

STATE OF ALABAMA )  
)  
)  
COUNTY OF BALDWIN )

This Instrument Was Prepared By:  
Albert E. Ritchey  
2109 Cloud Croft Circle  
Birmingham, AL 35216

SEVENTH AMENDMENT TO  
DECLARATION OF RIGHTS, COVENANTS, RESTRICTIONS,  
AFFIRMATIVE OBLIGATION AND CONDITIONS  
Of  
HERITAGE SHORES  
A PLANNED UNIT DEVELOPMENT



This Seventh Amendment to the Declaration of Rights, Covenants, Restrictions, Affirmation Obligation and Conditions of Heritage Shores, a Planned Unit Development, as amended, is made and entered into effective as of the 24th day of July, 2019 ;

WITNESSETH

WHEREAS, On the 3rd day of March, 1995, a Declaration of Rights, Covenants, Restrictions, Affirmation Obligation and Conditions was filed by the Developer of Heritage Shores, a Planned Unit Development, in Misc. 82, Pages 166-190, in the Office of the Judge of Probate, Baldwin County Alabama ("the Declaration"); and

WHEREAS, On the 28<sup>th</sup> day of April, 1997, a First Amendment to Declaration of Rights, Covenants, Restrictions, Affirmation Obligation and Conditions was filed by the Developer of Heritage Shores, a Planned Unit Development, in Real. 749, Pages 0181-0185, in the Office of the Judge of Probate, Baldwin County Alabama ("the First Amendment to the Declaration"); and

WHEREAS, On the 16th day of October, 2000, a Second Amendment to Declaration of Rights, Covenants, Restrictions, Affirmation Obligation and Conditions was filed by the Heritage Shores Property Owners Association, Inc., in Instrument Number 566826, Pages 1-9, in the Office of the Judge of Probate, Baldwin County Alabama ("the Second Amendment to the Declaration"); and

WHEREAS, On the 24th day of May, 2005, a Third Amendment to Declaration of Rights, Covenants, Restrictions, Affirmation Obligation and Conditions was filed by the Heritage Shores Property Owners Association, Inc., in Instrument Number 893893, Pages 1-3, in the Office of the Judge of Probate, Baldwin County Alabama ("the Third Amendment to the Declaration"); and

WHEREAS, On the 7<sup>th</sup> day of October, 2009, a Fourth Amendment to Declaration of Rights, Covenants, Restrictions, Affirmation Obligation and Conditions was filed by the Heritage Shores Property Owners Association, Inc., in Instrument Number 1202055, Pages 1-6, in the Office of the Judge of Probate, Baldwin County Alabama (“the Fourth Amendment to the Declaration”); and

WHEREAS, On the 23<sup>rd</sup> day of October, 2015, a Fifth Amendment to Declaration of Rights, Covenants, Restrictions, Affirmation Obligation and Conditions was filed by the Heritage Shores Property Owners Association, Inc., in Instrument t Number 1540462 Pages 1-3, in the Office of the Judge of Probate, Baldwin County Alabama (“the Fifth Amendment to the Declaration”); and

WHEREAS, On the 16<sup>th</sup> day of November, 2016, a Sixth Amendment to Declaration of Rights, Covenants, Restrictions, Affirmation Obligation and Conditions was filed by the Heritage Shores Property Owners Association, Inc., in Instrument t Number 1603647 Pages 1-3, in the Office of the Judge of Probate, Baldwin County Alabama (“the Sixth Amendment to the Declaration”).

WHEREAS, a majority of the Owners of the Heritage Shores Property Owners Association, Inc. voted on and before the 24<sup>th</sup> day of July, 2019 to amend the Declaration and Amendments thereto as hereinafter set forth.

NOW, THEREFORE, in consideration of the premises and the covenants herein contained, the Owners, pursuant to the provisions of Article XII of the Declaration, as amended in the Second Amendment, do hereby adopt the following amendments to the Declaration and the amendments there-to:

Section 9.5, Subsection (d) of ARTICLE IX of the Declaration is hereby deleted in its entirety and the following is substituted in its place and stead so that ARTICLE IX Section 9.5, Subsection (d) shall read as follows:

**“ARTICLE 1X: USE OF LOTS**

**9.5 Construction Requirements**

(d) Walls. The exterior walls of the dwelling must consist of an exterior finish insulation system (EFIS) on plywood sheathing or (the use of) cement board siding such as Hardie Plank or Certainteed, the trim pieces can be made of either cement board trim pieces or Maritech trim pieces. Exterior appearance must be approved by the Architecture Committee.

All walls facing the street on which the Lot fronts must have windows and a porch at least eight feet (8') in depth. Parking underneath homes is required. All raised homes must be visually screened by breakaway panels, approved by the Committee, between pilings at ground level in accordance with applicable regulations. Louver/shutter design is encouraged.

All exterior walls must be painted in a color approved by the Committee. The Committee will have a list of colors from which Lot Owners may choose.”

All other provisions of the Declaration of Rights, Covenants, Restrictions, Affirmation Obligation and Conditions of Heritage Shores shall remain in full force and effect and are hereby ratified, confirmed and approved.

IN WITNESS WHEREOF, the duly authorized President and Secretary of Heritage Shores Property Owners Association, Inc. have executed this Seventh Amendment ~~on this~~ the 17 day of November, 2019.

*NS of*

Heritage Shores Property Owners Association, Inc.  
an Alabama nonprofit corporation

By: *Laura Fisher*  
Laura Fisher, Its President

By: *Leslie Warrington*  
Leslie Warrington, Its Secretary

STATE OF ALABAMA            )  
  )  
JEFFERSON COUNTY         )

I, the undersigned Notary Public in and for said State and County, do hereby certify that Laura Fisher, whose name as President of Heritage Shores Property Owners Association, Inc., an Alabama nonprofit corporation, 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 said instrument, she, as such officer and with full authority executed the same voluntarily for and as the act of said Association and the owners of Lots at Heritage Shores, on this the 17 day of November, 2019.

Given under my hand and official seal, this 17 day of November 2019.

*[Signature]*  
Notary Public  
My Commission Expires: 8/2/20  
(SEAL)



STATE OF MISSISSIPPI            )  
  )  
BOLIVAR COUNTY                    )

I, the undersigned Notary Public in and for said State and County, do hereby certify that Leslie Warrington, whose name as Secretary of Heritage Shores Property Owners Association, Inc., an Alabama nonprofit corporation, 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 said instrument, she, as such officer and with full authority executed the same voluntarily for and as the act of said Association and the owners of Lots at Heritage Shores, on this the 7 day of November, 2019.

Given under my hand and official seal, this 7 day of November 2019.

Mary H. Lancaster  
Notary Public  
My Commission Expires: December 27, 2021

