

AMENDMENT TO RESTRICTIVE COVENANTS
FOR
FREDERICK SUBDIVISION

WHEREAS, ESTHER P. FREDERICK, executed a Restriction Indenture on the 14th day of November, 1973, for a real estate subdivision plat known as FREDERICK SUBDIVISION, being a subdivision of the replat of the South Half of Block 22 and part of Block 23 of Volanta Subdivision, which said replat of FREDERICK SUBDIVISION is recorded in Map Book 8, Page 80, in the Probate Office of the Judge of Probate of Baldwin County, Alabama, and within the corporate limits of the City of Fairhope, Baldwin County, Alabama;

WHEREAS, the undersigned, MAJOR HOMES, INC., HALLIE E. WILSON, PAUL FREDERICK, PIERCE FREDERICK and HELEN NESS are the present owners of lots in FREDERICK SUBDIVISION, to-wit:

MAJOR HOMES, INC.: Lots 4, 5 and 6 of Block 23-A and Lots 2, 4, 6, 8 and 9 of Block 22-S;

HALLIE E. WILSON: Lots 2 and 3 of Block 23-A;

PAUL FREDERICK and PIERCE FREDERICK: Lots 7 and 8 of Block 23-A;

HELEN NESS: Lot 6, Block 23-A and Lot 7, Block 22-S.

WHEREAS, ESTHER P. FREDERICK, in her Restriction Indenture dated the 14th day of November, 1973, reserved unto herself and to her heirs and assigns, the right to alter, modify, amend or annul any of the covenants or all of the covenants and/or restrictions herein imposed by written declaration of any of the portions of the land affected hereby;

WHEREAS, the above-mentioned parties now desire to alter and amend Paragraph 3 in that Restriction Indenture by ESTHER P. FREDERICK dated the 14th day of November, 1973, with regard to the portions of land hereinafter noted:

Lots 2, 3, 4, 5, 7 and 8 of Block 23-A and Lots 2, 4, 6, 8 and 9 of Block 22-S;

NOW, THEREFORE, in consideration of mutual advantages to accrue to the owners of the above-mentioned premises at the time of the recording in the Office of the Judge of Probate of Baldwin

STATE OF ALABAMA
BALDWIN COUNTY

I certify that this instrument was filed on

APR 18 1979 4 PM

and that no tax was collected. Recorded in *these*
Book *33*
Page *290*
MH *273* Index \$ *5.00*
Henry D. Lacey
Judge of Probate

THIS INSTRUMENT
PREPARED BY
RICHARD C. LACEY
ATTORNEY AT LAW
P. O. DRAWER A J
FAIRHOPE, AL. 36532
PHONE: 928-2373

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County, Alabama, as well as the future owners of the premises, there are hereby imposed on said subdivision these certain amended easements, conditions, restrictions, reservations, and limitations, which are hereby made as a part of the plat of FREDERICK SUBDIVISION, to-wit:

3. DWELLING COST, QUALITY AND SIZE

No dwelling shall be permitted on any lot having less than 1100 square feet of heating and cooling space or costing less than \$20,000.00, based upon cost levels prevailing on the date these covenants are recorded, it being the intent and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling site. The first floor area of the main structure, exclusive of one story, open porches and garages, shall not be less than 1100 square feet for a one-story dwelling, and not less than 1000 square feet in the case of a one and one-half or two-story structure, and all buildings shall be of wood, brick, brick veneer, rock, or its equivalent.

* * * * *

DONE this the 16th day of April, 1979.

ATTEST:

[Signature]
Secretary-Treasurer

MAJOR HOMES, INC.

By [Signature]
President

[Signature]
HALLIE E. WILSON

[Signature]
PAUL FREDERICK

[Signature]
PIERCE FREDERICK

[Signature]
HELEN NESS

33 ME291

THIS INSTRUMENT
PREPARED BY
RICHARD C. LACEY
ATTORNEY AT LAW
P. O. DRAWER A-J
FAIRHOPE, AL 36532
PHONE: 928 2373

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that E. D. Corte, Jr. and JACK E. POPE, whose names as President and Secretary-Treasurer of Major Homes, Inc., an Alabama corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the amendment they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this the 16th day of April, 1979.


Notary Public
My Commission Expires February 27, 1980

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Hallie E. Wilson, whose name 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 Amendment, she executed the same voluntarily on the day the same bears date.

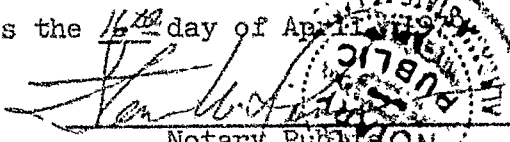
Given under my hand and seal this the 16th day of April, 1979.

Walter M. Wilson
Notary Public
My Commission Expires May 19, 1980

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Paul Frederick, whose name 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 amendment, he executed the same voluntarily on the day the same bears date.

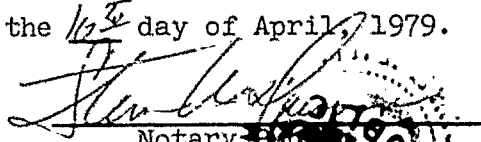
Given under my hand and seal this the 16th day of April, 1979.


Notary Public
My Commission Expires February 27, 1980

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Pierce Frederick, whose name 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, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 16th day of April, 1979.

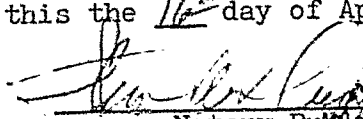

Notary Public
My Commission Expires February 27, 1980

THIS INSTRUMENT
PREPARED BY
RICHARD C. LACEY
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P. O. DRAWER A J
FAIRHOPE, AL 36532
PHONE: 928-2373

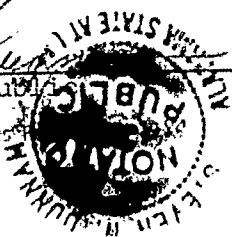
STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Helen Ness, whose name 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 amendment, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 16th day of April, 1979.


Notary Public

My Commission Expires



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