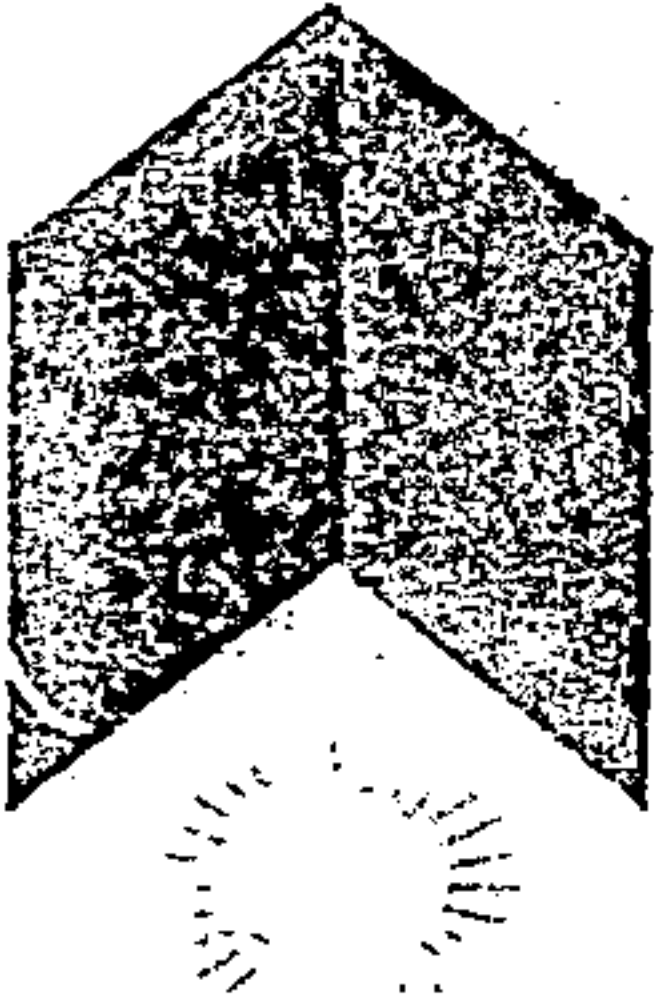




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Shelby Cnty Judge of Probate, AL
08/23/1977 12:00:00 AM FILED/CERT

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Fletcher Properties, Inc.

Suite 210, Fletcher Building / 1000 Riverside Avenue
P. O. Box 1618 / Jacksonville, Florida 32201 / (904) 791-0361

January 28, 1972

Mr. and Mrs. Eli H. Phillips
Valleydale Road
Birmingham, Alabama

Dear Mr. and Mrs. Phillips:

The purpose of this letter is to confirm, on behalf of Fletcher Properties of Alabama, Inc., all aspects of the agreement made between you and Bud Fielder. Specifically, in return for your approval of the changes that we are making to Valleydale Road in the vicinity of your property, Fletcher Properties of Alabama, Inc. agrees to do the following things:

1. We will elevate and surface your existing driveway from the road to your present parking apron.

2. If you wish to provide a copper water line to connect your home to the future water main, we will install this pipe for you during construction at our expense.

3. We will convey to you the strip of land shown as .33 acres in the survey dated January 7, 1972, prepared by John C. Gustin. Since, for us to obtain the necessary releases to convey this parcel will be a very complex job, we prefer to wait for an appropriate time to do it; however, we hope to have it done by the end of 1972. This conveyance by us will be subject to the following restrictions:


- You will not attempt to gain ingress or egress with the arterial roadway from this strip.
- You will not interfere with or encroach upon our entrance.
- You will maintain any portion of your property visible from our property in a manner reasonably satisfactory to us.
- You will not build any further improvements on the strip of land we are conveying for as long as these restrictions are in effect.
- You will observe any other reasonable restrictions which we place on all single family lots that are applicable to your property.

Rte 13 Box 597
Birmingham 35243

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Mr. and Mrs. Eli ~~g~~. Phillips
January 28, 1972
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We greatly appreciate your cooperation, and look forward
to being your neighbor.

Yours truly,



Paul N. Sper
Vice President

PNS/sh

cc: Bud Fielder

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FLETCHER PROPERTIES OF ALABAMA, INC.

P.O. Box 43248
Birmingham, Ala. 35243

November 1, 1973

Birmingham Water Works Board
Engineering Department
2114 First Avenue North
Birmingham, Alabama 35203

ATTN: Mr. Tom Wiggenton

Dear Tom:

I attach hereto a copy of our commitment to deed a parcel of land to Mr. Eli H. Phillips. We will be in a position to execute this deed for Mr. Phillips in calendar year 1974.

Realizing that the requested location for his tap is in conflict with your normal water main tap policy, be advised that we will,

- (1) Execute this deed in calendar year 1974.
- (2) Have no objection whatsoever and do hereby grant permission to Mr. Phillips to bring his water service across this subject piece of land.

Thank you for your cooperation in this matter.

Sincerely,

Fletcher Properties of Alabama, Inc.


Bud Fielder, Jr.
Vice-President

BF:mr

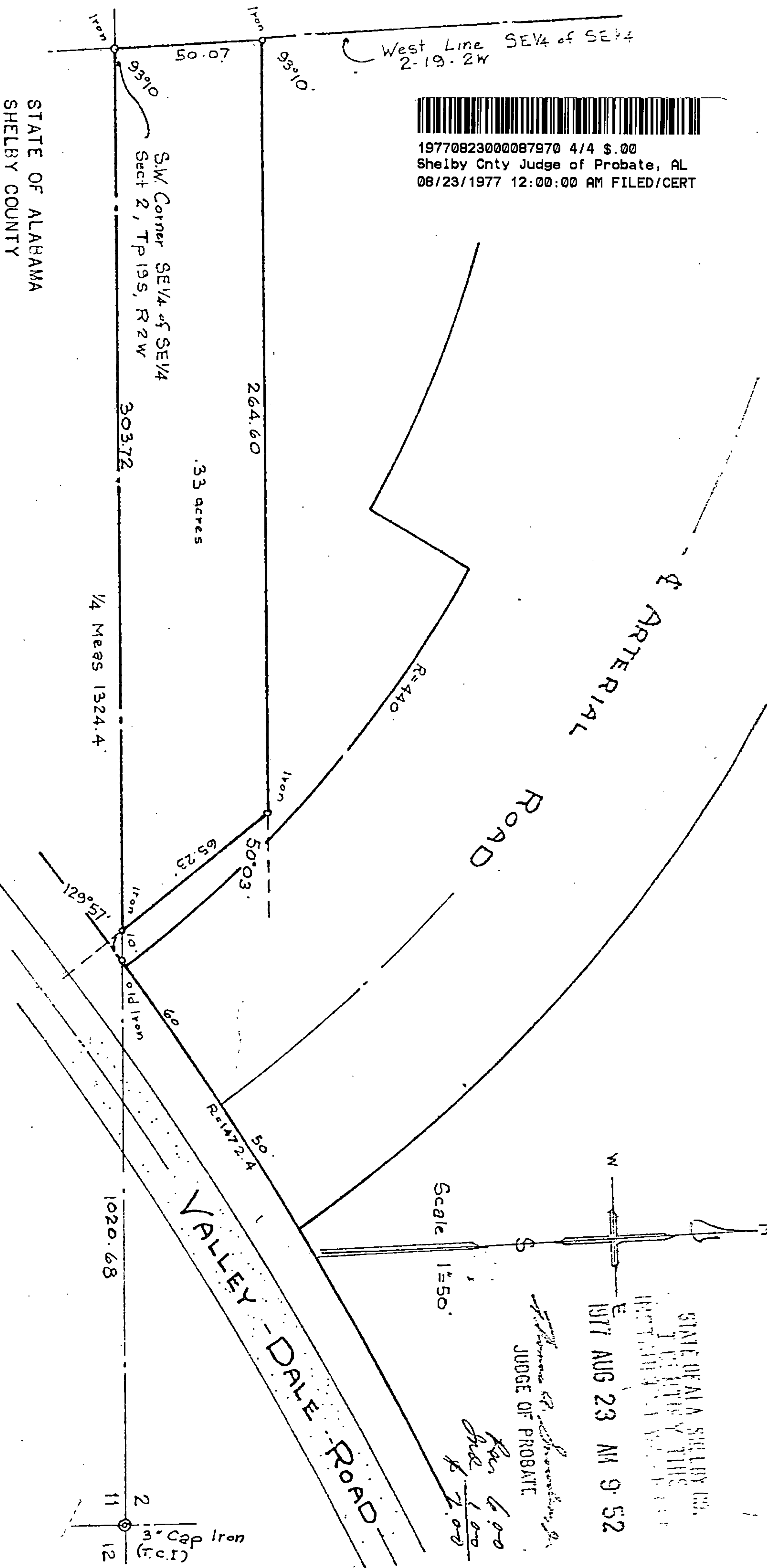
Enclosure

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STATE OF ALABAMA
SHELBY COUNTY

I, JOHN C. GUSTIN 111, A REGISTERED LAND SURVEYOR OF BIRMINGHAM, ALABAMA, HEREBY CERTIFY THE FOREGOING TO BE A TRUE AND CORRECT MAP OR PLAT OF A PART OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 2 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 2 WEST, AND RUN NORTH ALONG THE WEST LINE OF SAID $\frac{1}{4}$ SECTION FOR A DISTANCE OF 50.07 FEET; THENCE, AN ANGLE TO THE RIGHT OF $93^{\circ}10'$ AND RUN EAST PARALLEL WITH THE SOUTH LINE OF SAID $\frac{1}{4}$ SECTION 264.60 FEET; THENCE, AN ANGLE TO THE RIGHT OF $50^{\circ}03'$ AND RUN IN A SOUTHEASTERLY DIRECTION 65.23 FEET, SAID POINT BEING ON SOUTH LINE OF SAID $\frac{1}{4}$ SECTION; THENCE, AN ANGLE TO THE RIGHT OF $129^{\circ}57'$ AND RUN WEST ON SOUTH LINE OF SAID $\frac{1}{4}$ SECTION 303.72 FEET TO POINT OF BEGINNING. SITUATED IN SHELBY COUNTY, ALABAMA; THAT I HAVE THIS DATE ESTABLISHED THE BOUNDARIES OF SAID PROPERTY AND SET IRON PIPE AT THE CORNERS OF SAME, AS SHOWN ABOVE.

ACCORDING TO MY SURVEY THIS THE 7TH DAY OF JANUARY, 1972.

BETHEL W. WHITSON COMPANY INC.

PLC PAGE 12 BOOK

John C. Gustin 111

REG. 9322