

**AMENDMENT #2**

**DECLARATION OF COVENANTS, CONDITIONS,  
& RESTRICTIONS**

**FOR  
BERRYHILL ESTATES, HOA**

**24 MAY 01**

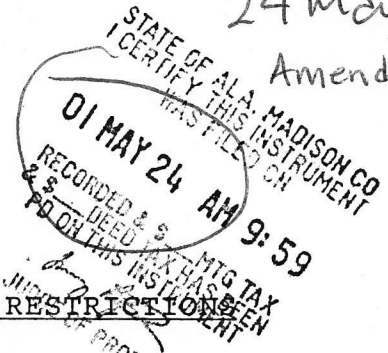
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24 May 01

Amendment #2

STATE OF ALABAMA

COUNTY OF MADISON



SECOND AMENDMENT TO DECLARATION AND RESTRICTIONS  
FOR  
BERRY HILL ESTATES HOME OWNERS ASSOCIATION

WHEREAS, on July 22, 1997, there were heretofore filed for record in the Office of the Judge of Probate of Madison County, Alabama, in Deed Volume 901, Page 268, certain Declaration of Covenants, Conditions and Restrictions for Berry Hill Estates Home Owners Association; and

WHEREAS, said Declaration and Restrictions were amended on June 1, 1998, said amendment being filed for record on December 16, 1998 in Deed Book 935, Page 427, in the Office of the Judge of Probate of Madison County, Alabama; and

WHEREAS, Article XII (Section 2) of said Declaration and Restrictions provide that the Declaration may be amended by written document, signed by not less than two-thirds of the members of the Board of Directors entitled to vote; and

WHEREAS, it is the desire of Declarant and the members of the Board of Directors, as evidenced by written consent, to amend the Restrictive Covenants in the subject Declaration by this instrument and by affording all interested parties notice of the same with the intent that all lots of the Berry Hill Estates shall be subject to same and by recording this document in the Office of the Judge of Probate of Madison County, Alabama.

NOW, THEREFORE, the above said Declaration and Restrictions for Berry Hill Estates Home Owners Association are hereby amended, as follows (except as the same applies to Lots 2, 3, 4, 5, 6, 8, 10, 11, 19, 20 and 21, Block 1):

REPEAL OF ARTICLE VII: SECTION 5

1. Article VII, Section 5, requiring shingles to be "architectural grade" is hereby repealed and is deleted from said Section 5.

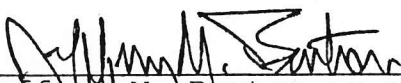
REPEAL OF ARTICLE VII: SECTION 7(e)

1. Article VII, Section 7(e), which states, "Slab foundations shall not be permitted on the main structure." shall be intentionally deleted and shall no longer be a restriction.

ADOPTED this the 24 day of May, 2001.

  
Jeffrey M. Benton, Declarant

BERRY HILL ESTATES HOMEOWNERS  
ASSOCIATION, INC.

By:   
Jeffrey M. Benton as sole  
Member of the Board of  
Directors

THIS INSTRUMENT PREPARED BY:  
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