



**FOURTH AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS FOR  
TIMBERLAKE**

This Fourth Amendment to Declaration of Protective Covenants for Timberlake (herein the Covenants) is made this \_\_\_ day of September 2006 by Timberlake Development, LLC, an Alabama Limited Liability Company (herein Developer).

**WHEREAS**, Developer has heretofore filed in Instrument Number 200262/5095 in the Office of the Judge of Probate, Jefferson County, Bessemer Division, Alabama, the Declaration of Protective Covenants for Timberlake, which covenants have been amended by First Amendment to Declaration of Protective Covenants for Timberlake in Instrument Number 200362/7244, which Covenants were further amended by Second Amendment of Declaration of Protective Covenants For Timberlake as recorded in Instrument Number 200362/7245 all in the Office of the Judge of Probate, Jefferson County, Bessemer Division, Alabama, which Covenants were further amended by Third Amendment of Declaration of Protective Covenants For Timberlake as recorded in Instrument Number 200563/6394 all in the Office of the Judge of Probate, Jefferson County, Bessemer Division, Alabama (herein the Covenants, the First Amendment, Second Amendment and the Third Amendment are collectively referred to as the Covenants); and,

Pursuant to Article IX, Paragraph 9.09 of the Covenants, Developer reserved the unilateral right to subject additional real property to the Covenants by filing a declaration of the same with the Office of the Judge of Probate, Jefferson County, Bessemer Division, Alabama; and,

**WHEREAS**, Developer intends to subject additional real property to the Covenants.

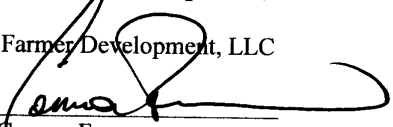
**NOW THEREFORE**, for good and valuable considerations, the Developer does hereby further amend the Covenants as follows:

1. All Lots located within the Final Plat of Timberlake, Sector 4 as recorded in Map Book 43, Page 4, Office of the Judge of Probate, Jefferson County, Bessemer Division, Alabama (the Sector 4 Property) are hereby subjected to and encumbered by the Covenants.
2. All Lot Owners within the Sector 4 Property are hereby members of Timberlake Homeowners Association, Inc. and are subject to all rules, regulations and bylaws promulgated by said Association as the same exists at this time or are amended in the future.
3. All capitalized terms in this Fourth Amendment shall have the same meaning as set forth in the Covenants.

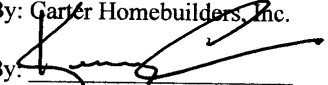
**Done the date and year first above written.**

***Timberlake Development, LLC***

By: Farmer Development, LLC

By:   
Connor Farmer  
Its: Member

By: Garter Homebuilders, Inc.

By:   
Kerry Carter  
Its: President

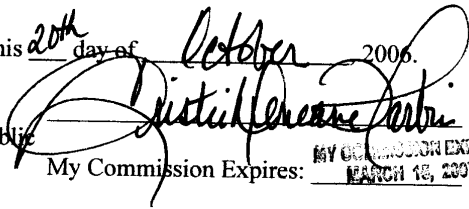
STATE OF ALABAMA )  
COUNTY )

LLC ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Connor Farmer as Member of Farmer Development, LLC and Kerry Carter as President of Carter Homebuilders, Inc., whose names as Members of Timberlake Development, LLC, 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 this instrument, they, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 20th day of October, 2006.

Notary Public

  
My Commission Expires: MARCH 15, 2007.

20061025001476290 2/2  
Bk: LR200665 Pg: 28212  
Jefferson County, Alabama  
10/25/2006 01:17:30 PM REST  
Fee - \$7.00

Total of Fees and Taxes-\$7.00  
KWBESS