

STATE OF ALABAMA)

SHELBY COUNTY)

RELEASE OF RESTRICTIONS

THIS RELEASE OF RESTRICTIONS is executed on the date hereinbelow set out by Roy Ash, Jr. and wife, Jeraldean J. Ash (hereinafter for convenience called "Ash"), and James Andrew Braasch (hereinafter for convenience called "Braasch").

WHEREAS, on the 20th day of July, 1977, Ash conveyed certain real property in Shelby County, Alabama, more particularly described as:

The North $\frac{1}{2}$ of the NE $\frac{1}{2}$ of the SW $\frac{1}{2}$ of Section 5,
Township 21 South, Range 2 West, Shelby County,
Alabama; being situated in Shelby County, Alabama.
Mineral and mining rights excepted.

to James Andrew Braasch, as recorded in Deed Book 306, Page 851 in the Office of the Judge of Probate of Shelby County, Alabama, and

WHEREAS, said deed contained the following paragraph: "Subject to easements and restrictions of record as per attached Exhibit "A".", and

WHEREAS, said Exhibit "A" is primarily concerned with a reference to an easement for ingress and egress, but does make reference to and incorporate "Restrictive covenants and conditions filed for record on December 31, 1974 in Misc. Book 10, Page 31.", and

WHEREAS, said instrument recorded in Misc. Book 10, Page 31 in the Probate Office of Shelby County, Alabama, is a covenant of restrictions covering an unrelated parcel of land, and

WHEREAS, it was not the intent and purpose of Ash to subject the subject real property to the restrictions set out in said Misc. Book 10, Page 31 or to incorporate said restrictions in said deed to Braasch, and

WHEREAS, there is no development on the subject real property, the only owner of said parcel is Braasch, and there has been no offer, inducement, reliance or damages given to or suffered by any adjacent or other property holder by Ash or Braasch to create any right for anyone else to enforce the restrictions, and

IT IS the purpose of this Release of Restrictions to remove any restrictions on this real property as set out in the instruments above recited.

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NOW THEREFORE, premises considered, the consideration of One Dollar (\$1.00) in hand paid by each party at this instrument to the other, the sufficiency of which is acknowledged, and the covenants and conditions set out hereinabove and below, the parties agree as follows, to-wit:

The restrictions set out in Misc. Book 10, Page 31 in the Probate Office of Shelby County, Alabama, and all references to said restrictions as recorded in the Probate Office of Shelby County, Alabama are herewith released, removed, revoked, declared a nullity, void ab initio and of no force and effect.

DONE this 19th day of April, 1984.

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

1984 APR 24 AM 8 55

Rec. 350
And. 100
450

Thomas A. Jefferson, Jr.
JUDGE OF PROBATE

Roy Ash Jr.
ROY ASH, JR.

Jeraldean J. Ash
JERALDEAN J. ASH

James Andrew Braasch
JAMES ANDREW BRAASCH

STATE OF ALABAMA)

SHELBY COUNTY)
Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Roy Ash, Jr. and wife, Jeraldean J. Ash, whose names are signed to the foregoing Release of Restrictions, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the Release of Restrictions, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 19th day of April, 1984.

James C. Canyon
Notary Public
6/30/87

STATE OF ALABAMA)

SHELBY COUNTY)
Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James Andrew Braasch, whose name is signed to the foregoing Release of Restrictions, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the Release of Restrictions, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 19th day of April, 1984.

James C. Canyon
Notary Public
6/30/87