

STATE OF ALABAMA)

SHELBY COUNTY •)

6308



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Shelby Cnty Judge of Probate, AL
01/10/1978 12:00:00 AM FILED/CERT

AGREEMENT

THIS AGREEMENT made this 5th day of January, 1978, by and between LAVERT G. GRAVLEE and FRANCES M. GRAVLEE (herein the "Grantors" and W. HOKE KERNS (herein the "Grantee").

W I T N E S S E T H:

WHEREAS, Grantors by that certain warranty deed dated May 17, 1968, recorded in Book 253, at Page 288, et seq., in the Office of the Probate Judge of Shelby County, Alabama (the Deed), conveyed certain real property presently owned by Grantee; and

WHEREAS, the Deed contains certain covenants, conditions and restrictions and provides that the same may be amended, altered, changed or rescinded by agreement; and

WHEREAS, Grantee has acquired the real property made the subject of the Deed and is the assignee of the original grantees under the Deed; and

WHEREAS, paragraph 2 of the Deed provides that only one single family type residence may be constructed upon the real property made the subject of the Deed; and

WHEREAS, Grantors and Grantee desire to amend the covenants, conditions and restrictions set forth in the Deed to authorize two single family type residences to be constructed upon the real estate made the subject of the Deed.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, it is agreed between Grantors and Grantee, as follows:

1. Paragraph 2 of the Deed is hereby amended so as to permit the construction of two single family type residences upon the real property

W. H. Kerns
Box 451
4/1/78



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made the subject of the Deed.

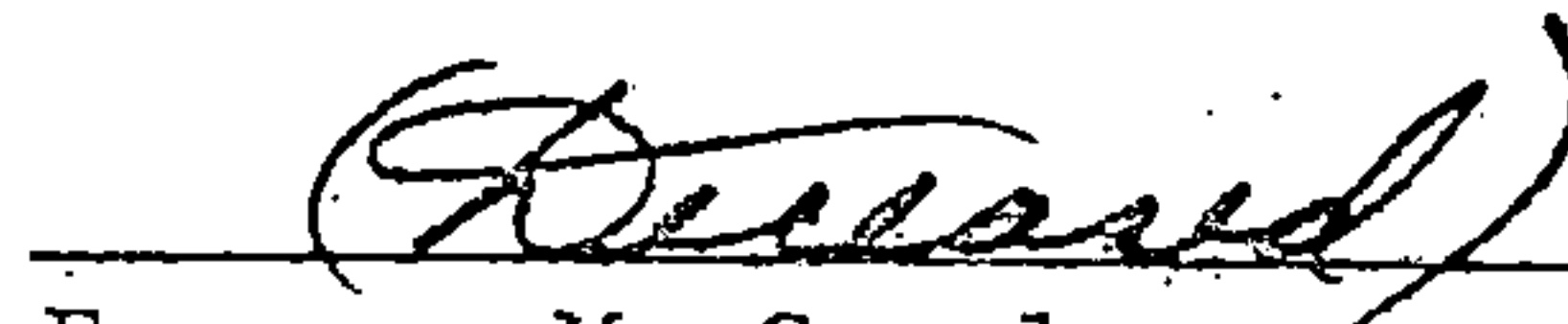
2. Notwithstanding that one single family type residence has been constructed by Grantee upon the real property made the subject of the Deed, Grantee may nevertheless sell and convey up to two acres of such real property fronting on Indian Crest Drive and High Gate Hill to be used as a site for an additional single family type residence.


3. The Deed conveying such real property shall provide the said property shall be used as a site for only one single family type residence of not less than 1400 square feet of floor area, exclusive of porches, terraces and car ports, or of not less than 1000 square feet of floor area for the ground floor of any one and one-half or two story residence erected thereon, exclusive of porches, terraces and car ports. This restriction however shall not preclude or prohibit the erection by an owner, and the use, of the following additional buildings on said property, viz: One guest or servants house of not more than 1000 square feet of floor area, exclusive of porches, terraces and car ports, one barn building and necessary tool houses, work shops, detached garages, and pump house buildings, all for family use.

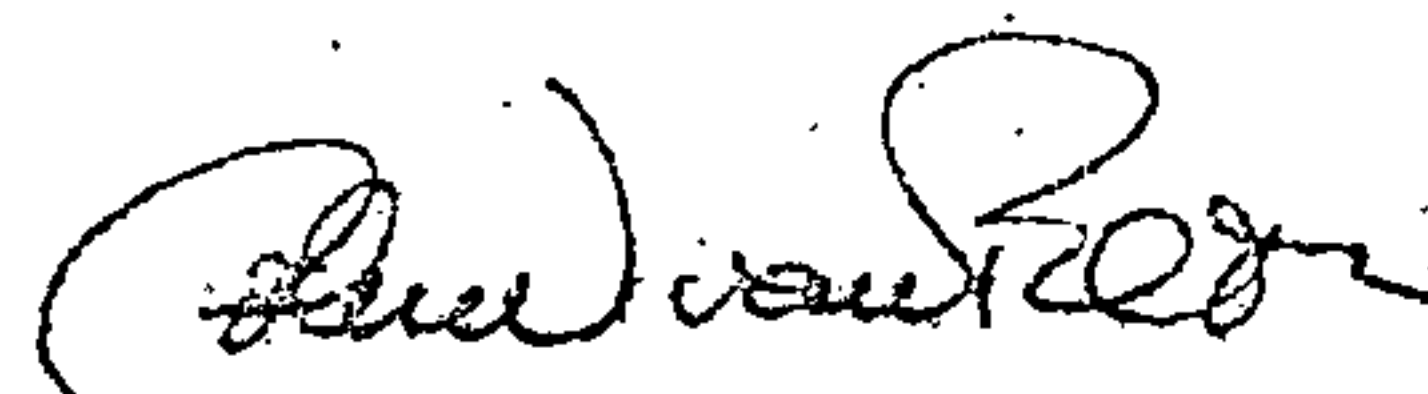
4. The Deed conveying such real property shall provide that the conditions, limitations and restrictions imposed by paragraphs 1, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of the Deed are conditions, limitations and restrictions imposed upon the real property so conveyed, and upon the grantee to such conveyance.


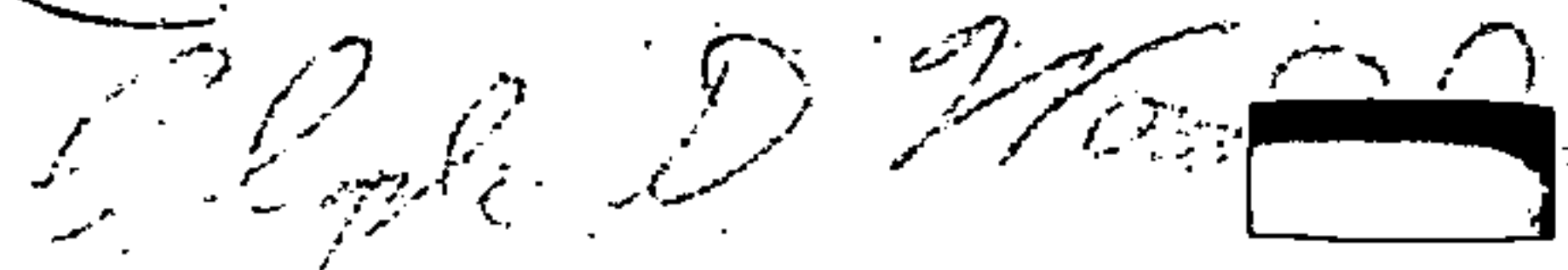

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals as of the date above shown.


Lavert G. Gravlee


Frances M. Gravlee


W. Hoke Kerns

OK 

 K.  

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STATE OF ALABAMA)

COUNTY OF Jefferson)

I, the undersigned, a Notary Public in and for said state and county, hereby certify that Lavert G. Gravlee and wife Frances M. Gravlee, whose names 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 said instrument, they executed the same voluntarily on the day and year the same bears date.

Given under my hand and official seal, this the 5 day of January, 1978.

Shirley Hunsyout
Notary Public

STATE OF ALABAMA)

COUNTY OF Jefferson)

I, the undersigned, a Notary Public in and for said state and county, hereby certify that W. Hoke Kerns, whose name 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 said instrument, he executed the same voluntarily on the day and year the same bears date.

Given under my hand and official seal, this the 5 day of January, 1978.

Shirley Hunsyout
Notary Public



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BOOK

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1978 JAN 10 AM 9:39

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

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