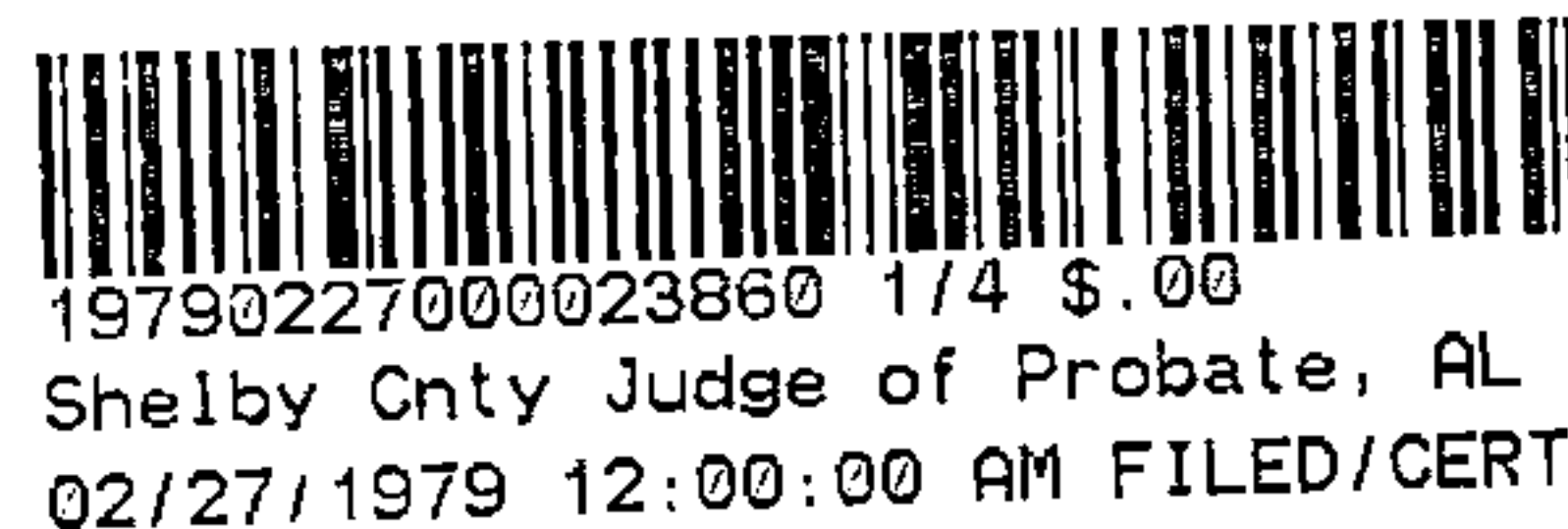


954
A G R E E M E N T



WHEREAS, on September 16, 1977, BRANDYWINE CORPORATION, was the then record owner of all lots in the survey of Brandywine, Second Sector, a map of which is recorded in Map Book 7, Page 6, in the Probate Office of Shelby County, Alabama, which said survey of Brandywine, Second Sector, includes the following described real property, situated in Shelby County, Alabama:

Lot 4, according to the survey of Brandywine, Second Sector, as recorded in Map Book 7, Page 6, in the Probate Office of Shelby County, Alabama.

WHEREAS, said record owner adopted certain restrictions applicable to all lots in said survey of Brandywine, Second Sector, including the above described Lot 4, said restrictions being recorded in Misc. Book 21, Page 759 in the Probate Office of Shelby County, Alabama, and said restrictions contain a provision for a 40 foot building set-back line from the portion of the above described Lot 4 which fronts on MacQueen Circle;

WHEREAS, said restrictions contain a provision reserving to the Architectural Control Committee of Brandywine Corporation, said committee consisting of Lenord Martin, Eloise Theobald and Jack McGuire, the authority to waive any violation of the set-back lines;

WHEREAS, a residence has been constructed on said Lot 4 by Brandywine Corporation, which violates said 40 foot set-back line provision in said restrictions;

WHEREAS, the said Architectural Control Committee is willing to waive said violation of the set-back line and to release said property, the present owner, Brandywine Corporation, and any future owners of said property from any and all liabilities, claims, demands, and actions or causes of action now existing or hereafter to accrue as a result of the violation of said restrictions, as shown in Exhibit "A" attached;

BOOK 29 PAGE 639

Jack A.

NOW, THEREFORE, in consideration of the payment of the sum of \$1.00 to the said Brandywine Corporation, the receipt and sufficiency of which is hereby acknowledged, the undersigned Architectural Control Committee of Brandywine Corporation does hereby waive said violation of said set-back line as hereinabove described and does further release said property and the present and future owners thereof from the violation of the 40 foot 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 contained in said restrictions.

IN WITNESS WHEREOF, the Architectural Control Committee consisting of Lenord Martin, Eloise Theobald and Jack McGuire have hereunto signed this instrument this 21st day of February, 1979.



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Shelby Cnty Judge of Probate, AL
02/27/1979 12:00:00 AM FILED/CERT

ARCHITECTURAL CONTROL COMMITTEE

Jack McGuire
JACK MCGUIRE (Member)

Lenord Martin
LENORD MARTIN (Member)

By: Beverly Wunderlich
LENORD MARTIN by BEVERLY WUNDERLICH,
his Attorney in Fact

Eloise Theobald
ELOISE THEOBALD (Member)

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public for the State of Alabama at Large, hereby certify that Eloise Theobald and Jack McGuire, whose names are signed to the foregoing agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents of the agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 21st day of February, 1979.

Robert O. Driggers
Notary Public

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public for the State of Alabama at Large, hereby certify that Lenord Martin, 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 _____ day of February, 1979.

Notary Public

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public for the State of Alabama at Large, hereby certify that Beverly Wunderlich, whose name is signed to the foregoing agreement as Attorney in Fact for Lenord Martin, and who is known to me, acknowledged before me on this day that, being informed of the contents of the agreement, she in capacity as Attorney in Fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 21st day of February, 1979.

Robert M. Higgins
Notary Public

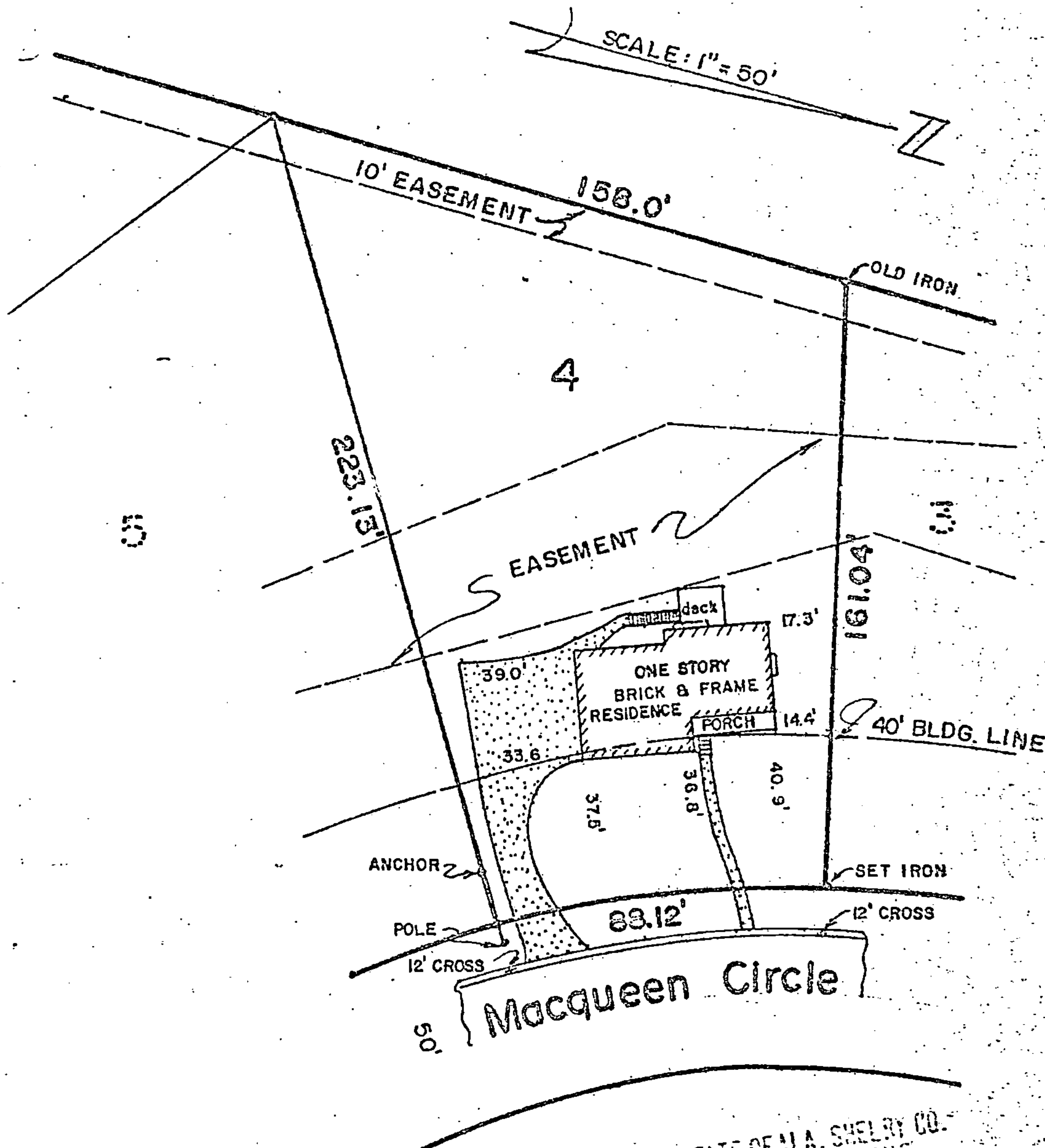
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Shelby Cnty Judge of Probate, AL
02/27/1979 12:00:00 AM FILED/CERT

BOOK 29 PAGE 641



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Shelby Cnty Judge of Probate, AL
02/27/1979 12:00:00 AM FILED/CERT

BOOK 29 PAGE 642



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

FEB 27 AM 8:44

Rec. 600
Ind. 100
700

Thomas G. Lawrence, Jr.
JUDGE OF PROBATE

STATE OF ALABAMA {
JEFFERSON COUNTY }

I, Laurence D. Weygand, a registered Engineer- Land Surveyor, certify that I have surveyed
Lot 4, Block —, BRANDYWINE SECOND SECTOR as recorded in Map Volume 7
Page 6, in the office of the Judge of Probate SHELBY County, Alabama; that there are no right-of-
way, easements, or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone
wires (excluding wires which serve premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said
premises except as shown; that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this
property is not located in "a special flood hazard area"; that there are no encroachments on said lot except as shown; that improvements
are located as shown above; and that the correct address is as follows: MACQUEEN CIRCLE
according to my survey of January 19, 1979

Order No. 20626

EXHIBIT A

Laurence D. Weygand
Laurence D. Weygand, Reg. No. 10 873 phone: 939-0000