

See intg 317 - 823

500 du

3555



19710616000024410 1/2 \$.00
Shelby Cnty Judge of Probate, AL
06/16/1971 12:00:00 AM FILED/CERT

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Three Thousand Two Hundred and no/100 Dollars to the undersigned grantor, VICTOR SCOTT CONSTRUCTION COMPANY, INC., a corporation, in hand paid by Carol O. Franks, the receipt whereof is hereby acknowledged, the said VICTOR SCOTT CONSTRUCTION COMPANY, INC. does by these presents, grant, bargain, sell and convey unto the said Carol O. Franks the following described real estate, situated in Shelby County, Alabama, to-wit:

A parcel of land situated in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 7, Township 22 South, Range 2 West, more exactly described as follows: Commence at the southeast corner of said quarter-quarter section; thence north 5 deg. 32 min. east along the east boundary of said quarter-quarter section 331.50 feet to the north boundary of County Road; thence south 86 deg. 04 min. west along said boundary 441.75 feet to the P.C. of a curve to the right, having a central angle of 41 deg. 43 min., a radius of 608.91 feet and a tangent distance of 232.01 feet; thence continue south 86 deg. 04 min. west a distance of 232.01 feet to the point of intersection of said curve; thence north 52 deg. 13 min. west a distance of 232.01 feet to the P.T. of said curve and the point of beginning; thence continue along this line 324.12 feet to the point of intersection with the south boundary of County Road; thence north 53 deg. 56 min. east along said boundary 250.40 feet to the P.C. of a curve to the right, having a central angle of 23 deg. 34 min., a radius of 925.35 feet and tangent distance of 193.04 feet; thence continue along an arc 190.05 feet to the mid-point of said curve; thence south 62 deg. 54 min. east a distance of 233.58 feet; thence south 34 deg. 13 min. west a distance of 456.40 feet to a point on a curve on the north boundary of County Road, having a central angle of 41 deg. 43 min., a radius of 608.91 feet; thence northwesterly along said arc 75.02 feet to the point of beginning containing 3.2 acres; situated in Shelby County, Alabama.

TO HAVE AND TO HOLD, To the said Carol O. Franks, her heirs and assigns forever. And said Victor Scott Construction Company, Inc. does for itself, its successors and assigns, covenant with said Carol O. Franks, her heirs and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances, that it has a good right to sell and convey the same as aforesaid, and that it will, and its successors and assigns shall, warrant and defend the same to the said Carol O. Franks, her heirs, executors and assigns forever, against the lawful claims of all persons.

Said property is being conveyed subject to the following restrictions and covenants:

1. This tract of land cannot be sold or divided into less than a 3 acre tract.
2. That said property shall be used as residential property only and not for any purpose of business or trade.
3. That no more than one residence containing not more than a two-family unit shall be constructed on any 3 acre tract.

4. No dwelling house having less than 1700 square feet of living area shall be constructed on this property.
5. No dwelling shall be occupied as such until the exterior thereof is completed.
6. No structure of temporary character, such as, trailers, tents, barns or other outbuildings shall be used as a residence, either temporarily or permanently.
7. The main body of any dwelling erected on said land shall not be located on said land nearer than 100 ft. from the right-of-way of the road nor nearer than 50 ft. from the side or rear property lines.
8. No outside toilets shall be permitted on said land and all sewage systems constructed on said land shall be first approved by the Shelby County Health Department or such other department within the County as is hereafter created having similar functions, and said system shall be constructed under the supervision of said department.
9. No swine or goats shall be kept or maintained on said property.
10. No obnoxious, offensive trade or activities shall be carried on upon any part of said land.
11. It is expressly understood and agreed that the covenants herein set forth shall attach to and run with the lands described herein and shall be binding on all parties or their successors or assigns for a period of 20 years from the date hereof, at which time the said covenants shall be automatically extended for successive period of 10 years, unless by vote or a majority of the then persons owning three-fourths of the real property being sold by the grantor herein in this area and being subject to similar restrictions contained in this deed shall file in writing their consent for the change of said restrictions in whole or in part.
12. It is expressly understood and agreed that the covenants herein set forth may be proceeded upon for an injunction and for specific execution thereof against such person or persons violating the same and for damages against such persons violating said covenants or any part thereof, such damages to be deemed cumulative and not alternative. Invalidation of any of these covenants, or any part thereof by any court of competent jurisdiction shall in nowise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the said GRANTOR, by its President who is authorized to execute this conveyance, has hereto set its signature and seal, this the 8 day of June, 1971.

ATTEST:

Charles D. Scott
Secretary

By

VICTOR SCOTT CONSTRUCTION COMPANY, INC.

Victor Scott
President

STATE OF ALABAMA
SHELBY COUNTY

I, Betty A. Crawford, a Notary Public in and for said State and County, hereby certify that Victor Scott, whose name as President of Victor Scott Construction Company, Inc., a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, 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 8th day of June, 1971.

Betty A. Crawford
Notary Public
My Commission Expires July 27, 1974



19710616000024410 2/2 \$.00
Shelby Cnty Judge of Probate, AL
06/16/1971 12:00:00 AM FILED/CERT

STATE OF ALABAMA SHELBY CO.
I HEREBY CERTIFY THIS INSTRUMENT WAS FILED
JUN 16 1971 12:26 PM
REC. PAGE 15 SHOWN ABOVE
U.C.C. FILE NUMBER OR
PAGE AS SHOWN ABOVE
JUNE 16 1971

BOOK 268 PAGE 415