

2191

STATE OF ALABAMA)
SHELBY COUNTY)

WHEREAS, W. David Upton and Annie Lou Upton are owners of the hereinafter described property located in Shelby County, Alabama; and

WHEREAS, said W. David Upton and Annie Lou Upton are desirous of obtaining a loan and placing a mortgage on said property; and

WHEREAS, N. M. Yeilding, Trustee of Employees Pension Fund, Yeilding's, Inc., (hereinafter referred to as mortgagee) is unwilling to make a mortgage on said property unless the restrictions and limitations as hereinafter referred to are waived and released; and

WHEREAS, Green Valley, Inc. did file said restrictive covenants, but is willing to waive same in favor of the mortgagee;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the undersigned, Green Valley, Inc., upon proper vote by its stockholders, does hereby waive and release in favor of N. M. Yeilding, Trustee of Employees Pension Fund, Yeilding's, Inc. the restrictive covenants as set out in an instrument recorded in Deed Vol. 204, page 206 in the Probate Office of Shelby County, Alabama, said waiver and release being on the hereinafter described property located in Shelby County, Alabama, to-wit:

The North one-half of the Northeast quarter of the Northwest quarter of Section 11, Township 21, South, Range 2, West, situated in Shelby County, Alabama.

IN WITNESS WHEREOF, the undersigned has hereunto set its signature by its President, who is duly authorized, and caused the same to be attested by its Secretary, who is duly authorized, this the 20th day of April, 1961.

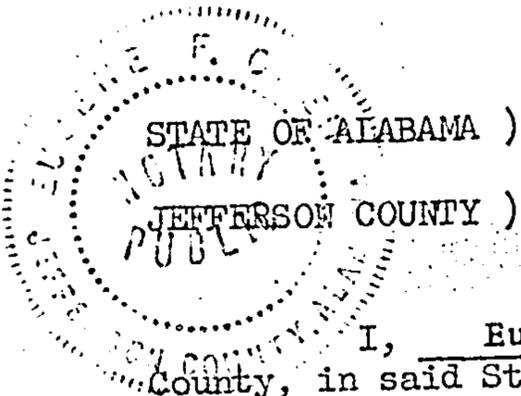
GREEN VALLEY, INC.,

By [Signature]
Its President

ATTESTED BY:

[Signature]
Secretary

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I, Eugene F. Owen, a Notary Public in and for said County, in said State, hereby certify that William K. Murray, Jr. whose name as President of Green Valley, Inc., a corporation, 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 the instrument, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 20th day of April, 1961.

Eugene F. Owen
NOTARY PUBLIC

My Commission Expires September 19, 1962

STATE OF ALABAMA }
SHELBY COUNTY }

I, Conrad M. Fowler, Judge of Probate hereby certify that the within Will was filed in this office for record the 2 day of May 1961 at 11 o'clock A.M. and recorded in Deed Records 215 page 282 and examined 3-9-61 and the Mortgage Tax of \$ _____ Deed Tax of \$ _____ has been paid.

Conrad M. Fowler
Judge of Probate

Fee \$ 1.00

STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within _____ was filed for record in this office on the _____ day of _____ 196 at _____ M. o'clock and recorded in _____ Book _____ at page _____ on the _____ day of _____ 196. Mortgage Tax _____ Deed Tax _____ has been paid.

Conrad M. Fowler
Judge of Probate

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