

**THIRD AMENDMENT TO DECLARATION OF  
CONDOMINIUM  
OF  
SADDLE LAKE FARMS, A CONDOMINIUM**

Inst # 2001-33976

EnviroBuild, Inc., an Alabama corporation (the "Declarant"), as "Developer" under The Declaration of Condominium Of Saddle Lake Farms, A Condominium, filed with the Shelby County, Alabama Judge of Probate under Instrument Number 1995-17530 (the "Declaration": capitalized terms used herein and not otherwise defined have the meaning set forth in the Declaration) and Gerd Anderson and Roderick M. Nicholson, as President and Secretary, respectively, of the Association (the "Officers"), as First amended the 3rd of July 1996 and filed with the Shelby County, Alabama Judge of Probate under Instrument Number 1996-2191, and Second amended the 24<sup>th</sup> day of May, 2000 and filed with the Shelby County, Alabama Judge of Probate under Instrument Number 2000-17433 do hereby execute this Third Amendment To Declaration Of Saddle Lake Farms, A Condominium, ("Amendment") pursuant to Article XX of the Declaration, Section 35-8A-217 of the Act and the Resolution To Amend The Declaration Of Condominium Of Saddle Lake Farms, A Condominium, adopted by all of the Unit Owners of the Condominium with an Effective date of June 23, 1996, (the "Resolution") a copy of which is incorporated in the above amendment adopted the 3<sup>rd</sup> day of July, 1996, the terms of which are incorporated in this Amendment by reference and the Second Amendment to Declaration of Condominium of Saddle Lake Farms, a Condominium dated adopted by the required number of the Unit Owners of the Condominium with an Effective date of 24 May 2000, a copy of which is incorporated in the above amendment adopted the 24<sup>th</sup> day of May, 2000, the terms of which are incorporated in this Amendment by reference.

**RECITALS**

By execution of the Resolution all the Unit Owners authorized and directed the Declarant and the Officers of the Association to execute and record this Amendment; and,

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The execution of this Amendment pursuant to the terms of the Resolution and as otherwise provided for in this Amendment is authorized pursuant to the applicable provisions of the Act and the Declaration referenced above.

**WITNESSETH**

NOW THEREFORE, in consideration of which is acknowledged by all parties hereto, it is hereby agreed as follows:

1. Pursuant to the authority granted in the Resolution, Declarant is authorized to acquire the real property described in Exhibit "A" (the "Second Phase of Second Addition") attached hereto and made a part hereof as a portion of the New Land to be added by the Declarant to the existing Land of the Condominium. The Addition shall consist of twenty-one (21) Units as represented in the plat attached hereto as Exhibit "B" and made a part hereof.

2. The Declaration is Amended to permit the boundaries and area of a Unit or more than one Unit to be adjusted by the Declarant to satisfy the requirements and regulations of the Shelby County Department of Health and the Alabama Department of Health as needed to provide on site disposal of affluent. Any such adjustment shall be evidenced by an amended plat filed with the Shelby County, Alabama Judge of Probate and incorporated as an exhibit to the Declaration and made a part thereby without requirement of additional amendment to the Declaration.

3. The fractional interest of each Unit Owner in the Common Elements and Common Expense is hereby reduced from 1/91 undivided fractional interest and obligation to a 1/112 undivided interest and obligation.

4. All provisions contained in this amendment relating to Declarant shall inure to the benefit of and be binding upon Declarant and its successors and assigns. All references herein to the authority of Declarant to amend the Declaration shall be deemed to also include the power and authority of Declarant to execute and record corresponding amendments to the Bylaws, Articles and Rules and Regulations as may be necessary or desirable, in the discretion of Declarant, to render the terms thereof consistent in all respects with each such amendment to the Declaration. As amended hereby, the Declaration remains in full force and effect.

IN WITNESS WHEREOF, EnviroBuild, Inc., as Declarant and Gerd Anderson and Roderick M. Nicholson, in their capacity as President and Secretary, respectively, of the Association, have caused this instrument to be executed as of the 7<sup>th</sup> day of August, 2001.

ATTEST:

By: [Signature]  
Its Secretary

ENVIROBUILD, INC.

By: [Signature]  
Its President

APPROVED:  
SADDLE LAKE FARMS ASSOCIATION,  
INC. a non-profit corporation

ATTEST:

By: [Signature]  
Its Secretary

By: [Signature]  
Its President

**ACKNOWLEDGMENT**

STATE OF ALABAMA )  
SHELBY COUNTY )

Before me, Donald Nelson Guthrie, a Notary Public for said County, in said State, certify that Gerd Anderson whose name as President of EnviroBuild, 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 the act of said corporation.

Given under my official seal, this the 7<sup>th</sup> day of August, 2001.

[Signature]  
NOTARY PUBLIC  
My Commission Expires 11/22/04

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

BEGINNING AT THE NORTHEAST CORNER OF LOT 75, ACCORDING TO FINAL PLAT SADDLE LAKE FARMS SECOND ADDITION AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA IN MAP BOOK 28, PAGE 76; THENCE S 74°-24'-37" E A DISTANCE OF 273.17'; THENCE N 77°-38'-19" E A DISTANCE OF 243.70'; THENCE N 73°-23'-14" E A DISTANCE OF 164.36'; THENCE N 71°-16'-16" E A DISTANCE OF 186.14'; THENCE S 82°-16'-43" E A DISTANCE OF 442.19'; THENCE S 2°-0'-40" W A DISTANCE OF 206.33'; THENCE N 87°-59'-20" W A DISTANCE OF 18.46'; THENCE S 2°-0'-40" W A DISTANCE OF 300.00'; TO A POINT LYING ON THE SOUTH LINE OF SW 1/4-NW 1/4 OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 2 WEST; THENCE N 87°-59'-20" W, ALONG SAID SOUTH 1/4-1/4 SECTION LINE A DISTANCE OF 824.12' TO THE SW CORNER OF SAID 1/4-1/4 SECTION; THENCE N 88°-4'-27" W, ALONG THE SOUTH LINE OF SE 1/4-NE 1/4 OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 2 WEST A DISTANCE OF 462.13'; THENCE, LEAVING SAID SOUTH 1/4-1/4 SECTION LINE, N 0°-04'-11" E A DISTANCE OF 224.08' TO A POINT LYING ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 475.00'; A CENTRAL ANGLE OF 2°-09'-42", AND SUBTENDED BY A CHORD WHICH BEARS N 82°-55'-36" W, A CHORD DISTANCE OF 17.92'; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 17.92'; THENCE N 8°-09'-15" E A DISTANCE OF 215.13' TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 13.80 ACRES, MORE OR LESS.

Exhibit B

# SADDLE LAKE FARMS SECOND ADDITION - PHASE 2

A CONDOMINIUM SITUATED IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4 AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 2° SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA.

STATE OF ALABAMA  
SHELBY COUNTY  
July 28, 2001  
The undersigned, Robert C. Farmer, Licensed Professional Land Surveyor, State of Alabama and Enbridge, Inc., hereby certify that this plat or map was prepared and made to scale in the presence of said owner, and that the plat or map is a true and correct copy of the same. I, the undersigned, being duly sworn, depose and say that I, the undersigned, know the contents of each lot and number, showing the acreage, and public grounds, giving the length and width and area of each lot and as the same are shown and are designated by serial open entries on the plat or map. I certify that all parts of the same are in accordance with the provisions of the Plat of Land Surveying in the State of Alabama to the best of my knowledge, information and belief. I also certify that they are the contents of said land and that the same is not subject to any mortgage.

Witness my hand and seal this 10th day of August, 2001.  
Robert C. Farmer, P.L.S.  
Attest: [Signature] Date August 10, 2001  
Enbridge, Inc.  
A Reg. No. 1470

I, the undersigned, a duly qualified and duly sworn land surveyor, do hereby certify that the above plat or map, and who is known to me, and who is known to me, on this date, that after being duly informed of the contents of said plat or map, they are the contents of said land and that the same is not subject to any mortgage.

Given under my hand and seal this 10th day of August, 2001.  
[Signature] My Commission  
Enbridge, Inc.  
A Reg. No. 1470

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[Signature] My Commission  
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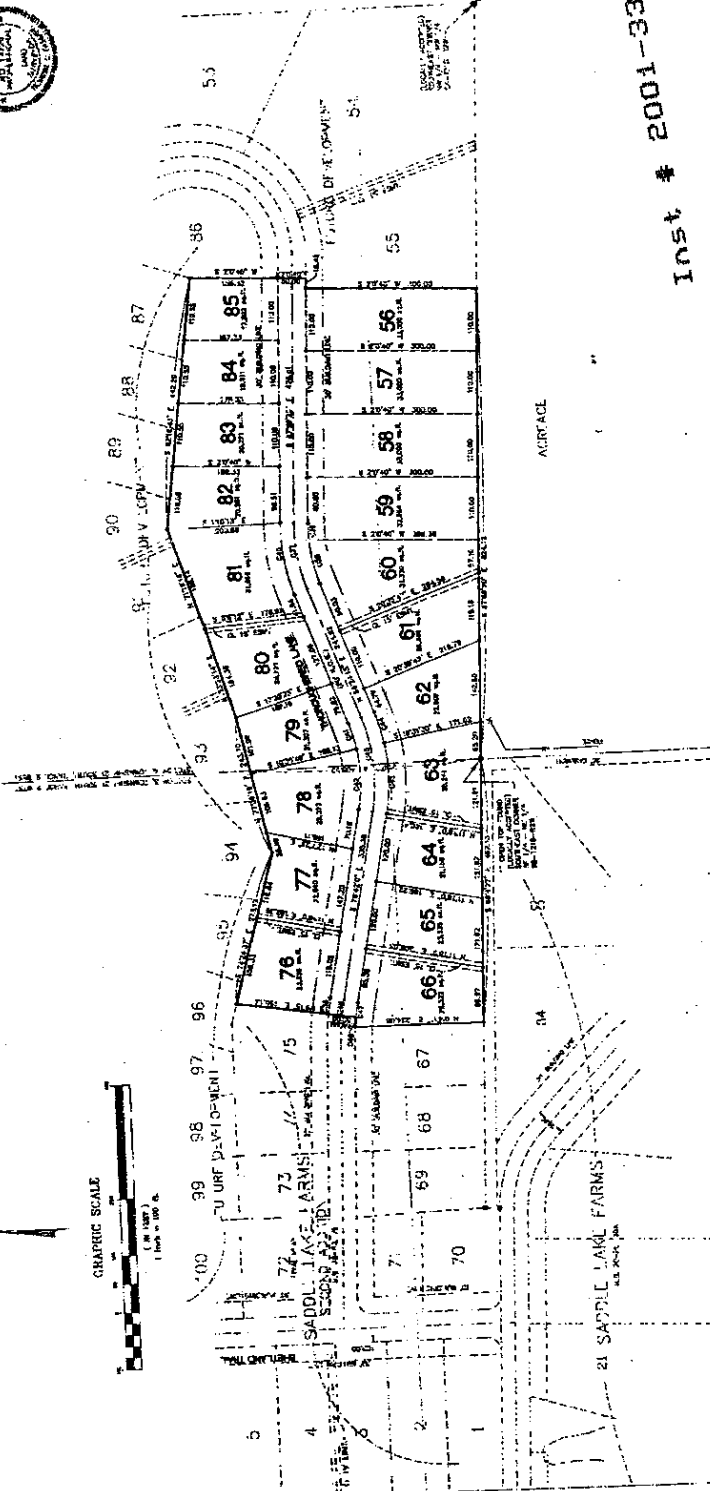
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Enbridge, Inc.  
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LOT NO.	ACRES	OWNER	DEED NO.	DEED DATE	DIRECTION	IN. TO
70	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
71	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
72	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
73	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
74	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
75	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
76	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
77	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
78	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
79	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
80	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
81	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
82	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
83	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
84	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
85	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
86	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
87	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
88	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
89	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
90	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
91	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
92	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
93	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
94	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
95	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00
96	1.00	ENBRIDGE, INC.	2001-3397	08/10/2001	N	100.00

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