

STATE OF ALABAMA)
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)
COUNTY OF BALDWIN)

This Instrument Was Prepared By:
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SIXTH AMENDMENT TO
DECLARATION OF RIGHTS, COVENANTS, RESTRICTIONS,
AFFIRMATIVE OBLIGATION AND CONDITIONS

Of

HERITAGE SHORES

A PLANNED UNIT DEVELOPMENT

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 11/16/2016 3:11 PM
TOTAL \$ 15.00
3 Pages

1603647



This Sixth 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 12th day of November, 2016:

W I T N E S S E T H

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 28th 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 Instrucment 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 7th 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 23rd 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 Number 1540462 Pages 1-3, in the Office of the Judge of Probate, Baldwin County Alabama (“the Fifth Amendment to the Declaration”); and

WHEREAS, a majority of the Owners of the Heritage Shores Property Owners Association, Inc. voted on the 12th day of November, 2016 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 thereto:

Sub-Section (c) of Section 3.12 of ARTICLE III of the Declaration, as amended by the Fourth Amendment to the Declaration, is hereby deleted in its entirety and the following is substituted in its place and stead so that Sub-Section (c) of Section 3.12 shall read as follows:

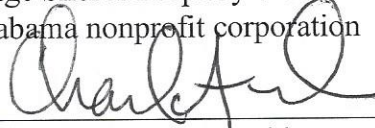
“3.12 **Insurance**

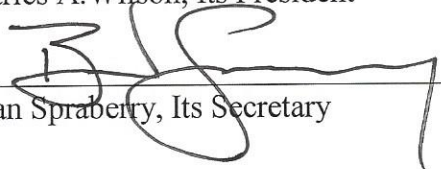
(c.) If the insurance described in subsections (a) and (b) is not reasonably available as determined by the Board of Directors, the Board of Directors shall cause notice of that fact to be hand delivered, sent prepaid by United States mail, or electronically mailed to all Owners. The By-Laws may require the Association to carry other insurance, and the Association in any event may carry any other insurance or self-insure for property damage in any amount deemed appropriate by a majority of the Owners from time to time to protect the Association and/or the Owners. All such self-insurance amounts shall be placed in a separate, interest bearing reserve and/or savings account.

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 Sixth Amendment effective as of the 12th day of November, 2016.

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

By: 
Charles A. Wilson, Its President

By: 
Brian Spraberry, Its Secretary

STATE OF ALABAMA)
)
BALDWIN COUNTY)

I, the undersigned Notary Public in and for said State and County, do hereby certify that Charles A. Wilson and Brian Spraberry, whose names as President and Secretary respectively of Heritage Shores Property Owners Association, Inc., an Alabama nonprofit corporation, is signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, as such officers 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 12th day of November, 2016.

Given under my hand and official seal, this 12th day of November 2016.


Notary Public
My Commission Expires: 8/2/2020

(SEAL)

