

MISC 233 574
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Luke Cooley
Judge of Probate
Houston County, Alabama

Prepared by and upon recording, please return to:
M. Maxine Hicks, Esq.
Epstein Becker & Green, P.C.
Resurgens Plaza, Suite 2700
945 East Paces Ferry Road
Atlanta, Georgia 30326

Cross Reference to: Declaration of Covenants,
Conditions and Restrictions for Grove Park recorded in
Misc. Book 184, Page 488, *et seq.*

**SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR GROVE PARK**

(Fifth Addition to Grove Park and Additional Acreage)

THIS SUPPLEMENT is made this 2nd day of March, 2005, by 84 West, Inc., an Alabama corporation (hereinafter referred to as "Declarant") and consented to by Grove Park, LLC, an Alabama limited liability company (hereinafter referred to as "Owner").

WITNESSETH:

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Grove Park was filed and recorded on January 28, 1998 in Misc. Book 184, Page 488, *et seq.*, in the Office of the Probate Judge of Houston County, Alabama (as amended and supplemented, such instrument is hereinafter referred to as the "Declaration"); and

WHEREAS, pursuant to the terms of Section 7.1 of the Declaration, the Declarant may submit certain additional property described on Exhibit "B" of the Declaration to the terms of the Declaration;

WHEREAS, Owner is the owner of the real property described on Exhibit "A" attached hereto ("Additional Property");

WHEREAS, the Additional Property is a portion of that property described on Exhibit "B" to the Declaration;

WHEREAS, the Declarant desires to submit the Additional Property to the terms of the Declaration;

WHEREAS, the Owner consents to submitting the Additional Property to the terms of the Declaration;

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby subjects the real property described on Exhibit "A" hereof to the provisions of the Declaration and this Supplemental Declaration, which shall apply to such property in addition to the provisions of the Declaration. Such property shall be sold, transferred, used, conveyed, occupied and mortgaged or otherwise encumbered pursuant to the provisions of the Declaration and this Supplemental Declaration, both of which shall run with the title to such property and shall be binding upon all persons having any right, title or any interest in such property, their respective heirs, legal representatives, successors, successors-in-title and assigns. The provisions of this Supplemental Declaration shall be binding upon Grove Park Community Association, Inc. in accordance with the terms of the Declaration.

ARTICLE I

Definitions

The definitions set forth in Article I of the Declaration are incorporated herein by reference.

ARTICLE II

Amendment to Supplemental Declaration

2.1 By Declarant. This Supplemental Declaration may be unilaterally amended by the Declarant in accordance with Section 14.2(a) of the Declaration.

2.2 By Members. In addition to the requirements of Section 14.2(b) of the Declaration with respect to amendment by Members, any amendment to this Supplemental Declaration shall also require the written consent or affirmative vote, or any combination thereof, of Members holding at least sixty-seven percent (67%) of the total Class "A" votes allocated to the Units which are subject to this Supplemental Declaration.

ARTICLE III

Declaration

Except as specifically amended hereby, the Declaration and all terms thereof shall remain in full force and effect.

[SIGNATURES ON NEXT PAGE]

OWNER:

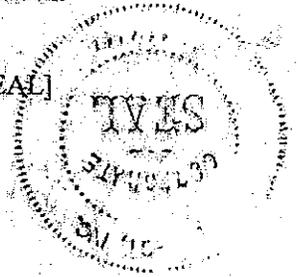
GROVE PARK, LLC, an Alabama limited liability company

By: Quin E. Flowers Jr. (SEAL)
Quin E. Flowers, Jr., Managing Member

By: 84 PROPERTIES, INC., an Alabama corporation, its Managing Member

By: Quin E. Flowers Jr.
Quin E. Flowers, Jr., President

[CORPORATE SEAL]



STATE OF ALABAMA)

COUNTY OF HOUSTON)

I, a Notary Public in and for said County, in said State, hereby certify that Quin E. Flowers, Jr., whose name as Managing Member of Grove Park, LLC, an Alabama limited liability company, signed the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of said instrument, he as such officer and with full authority executed the same voluntarily on the day the same bears date.

Give under my hand and official seal, this 2nd day of March, 2005.

Cynthia Melissa Burdick
Notary Public

My Commission Expires:

February 4, 2009

[NOTARY SEAL]



STATE OF ALABAMA)
)
COUNTY OF HOUSTON)

I, a Notary Public in and for said County, in said State, hereby certify that Quin E. Flowers, Jr., whose name as President of 84 Properties, Inc., an Alabama corporation, as a Managing Member of Grove Park, LLC, an Alabama limited liability company, signed the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of said instrument, he as such officer and with full authority executed the same voluntarily on the day the same bears date.

Give under my hand and official seal, this 2nd day of March, 2005.

Cynthia Melissa Burk
Notary Public

My Commission Expires:

February 4, 2009

[NOTARY SEAL]

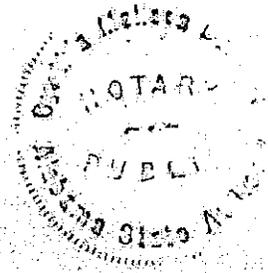


Exhibit "A"

Additional Property

A PARCEL OF LAND LOCATED IN THE WEST 1/2 OF SECTION 17, TOWNSHIP 3 NORTH, RANGE 26 EAST, HOUSTON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF THE SE1/4 OF THE SW1/4, SECTION 17, TOWNSHIP 3 NORTH RANGE 26 EAST, HOUSTON COUNTY, ALABAMA, AND PROCEED ON A BEARING OF N00°10'20"W, ALONG THE EAST BOUNDARY OF THE WEST 1/2 OF SECTION 17, A DISTANCE OF 1357.72 FEET, TO THE POINT OF BEGINNING OF THIS PARCEL; THENCE CONTINUE ON A BEARING OF N00°10'20"W, A DISTANCE OF 118.81 FEET; THENCE PROCEED ON A BEARING OF S21°39'34"W, A DISTANCE OF 89.95 FEET; THENCE PROCEED ON A BEARING OF S50°27'22"W, A DISTANCE OF 387.48 FEET; THENCE PROCEED ON A BEARING OF S89°22'48"W, A DISTANCE OF 944.16 FEET, TO THE EAST BOUNDARY OF THE 4TH ADDITION OF GROVE PARK SUBDIVISION; THENCE PROCEED ON A BEARING OF S00°37'12"E, ALONG THE EAST BOUNDARY OF THE 4TH ADDITION OF GROVE PARK SUBDIVISION, A DISTANCE OF 826.73 FEET; THENCE PROCEED ON A BEARING OF N50°24'20"E, A DISTANCE OF 1644.91 FEET, TO THE POINT OF BEGINNING. THIS PARCEL CONTAINS 10.14 ACRES, MORE OR LESS.

TOGETHER WITH:

A PARCEL OF LAND LOCATED IN THE WEST 1/2 SECTION OF SECTION 17, TOWNSHIP 3 NORTH, RANGE 26 EAST, HOUSTON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE POINT OF BEGINNING BEING THE SOUTHEAST CORNER OF THE SE1/4 OF THE SW1/4 OF SECTION 17, TOWNSHIP 3 NORTH, RANGE 26 EAST, HOUSTON COUNTY, ALABAMA, AND PROCEED ON A BEARING OF N00°10'20"W, ALONG THE EAST BOUNDARY OF THE WEST 1/2 OF SECTION 17, A DISTANCE OF 1357.72 FEET; THENCE PROCEED ON A BEARING OF S50°24'20"W, A DISTANCE OF 1644.91 FEET, TO THE EAST BOUNDARY OF THE 4TH ADDITION OF GROVE PARK SUBDIVISION; THENCE PROCEED ON A BEARING OF S00°37'12"E, ALONG THE EAST BOUNDARY OF THE 4TH ADDITION OF GROVE PARK SUBDIVISION, A DISTANCE OF 303.59 FEET, TO THE SOUTH BOUNDARY OF SECTION 17; THENCE PROCEED ON A BEARING OF S89°44'24"E, ALONG THE SOUTH BOUNDARY OF SECTION 17, A DISTANCE OF 1268.33 FEET, TO THE POINT OF BEGINNING OF THIS PARCEL. THIS PARCEL CONTAINS 24.22 ACRES, MORE OR LESS.

The above described properties will be platted in the future, and the property and lots depicted on such plats shall be subject to the terms and conditions of the Declaration of Covenants, Conditions and Restrictions for Grove Park recorded in Misc. Book 184, Page 488, *et seq.*

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 84 West Inc
 Bobay 640
 D.A.2

Recording Fee	26.00
TOTAL	26.00