

STATE OF ALABAMA)
COUNTY OF LEE)

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MISC Book & Page
08-27-2021 04:12:51 PM
Bill English - Probate Judge
Lee County, AL (e-recorded)

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Clerk: Oliver
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REC Recording Fee 11.00
Total Fees: \$11.00

FIRST AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
FOXRUN SUBDIVISION

This First Amendment to the Declaration of Covenants, Conditions and Restrictions for FoxRun Subdivision (this "Amendment") is made by **HOLLAND HOMES, LLC**, an Alabama limited liability company ("Developer") effective as of this 25th day of August, 2021.

RECITALS:

WHEREAS, Developer previously executed and recorded that certain Declaration of Covenants, Conditions and Restrictions for FoxRun Subdivision dated April 2, 2021, recorded April 6, 2021 in the Office of the Judge of Probate of Lee County, Alabama in Deeds Book 2626, at Page 67 (the "Declaration") pertaining to certain real property located in Lee County, Alabama as more particularly described in the Declaration. Capitalized terms, not otherwise defined in this Amendment, shall have the same meaning ascribed to such terms in the Declaration;

WHEREAS, the Declaration permits Developer to amend the Declaration; and

WHEREAS, Developer desires to amend Section 5.14 of the Declaration.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound, Developer declares, establishes and amends the Declaration as follows:

1. **FENCES**. Section 5.14 Fences is hereby deleted in its entirety and replaced with the following:

“5.14 Fences. All fences must be wooden privacy fences that are six (6) feet in height and in conformance with standards approved by the ARC. Fences shall be painted or stained with colors that are approved by the ARC. Such colors are determined for the purpose of harmoniously maintaining the overall aesthetic of the Development. A fence running parallel to the front corners of a Dwelling must be painted. A fence running perpendicular to the front corners of a Dwelling must be stained. No fence, other than as detailed herein, shall be permitted without the written consent of the ARC.”

2. **RATIFICATION**. Except as set forth herein, the Declaration shall remain in full force and effect and unmodified, and the Declaration, as amended hereby, is hereby ratified, confirmed and approved in all respects.

IN WITNESS WHEREOF, the Developer has caused this instrument to be executed by its duly authorized officials effective as of the date set forth above.

DEVELOPER:

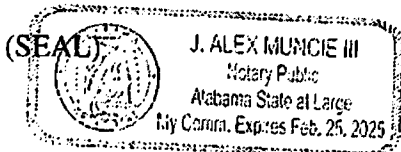
HOLLAND HOMES, LLC
an Alabama limited liability company


By: Daniel Holland
Its: Manager

STATE OF ALABAMA)
COUNTY OF LEE)

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Daniel Holland, whose name as Manager of Holland Homes, LLC, an Alabama limited liability 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 above and foregoing instrument, he, as such Manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal of office this 25 day of August, 2021.




Notary Public:
My Commission Expires: 02/25/25

This instrument was prepared by:
J. Alex Muncie III
Muncie & Mattson, P.C.
P.O. Box 3208
Auburn, AL 36831