

STATE OF ALABAMA
LEE COUNTY

**SECOND AMENDMENT TO DECLARATION OF
COVENANTS AND RESTRICTIONS FOR
FOXCHASE ON EMERALD LAKE SUBDIVISION**

Pursuant to the terms and conditions of the Declarations and Restriction for Foxchase Subdivision filed for record on September 22, 1993 in Deed Book 1785, at Page 294 and amended by that certain Amendment fo Declaration of Covenants and Restrictions for Foxchase on Emerald Lake Subdivision Redivision of Plat No. 2 filed for record on November 15, 1999 in Miscellaneous Book 1263 at Page 656 in the Office of the Judge of Probate of Lee County, Alabama (collectively, the "Declaration"), the undersigned developer, Plainsmen Developments, Inc., together with the undersigned owners of a portion of the property described herein, Don L. Ketcham and Lisa Ketcham, hereby adds the following additional property to the provisions of the Declaration:

Lot Numbers 67-102 shown on the plat of Foxchase on Emerald Lake Phase Three filed of record in Plat Book 26 at Page 110 in the Office of the Judge of Probate of Lee County, Alabama.

The Declaration is further amended with respect to said additional property be adding the following language to Section 8 of Article X:

"Notwithstanding the foregoing, a limited number of horses, not to exceed three, may be kept on certain lots upon written approval of the Declarant or the Board of Directors of the Association. No structure or area for the care, housing, or confinement of any animal shall be constructed or maintained without the prior written approval of the DRB, and such structure or area shall be in compliance with the terms and conditions set forth in the Declaration, the "Architectural Review & Guidelines" and any applicable ordinances."

Except as modified and amended herein, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, Developer has caused this Second Amendment to Declaration to be duly executed as of the 1st day of April, 2005.

MISC 1275 324
Recorded In Above Book and Page
04/04/2005 03:36:06 PM
BILL ENGLISH
PROBATE JUDGE
LEE COUNTY

Recording Fee 11.00
TOTAL 11.00

PLAINSMEN DEVELOPMENTS, INC.

By: *Don L. Ketcham*
Don L. Ketcham, President

**STATE OF ALABAMA
COUNTY OF LEE**

I, the undersigned authority, a Notary Public in and for said State at Large, hereby certify that Don L. Ketcham, whose name as President of Plainsmen Developments, Inc. is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents hereof, executed the same voluntarily and with full authority on the day the same bears date and as the act of said corporation.

Given under my hand and seal of office, this the 1 day of April, 2005.

Annita Lewis
Notary Public
My Commission expires: 10/4/2008

Don L. Ketcham
Don L. Ketcham, Individually

Lisa Ketcham
Lisa Ketcham, Individually

**STATE OF ALABAMA
COUNTY OF LEE**

I, the undersigned authority, a Notary Public in and for said State at Large, hereby certify that Don L. Ketcham and Lisa Ketcham, whose names are signed to the foregoing, and who are known to me, acknowledged before me on this day that, being informed of the contents hereof, executed the same voluntarily on the day the same bears date.

Given under my hand and seal of office, this the 1 day of April, 2005.

Annita Lewis
Notary Public
My Commission expires: 10/4/2008

MISC 1275 325
Recorded in Above Book and Page
04/04/2005 03:36:06 PM
BILL ENGLISH
PROBATE JUDGE
LEE COUNTY