrary, annual Assessments shall not commence for, and no special Assessment shall be levied against, any Lot in Grove Hill Subdivision Fourth Addition, or any other Additional Property added or submitted to the provisions of the Declaration, until such time as any such Lot is conveyed to an Owner who occupies, intends to occupy, or leases the Dwelling constructed on the Lot. The intent of this section is that Assessments not be levied against Lots on which licensed residential home builders are constructing houses for speculation.

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

CLEVELAND BROTHERS, INC.

Attest:

  
William A. Cleveland, Secretary

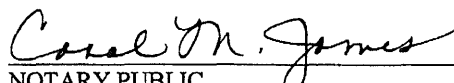
  
Jim W. Cleveland, III, President

STATE OF ALABAMA  
COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jim W. Cleveland, III, whose name as President of Cleveland Brothers, Inc., a 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as act of said corporation.

Given under my hand and official seal, this the 16th day of May, 2005

(SEAL)

  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:  
CAROL M. JAMES  
Notary Public, AL State at Large  
My Commission Expires 11-06-07

Recorded in MISC BK 1275 PG 736, 05/17/2005 03:43:38 Approved Fee 8.00, TOTAL 8.00  
BILL ENGLISH, PROBATE JUDGE, LEE COUNTY

**AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
ADDING THE GARDEN HOMES AT GROVE HILL SUBDIVISION AS  
ADDITIONAL PROPERTY**

THIS AMENDMENT TO GROVE HILL SUBDIVISION DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS is made as of the 1<sup>st</sup> day of November, 2005, by CLEVELAND BROTHERS, INC. ("Developer").

Pursuant to the terms and conditions of the Grove Hill Subdivision Declaration of Covenants, Conditions, and Restrictions ("the Declaration"), filed of record in Deed Volume 1827 at Page 142 in the Office of the Judge of Probate of Lee County, Alabama, Developer hereby adds and submits the following Additional Property to the provisions of the Declaration:

All that property shown on the plat of **The Garden Homes of Grove Hill**, filed of record in Plat Book 26, at Page 108, in the Office of the Judge of Probate of Lee County, Alabama.

The above described property shall be conveyed by the Developer subject to all of the provisions of the Declaration, modified as follows:

(1) The following Sections shall be added to the Declaration:

**3.07 Grant of Nonexclusive Easement Adjacent to Owners of Lots Upon Which Dwellings are Constructed with Zero Side Yard.** Developer does hereby grant to each Owner, and his/her heirs and assigns, of a Lot upon which a Dwelling is constructed on the side lot line with zero or less than five (5) feet setback, an easement five (5) feet in width along the side lot line of the adjacent Lot which borders the Owner's Lot on the zero setback side. The easement shall be for the purpose of maintaining and repairing the portion of the Dwelling which borders the zero side yard, shall be permanent and perpetual, is appurtenant to, and shall pass and run with title to each Lot.

**3.08 Grant of Nonexclusive Easements to Owners for Use of Driveways.** Subject to the terms and conditions of this Declaration and the rules, regulations, fees, and charges from time to time established by the Board, Developer does hereby grant to each Owner and Occupant the nonexclusive right, privilege, and easement of access to and the use and enjoyment of the driveways depicted on the recorded subdivision plat, in common with Developer, and all other Owners and Occupants. The easement and rights granted pursuant to this Section 3.08 are and shall be permanent and perpetual, are nonexclusive, are appurtenant to, and shall pass and run with title to each Lot and Dwelling.

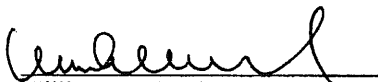
**5.05 Dwellings on Lots in The Garden Homes of Grove Hill.** The Garden Homes of Grove Hill is a zero lot line development, and as such, is intended to be developed and to remain as harmonious as possible. Consequently, the provisions set forth in Article V of the Declaration will be strictly enforced for The Garden Homes of Grove Hill. Specifically, no Owner of a Dwelling in the Garden Homes of Grove Hill shall change the appearance of the exterior, including changing the color of the paint, without approval from the ARC as provided in Article V. **In addition, all landscaping, roofing and joint driveways shall be maintained and/or replaced by the FORREST POINTE AT GROVE HILL HOMEOWNERS' ASSOCIATION to be established by separate document filed simultaneously herewith.**

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

CLEVELAND BROTHERS, INC.

Attest:

  
Jim W. Cleveland, III, President

  
William A. Cleveland, Secretary

Recorded in MISC BK 1276 PG 939, 11/17/2005 09:23:11 PM Recording Fee 12.00, TOTAL 12.00  
BILLY ENGLISH, PROBATE JUDGE, LEE COUNTY

STATE OF ALABAMA

COUNTY OF LEE

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jim W. Cleveland, III, whose name as President of Cleveland Brothers, Inc., a corporation, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as act of said corporation.

Given under my hand and official seal, this the 1st day of November, 2005.

(SEAL)

Delora B. Maddox  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 2/4/08



MISC 1276 941  
Recorded In Above Book and Page  
11/17/2005 02:24:50 PM  
BILL ENGLISH  
PROBATE JUDGE  
LEE COUNTY

Recording Fee 75.00  
TOTAL 75.00

**AMENDMENT TO GROVE HILL SUBDIVISION  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
ESTABLISHING FORREST POINT AT GROVE HILL HOMEOWNERS'  
ASSOCIATION**

This Amendment to Grove Hill Subdivision Declaration of Covenants, Conditions and Restrictions is made as of the 1<sup>st</sup> day of November, 2005, by CLEVELAND BROTHERS, INC. ("Developer").

**RECITALS:**

It is the intent of the Developer that the Property described in the attached Exhibit "A" be owned, developed and proved and sold subject to certain covenants, conditions, restrictions, requirements and obligations in order to protect the value and desirability of the Property, and to have a flexible and reasonable method for the administration and maintenance of the Property. **The Property has been added and submitted, as Additional Property to the Grove Hill Subdivision, pursuant to the Declaration of Covenants, Conditions and Restriction for Grove Hill Subdivision by instruments recorded in the Office of the Judge of Probate of Lee County, Alabama, and the Property and any Additional Property shall be subject to that Declaration to the extent that the provisions of thereof do not conflict with the provisions of this Declaration.**

Developer has heretofore caused or shall cause the Association, as defined in Section 1.06 below, to be formed as an Alabama nonprofit corporation for the purposes of maintaining the certain parts of the exterior of Dwellings, and maintaining the landscaping located on Lots within the Property, as well as driveways used in common by Owners and Occupants, establishing annual budgets for such maintenance, and paying all costs and expenses incurred by the Association in connection therewith, making Assessments, and otherwise taking all action which the Association is authorized to undertake hereunder.

NOW, THEREFORE, Developer does hereby declare that all of that certain real property situated in Lee County, Alabama, which is more particularly described in *Exhibit A* attached hereto and incorporated herein by reference shall be held, developed, improved, transferred, sold, conveyed, leased, occupied, and used subject to the following covenants, conditions, restrictions, charges, liens, and regulations, 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 Property described in *Exhibit A* attached hereto, and their respective heirs, executors, administrators, personal representatives, successors, and assigns.