#3504

MUTUAL CONVENANT

STATE OF ALABAMA

SHELBY COUNTY

WHEREAS, Fred Phillips is the owner in fee simple of the following described property situated in the town of Columbiana, Shelby County, Alabama:

Begin at the Southeast corner of the Northwest Quarter of Northwest Quarter of Section 26, ~~Township 26,~~ Township 21 South, Range 1 West and go thence North 1 deg. 05 minutes East 151 feet to the point of beginning of the land herein conveyed; go thence South 79 deg. 00 minutes West 587 feet; thence North 19 deg. 15 minutes West 485. 6 feet; thence North 58 deg. 20 minutes East 858 feet; thence South 1 deg. 05 minutes West 786.07 feet to the point of beginning.

Said tract of land is bounded on the south by the road known as the "Saginaw Cut-Off Road" and on the North by the right-of-way of the Southern Railroad Company and is located in the Town of Columbiana, Shelby County, Alabama.

Said land is hereinafter referred to as tract "A".

WHEREAS K.E. McWilliams is the owner in fee simple of the following described property siatuated in the town of Columbiana, Shelby County, Alabama , and said tract is situated immediately South of and across the road from aforementioned property owned by Fred Phillips:

Begin at the Southeast corner of the Northwest Quarter of the Northwest Quarter of Section 26, Township 21, South , Range 1 West, and go thence North 1 deg. 05 minuted East 131 feet to the South margin of the road known as " Saginaw Cut-Off Road" for a point of beginning; go thence in a Westerly direction along the South margin of said road 587 feet; thence in a Southerly direction and perpendicular to said road a distance of 200 feet; thence in an Easterly direction and parallel to said road 587 feet; thence in a Northerly direction and perpendicular to said road 200 feet to the point of beginning .

Said land is hereinafter refeered as to tract "B".

WHEREAS both tracts of land are suitable for development as residential property and it is agreed and understood between the said Fred Phillips and the said K.E. McWilliams that it is desirable that each of said tracts of land shall be so developed.

NOW THEREFORE, in consderation of the premises the said Fred Phillips and the said K.E. McWilliams hereby enter into this their mutual covenant as set forth below.

Fred Phillips and wife, Frances Phillips for themselves, their heirs, administrators, executors, and assigns covenant with K.E. McWilliams his heirs, executors, administrators, and assigns that the hereinbefore described , Tract "A" shall be used solely for residential purposes, that no buildings shall be constructed thereon to be used for any type of commercial enterprise whatsoever, and further that no residence constructed thereon shall contain less than 770 square feet of interior floor space.

K.E. McWilliams and wife, Mary McWilliams, for themselves, their heirs, administrators, executors, ans assigns hereby convenance with Fred Phillips, his heirs, executors, administrators, and assigns that the hereinbefore described tract "B" shall be used solely for residential purposes that no building shall be constructed thereon to be used for any type of commercial enterprise whatsoever, and further that no residence constructed thereon shall contain less than 770 square

feet of interior floor space.

"itness whereof we have hereunto set our hands and seals this the 7th day of April, 1950.

K.E. McWilliams (Seal)

Mary McWilliams (Seal)

Fred Phillips (Seal)

Frances Phillips(Seal)

STATE OF AIABAMA

SHELBY COUNTY

I, Conrad M. Fowler, a Notary Public in and for said County, in said State, hereby certify that Fred Phillips and Frances Phillips whose names are signed to the foregoing conveyance, and who are known to me, acknowledged vefore me on this day that, being informed of the contents of the conveyance, they executed the same voulntarily on the day the same bears date.

Given under my hand and seal of office this the 10 day of April, 1950.

Conrad M. Fowler, Notary Public

STATE OF AIABAMA

SHELBY COUNTY

I, Conrad M. Fowler, a Notary Public in and for said County in said State , hereby certify that on the 10 day of April 1950 came before me the within named Frances Phillips known to me to be the wife of the within named Fred Phillips , who being examined separate and apart from the husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord, and without fear, constraint, or threats on the part of the husband.

Given under my hand and seal of office this the 10 day of April, 1950.

Conrad M. Fowler, Notary Public

STATE OF AIABAMA

SHELBY COUNTY

I, Conrad M. Fowler, a Notary Public in and for said County in said State hereby certify that K.E. McWilliams and Mary McWilliams, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that , being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal of office this the 7th day of April , 1950.

Conrad M. Fowler, Notary Public

STATE OF AIABAMA

SHELBY COUNTY

I, Conrad M. Fowler, a Notary Public in and for said County in said State, hereby certify that on the 7 day of April, 1950, came before me the within named Mary McWilliams, known to me to be the wife of the within named K.E. McWilliams , who being examined separate and apart from the husband, touching her signature to the within conveyance , acknowledged that she signed the same of her own free will and accord, and without fear, constraint, or threats, on the part of the husband.

Given under my hand and seal of office this the 7 day of April, 1950.

Conrad M. Fowler, Notary Public

Filed in the office of the Probate Judge on the 10th day of April, at 10:00 o'clock A.M. and recorded in the Deed Record 141 on page 573 on this the 10th day of April, 1950.

L.C. Walker, Judge of Probate