

STATE OF ALABAMA
COUNTY OF BALDWIN

BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
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**FIRST AMENDMENT TO COVENANTS, RESTRICTIONS
AND CONDITIONS OF BRIAR ROSE SUBDIVISION**

This First Amendment to Declaration of Covenants, Restrictions and Conditions (this "First Amendment") is made this 22nd day of December, 2021, by Bay Minette Land Company, an Alabama corporation (hereinafter referred to as the "Declarant") for the Briar Rose Subdivision.

WHEREAS, the Declarant has previously subdivided that certain real property as designated on the plat of that certain subdivision known as Briar Rose Subdivision, (the "Subdivision"), as recorded in the Office of the Judge of Probate of Baldwin County, Alabama, as Instrument Number 2420-E, (the "Subdivision Plat");

WHEREAS, on June 4, 2009, the Declarant recorded the Declaration of Covenants, Restrictions and Conditions of Briar Rose Subdivision (the "Declaration"), which is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 1181175;

WHEREAS, pursuant to Section 8.3 of the Declaration, the Declarant reserved the right to amend or modify the Declaration, in its sole discretion, in accordance therewith.

WHEREAS, the Declarant has determined that the interests of the Subdivision will best be protected and preserved through this First Amendment to the Declaration.

NOW, THEREFORE, the Declarant hereby declares that the Declaration is hereby amended as follows:

The Declarant hereby deletes Section 2.7 in its entirety and restates Section 2.7 to provide as follows:

- 2.7 **Minimum Dwelling Size.** No dwelling shall be erected with less than 1450 square feet of above-ground living space, exclusive of porches, carports, and garages. Dwellings of more than one story must have not less than 1100 square feet on the first level above the ground. Every habitable room shall have a minimum ceiling height of 9 feet.

The Declarant hereby deletes Section 2.8 in its entirety and restates Section 2.8 to provide as follows:

- 2.8 **Roofs.** All dwellings or other buildings shall either be textured, architectural type shingles compatible to GAF Woodline or pine or cedar shakes or metal roofs. The placement of solar panels attached to any roof shall be restricted to the rear of the house and shall be approved by the ACC. The primary roof system shall be multi-pitched or multi-level with a minimum of

three levels. The roof pitch of the primary roof system shall be no less than 6/12, unless otherwise approved by the ACC.

The Declarant hereby adds Section 2.23 to provide as follows:

2.23 **Front Entrance Door.** Unless otherwise approved by the ACC, front entry doors shall have glass panes, with a minimum of the top one-third of the door containing glass panes.

The Declarant hereby adds Section 2.24 to provide as follows:

2.24 **Front Entrance Columns.** Unless otherwise approved by the ACC, the front entrance shall include a minimum of two columns, with dimensions of no less than 8" by 8".

Conflicting Terms or Provisions. To the extent that any of the terms of the Declaration conflict with the terms or provisions of this First Amendment, then the terms and provisions of this First Amendment shall control and such provisions shall be complied with.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this the 22nd day of December, 2021.

BAY MINETTE LAND COMPANY
an Alabama corporation

By:

Leisle Ewing Mims

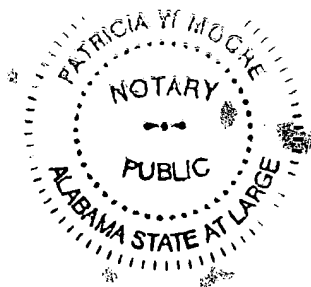
Leisle Ewing Mims
Its: President

STATE OF ALABAMA

COUNTY OF BALDWIN

I, Patricia W. Moore, the undersigned, a Notary Public, in and for said County in said State, hereby certify that LEISLE EWING MIMS, whose name as President of Bay Minette Land Company, 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, she in her capacity as such President and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 22 day of December 2021.



Patricia W. Moore
Notary Public,
My Commission Expires: 5-18-2024

This instrument prepared by:

R. SCOTT LEWIS of

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