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State of Alabama, Baldwin County
I certify this instrument was filed
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Adrian T. Johns, Judge of Probate

STATE OF ALABAMA
COUNTY OF BALDWIN

FIRST AMENDMENT TO THE
DECLARATION OF RIGHTS, COVENANTS, RESTRICTIONS, AFFIRMATIVE
OBLIGATIONS AND CONDITIONS APPLICABLE TO
STONE GATE ESTATES SUBDIVISION

THAT CERTAIN Declaration of Rights, Covenants, Restrictions, Affirmative
Obligations and Conditions applicable to Stone Gate Estates Subdivision, which was executed
on April 28, 2006 (which execution was erroneously notarized as having been executed on
April 28, 2005) by Stone Gate, LLC, an Alabama limited liability company, and recorded in
the Probate Office of Baldwin County, Alabama, on December 5, 2006, as Instrument Number
1017944, IS HEREBY AMENDED IN THE FOLLOWING PARTICULARS

AMENDMENTS TO ARTICLE VII

The first paragraph of Article VII, (subtitled "Additional Restrictions to
Implement Effective Environmental Controls"), which paragraph is introductory in nature and
is neither numbered nor lettered, is hereby amended in the following particulars:

Said paragraph originally read as follows:

In order to protect the natural beauty of the vegetation,
topography, and other natural features of all properties within the
subdivision and in furtherance of the safe and aesthetic enjoyment

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of the subdivision, the following environmental controls and restrictions are hereby established.

And is now hereby amended to read and be as follows (additional matter in *bold italics*):

In order to protect the natural beauty of the vegetation, topography, and other natural features of all properties within the subdivision and in furtherance of the safe and aesthetic enjoyment of the subdivision, the following environmental controls and restrictions are hereby established, *all of which shall be enforced by the Association.*

Article VII is hereby further amended by the addition of Sections 7.03 and 7.04, as follows:

Section 7.03 Surfacewater, Stormwater and Drainage. The Association shall operate, maintain, and manage the surfacewater or stormwater and drainage management system(s) in a manner consistent with the applicable regulations, requirements and rules regarding the same of all concerned governmental entities having jurisdiction, including but not limited to the City of Gulf Shores, Alabama, and shall assist in the enforcement of all aspects of the plat which relate to surfacewater, stormwater or drainage. The Association shall levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surfacewater, stormwater and drainage management systems.

Section 7.04 Water Management District Requirements. Amendments to these Covenants, or the Articles of Incorporation or Bylaws of the Association which directly or indirectly impact operation, management or maintenance of the surfacewater, stormwater or drainage management system, including but without limitation all lakes, ditches, canals, retention or detention areas, drainage, other surfacewater management works, and preservation of conservation areas, wetlands and wetland mitigation which are owned or controlled by the Association or the Owners in common, may be made only after approval by all applicable governmental authorities having jurisdiction under lawfully adopted rules in effect at the time of the amendment.

AMENDMENT TO ARTICLE XI

Section 11.03(A) of Article XI, (subtitled Covenants for Assessments), which formerly read as follows:

Section 11.03 Application of "Maximum" Assessment.

(A) The maximum regular annual assessment shall be the sum determined by the board of directors. The regular annual assessment for the year ending December 31, 2006, is \$200.00 dollars payable quarterly, in increments of \$50.00 per quarter, together with an additional twenty-five dollar (\$25.00) late charge if such quarterly payment is over forty-five (45) days delinquent.

Is now amended to read and be as follows:

Section 11.03 Application of "Maximum" Assessment.

(A) The maximum regular annual assessment shall be the sum determined by the board of directors. The regular annual assessment for the year ending December 31, 2006, is \$200.00 dollars per year, payable annually, in advance. The Association will assess a \$25.00 late charge if such annual payment is over forty-five (45) days delinquent.

In witness whereof, Stone Gate, L.L.C., has caused this amendment to be executed by Scott Raley, its Managing Member, this 12th day of December, 2006..

STONE GATE, L.L.C.



SCOTT RALEY, Manager (SEAL)

STATE OF ALABAMA
BALDWIN COUNTY

Representative Acknowledgment

I, the undersigned authority, in and for said county, in said state, hereby certify that SCOTT RALEY, whose name as Manager of Stone Gate, L.L.C., is signed to the above and foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the instrument he, as such officer and with full authority, executed the same voluntarily on the day the same bears date, for and as the act of the said Stone Gate, L.L.C.

Given under my hand and official seal this the 12th day of December, 2006.


Notary Public
My Commission Expires 8/15/2009

