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A G R E E M E N T



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Shelby Cnty Judge of Probate, AL
02/02/1976 12:00:00 AM FILED/CERT

WHEREAS, on June 28, 1974, the undersigned Jack Harris and Allen Whitley, being the then record owners of Lots 2-21 of Monte Bello Subdivision as recorded in Map Book 6, Page 23, in the Probate Office of Shelby County, Alabama, which said subdivision includes the following described real property, situated in Shelby County, Alabama:

Lot 7, according to the survey of Monte Bello, as recorded in Map Book 6, Page 23, in the Probate Office of Shelby County, Alabama.

WHEREAS, said record owners adopted certain restrictions applicable to all the aforementioned lots in said survey of Monte Bello, including the above described Lot 7, said restrictions being recorded in Misc. Book 8, Page 415, in the Probate Office of Shelby County, Alabama and said restrictions contain a provision for a 35 foot building set-back line from the portion of the above described Lot 7 which fronts on Monte Bello Lane; and the record map of said subdivision shows a 40 foot building set-back line;

WHEREAS, said restrictions contain a provision in Paragraph 5 thereof reserving to the Architectural Control Committee composed of Allen Whitley the authority to waive any violation of the building set-back line provided for in said restrictions;

WHEREAS, a residence was constructed on Lot 7 by Martin and Sons, Inc., former owners thereof, which violates said set-back line provision in said restriction;

WHEREAS, the said Martin and Sons, Inc., sold and conveyed said Lot 7 to James R. Vernon and wife, Phyllis K. Vernon, the present owners thereof;

WHEREAS, the said Architectural Control Committee, comprised of Allen Whitley, is willing to release said property,

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The present owners and any future owners of said property from any and all liabilities, claims, demands, actions or causes of actions now existing or hereafter to accrue as a result of said violation of said set-back line in said restrictions;

NOW, THEREFORE, in consideration of the sum of \$1.00 to the said Allen Whitley, the receipt and sufficiency of which is hereby acknowledged, the undersigned does hereby for value received release said property and the present and future owners thereof from the violation of the hereinabove described 40 foot building set-back line and does further release said present and future owners of said property from any and all liabilities, claims, demands, actions or causes of action now existing or hereafter to accrue as a result of said violation of said set-back line provision in said restrictions.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 29th day of January, 1976.

Allen W. Whitley
ALLEN W. WHITLEY

STATE OF ALABAMA
COUNTY OF SHELBY

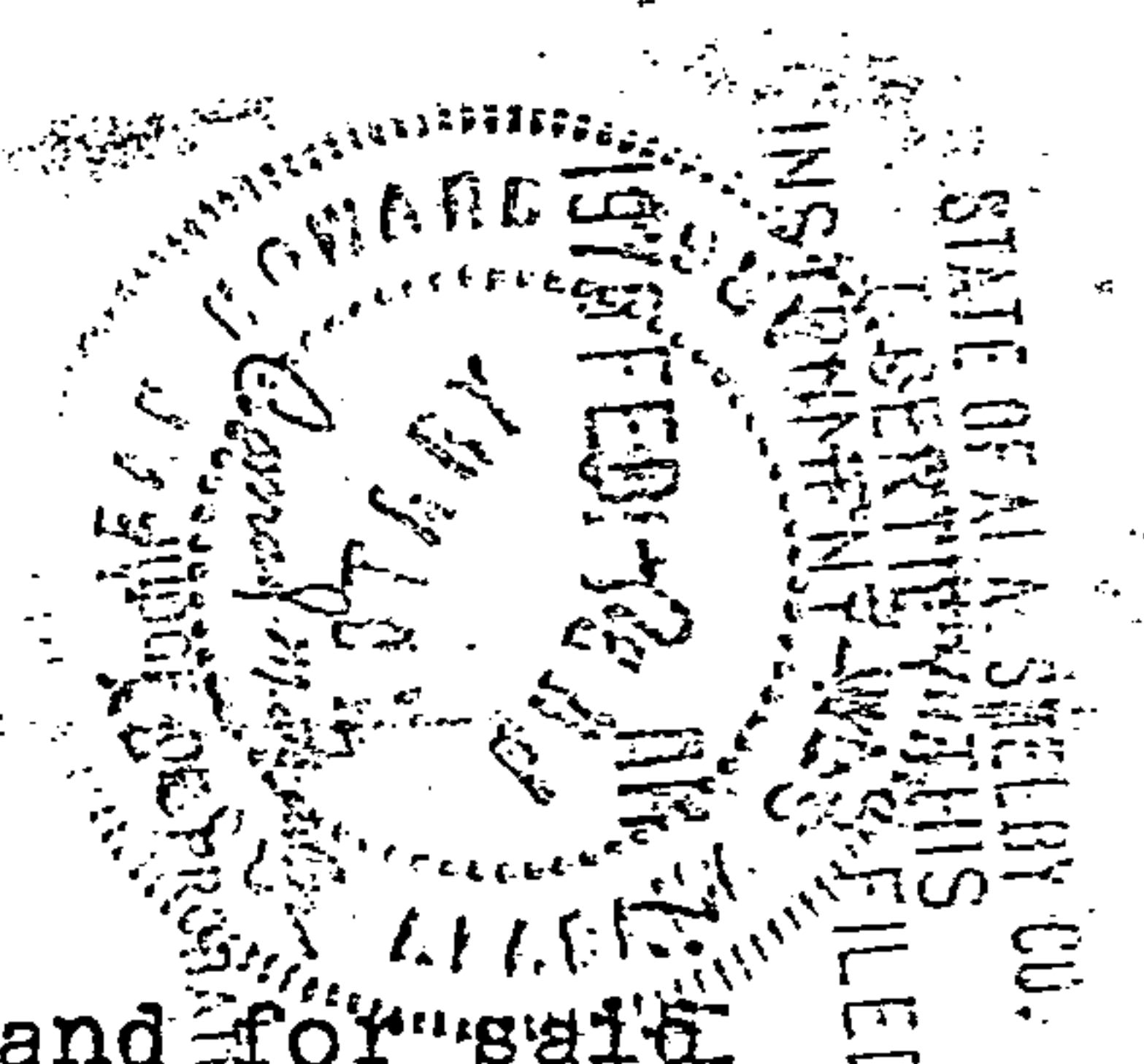
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Allen W. Whitley, whose name is signed to the foregoing agreement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the agreement, he executed the same voluntarily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

Given under my hand and official seal, this the 29th day of January, 1976.



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Betty Jean Howard
Notary Public



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