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State of Alabama )  
County of Shelby )

SUPPLEMENTARY DECLARATION OF  
PROTECTIVE COVENANTS FOR  
GRANDE VIEW ESTATES,  
GIVIANPOUR ADDITION TO ALABASTER  
7TH ADDITION

Inst # 1996-37929

11/15/1996-37929  
02:26 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
007 MCD 25.50

KNOW ALL MEN BY THESE PRESENTS THAT,

WHEREAS, South Grande View Development Co., Inc., an Alabama Corporation has previously filed a Declaration of Protective Covenants and Agreements in the Probate Office of Shelby County, Alabama, in Instrument # 1995-05892, and First Amendment to Declaration of Protective Covenants recorded in Instrument #1995-28543, (the "Original Declaration") for the benefit of certain real property situated in Shelby County, Alabama, which is part of a residential subdivision known as Grande View Estates, and which is more particularly described in the Plats of the Grande View Estates, Givianpour Addition to Alabaster and Grande View Estates, Givianpour Addition to Alabaster, 1st Addition, 2nd Addition, 3rd

Addition, 3rd Addition, Phase II, and 4th Addition, as respectively recorded in Map Book 19, at Page 100, in Map Book 19, Page 101, in Map Book 20, Page 66, in Map Book 20, Page 111, in Map Book 21, Page 83, and in Map Book 21, Page 100, respectively, all in the Probate Office of Shelby County, Alabama;

WHEREAS, South Grande View Development Co., Inc., an Alabama Corporation (hereinafter referred to as "Declarant") is the owner of additional real property (the "Subject Property") situated in Shelby County, Alabama, which it proposes to be developed as part of Grande View Estates, and which is more particularly described in the Plat of Grande View Estates, Givianpour Addition to Alabaster, 7th Addition, as recorded in Map Book 21, Page 134, in the Probate Office of Shelby County, Alabama.

WHEREAS, the Declarant desires to submit the Subject Property to the Original Declaration in accordance with and pursuant to Section 7.01 of the Original Declaration which permits the owner of any property, with the approval in writing of the Association (as defined in the Original Declaration), to submit such property to the Original Declaration by filing a Supplementary Declaration to that effect in the Office of the Judge of Probate of Shelby County, Alabama;

NOW THEREFORE, the Declarant, together with Grande View Residential Association, Inc. (the "Association") 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, as 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 suitable in architectural design and for the enforcement of such uniform standards and the maintenance and preservation of the common amenities within the property subject to the Original Declaration.

#### ARTICLE I

The Declarant hereby reaffirms and restates the terms and provisions of the Original Declaration as recorded in Instrument # 1995-05892, and First Amendment thereto as recorded in Instrument #1995-28543, in the Probate Office of Shelby County, Alabama, their entirety without any change whatsoever, except as follows:

1. The legal description of the property subject to the Original Declaration in Exhibit "A" thereof is hereby amended to include the Subject Property.

2. ARTICLE I of the Original Declaration is hereby amended to modify the restrictions on the size of the residential dwellings to be constructed on certain Lots with the Subject Property by changing and adding the following as Section 1.05 thereof.

**Paragraph 1.05** Notwithstanding the provisions of Section 1.05 of the Original Declaration, the size of each main residential building (exclusive of open porches, garages, basements and carports) to be constructed on any of the Lots in the 7th Addition to Grande View Estates, Givianpour Addition to Alabaster, according to the plat thereof recorded in Map Book 21 at Page 134, in the Probate Office of Shelby County, Alabama, shall be subject

to the following minimum requirements: No dwelling shall be erected on any Lot containing less than One Thousand Five Hundred (1500) square feet of living (heated and cooled) space for a One (1) story dwelling; Not less than One Thousand Six Hundred (1600) square feet of living (heated and cooled) space for a One and One-half (1 1/2) story dwelling with a minimum of One Thousand One Hundred (1100) square feet on the main level; and not less than One Thousand Seven Hundred (1700) square feet of living (heated and cooled) space for a Two (2) story dwelling with a minimum of Eight Hundred Fifty (850) square feet on the main level.

**Paragraph 2.14** is hereby deleted and the following substituted therefor for all 7th Addition dwelling:

The fronts and sides of all dwellings and any other part of the dwelling that is visible from the parkway shall be entirely brick, dryvit or stone or a combination thereof. Siding shall only be permitted on the rear of a dwelling as may be approved by the ARC. The ARC shall have the right, in its sole and absolute discretion, to establish what types of exterior materials may be utilized on any dwellings and garages or improvements to a lot.

All other terms and conditions of paragraph 1.05 of the Original Declaration shall remain in full force and effect unaltered except as to the minimum size requirements for dwellings.

Declarant hereby declares that the subject property is currently zoned RPG and that there are plans that there will be garden homes of lesser value constructed behind the subject property.

Declarant hereby declares that said provisions of the

Original Declaration as so amended shall run with the land and be binding upon, and shall insure to the benefit of, the Subject Property and all parties having or acquiring any right, title or interest in and to the Subject Property or any part thereof, and their successors in interest.

ARTICLE III

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

IN WITNESS WHEREOF, the undersigned have caused this Declaration to be executed as of the 15<sup>th</sup> day of November, 1996.

DECLARANT:

South Grande View Development  
Co., Inc., an Alabama Corporation

By: \_\_\_\_\_

Its: Vice-President

Grande View Residential  
Association, Inc.

By: \_\_\_\_\_

Its: Vice-President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Concetta Givianpour whose name as Vice-President of South Grande View Development Co., Inc., an Alabama Corporation, is signed to the foregoing Supplemental Declaration of Protective Covenants, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Supplemental Declaration of Protective Covenants, she, 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 15<sup>th</sup> day of November, 1996.

Francis Dean Richardson

Notary Public

My Commission Expires: 3-10-97

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Concetta Givianpour whose name as Vice-President of Grande View Residential Association, Inc., an Alabama nonprofit corporation, is signed to the foregoing Supplemental Declaration of Protective Covenants, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Supplemental Declaration of Protective Covenants, she 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 15<sup>th</sup> day of November, 1996.

*Frank Dean Kuhlman*

Notary Public

My Commission Expires: 3-10-97

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