

10144

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

OF

CHEROKEE RIDGE SUBDIVISION

REDIVISION OF LOTS 171-215 CHEROKEE RIDGE PHASE 2

THIS DECLARATION, made on this 18th day of AUGUST, 1995, by Cherokee Ridge Corporation, an Alabama corporation (hereinafter referred to as "Declarant"), as owner of Lots 171 through 215, inclusive, in Cherokee Ridge Subdivision, Phase 2.

WITNESSETH:

WHEREAS, Declarant is the owner of certain properties (hereinafter sometimes referred to as "Properties"), and Declarant has, heretofore, imposed certain restrictions on the Properties for the benefit thereof which restrictions are filed for record in the Probate Office of Marshall County, Alabama in Book 1114, p. 22 et seq., in Book 1142, p. 82 et seq., and in Book 1204, p. 167 et seq., which restrictions are incorporated herein by reference; and

WHEREAS, the Declarant has heretofore subdivided Lots 171 through 215, inclusive, of Cherokee Ridge, Phase II, which subdivision appears of record in the Probate Office of Marshall County, Alabama, in Plat Book 7, at page 282; and

WHEREAS, Declarant has resubdivided the aforesaid Lots 171 through 215, which subdivision appears of record in the Probate Office of Marshall County, Alabama, in Plat Book 7, at page 353, and desires to amend the covenants

STATE OF ALABAMA  
MARSHALL COUNTY  
REC'D IN PLAT BOOK 7, PAGE 282  
95 AUG 18 AM 9:35  
DEPT. OF REVENUE  
REC'D IN PLAT BOOK 7, PAGE 282  
95 AUG 18 AM 9:35  
DEPT. OF REVENUE

7.50  
1.00  
5.00  

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13.50

pertaining to said Lots in some respects and to also assure that said Lots remain the subject of the unamended existing covenants and restrictions.

NOW, THEREFORE, Declarant hereby declares that all of the property in the Redivision of Lots 171 through 215, Cherokee Ridge Phase 2, represented by the hereinabove mentioned Plats, shall be held, sold, and conveyed subject to the restrictions, covenants, and conditions heretofore filed for record as hereinabove described or as amended herein.

PROVIDED, HOWEVER, that Section 2(e), of Article I, of the supplemental restrictions, hereinabove referred to, filed for record in the Probate Office of Marshall County, Alabama in Book 1142, p. 82 et seq, is hereby amended so that the same shall now provide as follows:

"(e) For Lot 171 through Lot 215, inclusive, 3,400 square feet."

IN WITNESS WHEREOF, Cherokee Ridge Corporation, an Alabama Corporation, the owner of all of the property made the subject of this Declaration has caused its name to be signed and its corporate seal to be affixed this 18th day of AUGUST, 1995.

Corporate  
Seal

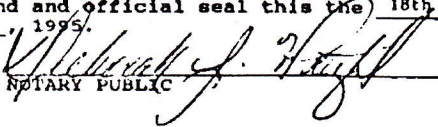
CHEROKEE RIDGE CORPORATION,  
an Alabama Corporation,

By: [Signature]  
it's President

STATE OF ALABAMA  
COUNTY OF MARSHALL

I, Deborah J. Wright, a Notary Public in and for said County and State, do hereby certify that Sid McDonald, whose name as President of Cherokee Ridge Corporation, a corporation, is signed to the foregoing Declaration, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the Declaration, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, on the day the same bears date.

Given under my hand and official seal this the 18th day of August, 1985.

  
NOTARY PUBLIC

PREPARED BY:  
TOM MULLIS  
P.O. BOX 130  
ARAB, AL 35014