

1116978

AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
CASWELL @ BAYOU ST. JOHN



STATE OF ALABAMA :

COUNTY OF BALDWIN :

This Amendment to Declaration of Covenants, Conditions and Restrictions (this "Amendment") is made to be effective on the recording of this Amendment in the records of the Office of the Judge of Probate of Baldwin County, Alabama.

RECITALS:

1. The Declarant did subdivide certain real property located in Baldwin County, Alabama, under the name Caswell at Bayou St. John, a Planned Unit Development, as per plat thereof recorded on Slide 2197 D (the "Plat") and subjected the real property described on the Plat to that certain Declaration of Covenants, Conditions and Restrictions, dated January 25, 2005 and recorded January 25, 2005 as Instrument Number 866183, Pages 1 through 44 in the records of the Office of the Judge of Probate of Baldwin County, Alabama (the "Declaration"). The terms used in this Amendment shall have the same meaning as those contained in the Declaration, unless the context otherwise requires.

2. Article XIII of the Declaration sets out the requirements for amendment of the Declaration.

3. Notice of this Amendment was given pursuant to the requirements of Section 13.1 of the Declaration.

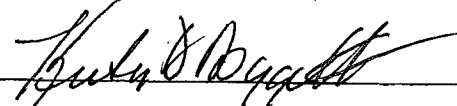
4. In accordance with Section 13.2 of the Declaration, this Amendment was proposed by a majority of the Board and a resolution adopting this Amendment was adopted by an affirmative vote of the Board and the consent of the Owners of the Lots to which sixty-seven percent (67%) of the votes of the Association are allocated and the approval of fifty-one percent (51%) of the holders of first mortgages on Lots.

NOW, THEREFORE, Section 8.30 of the Declaration entitled "Completion of Construction" is amended to delete the first four sentences thereof. The sentences in Section 8.30 commencing with "Houses and other dwelling structures may not be temporarily or permanently occupied..." and the sentences thereafter shall remain in full force and effect and unchanged.

In all other respects the Declaration shall remain in full force and effect and unchanged.

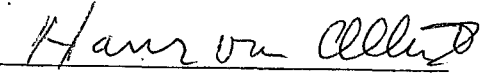
IN WITNESS WHEREOF, the undersigned, constituting the President and Secretary of Caswell @ Bay St. John Property Owner's Association, a Non-Profit Corporation, certify that this Amendment was duly adopted as provided for in this Declaration and this Amendment.

Caswell @ Bayou St. John Property Owner's
Association, a Non-Profit Corporation

By: 

Its: President

ATTEST:

By: 

Its: Secretary
(Affix Corporate Seal)

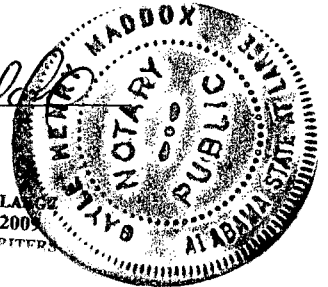
STATE OF ALABAMA :

COUNTY OF BALDWIN :

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that KRISTY DOGGETT whose name as President of Caswell @ Bayou St. John Property Owners Association, a Non-Profit 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, _____, as such President and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and seal this 14th day of May, 2008.

Loeff Henry Maddox
Notary Public
My Commission Expires:



NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug 5, 2009
BONDED THRU NOTARY PUBLIC UNDERWRITERS

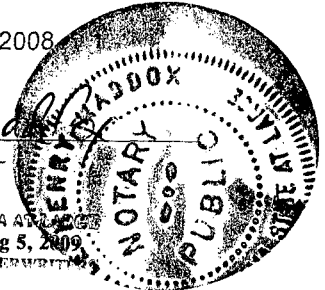
STATE OF ALABAMA :

COUNTY OF BALDWIN :

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that HANS VAN KLUER whose name as Secretary of Caswell @ Bayou St. John Property Owner's Association, a Non-Profit 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, _____, as such Secretary and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and seal this 14th day of May, 2008.

Loeff Henry Maddox
Notary Public
My Commission Expires:



NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug 5, 2009
BONDED THRU NOTARY PUBLIC UNDERWRITERS

THIS INSTRUMENT PREPARED BY:

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