

A G R E E M E N T 806

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

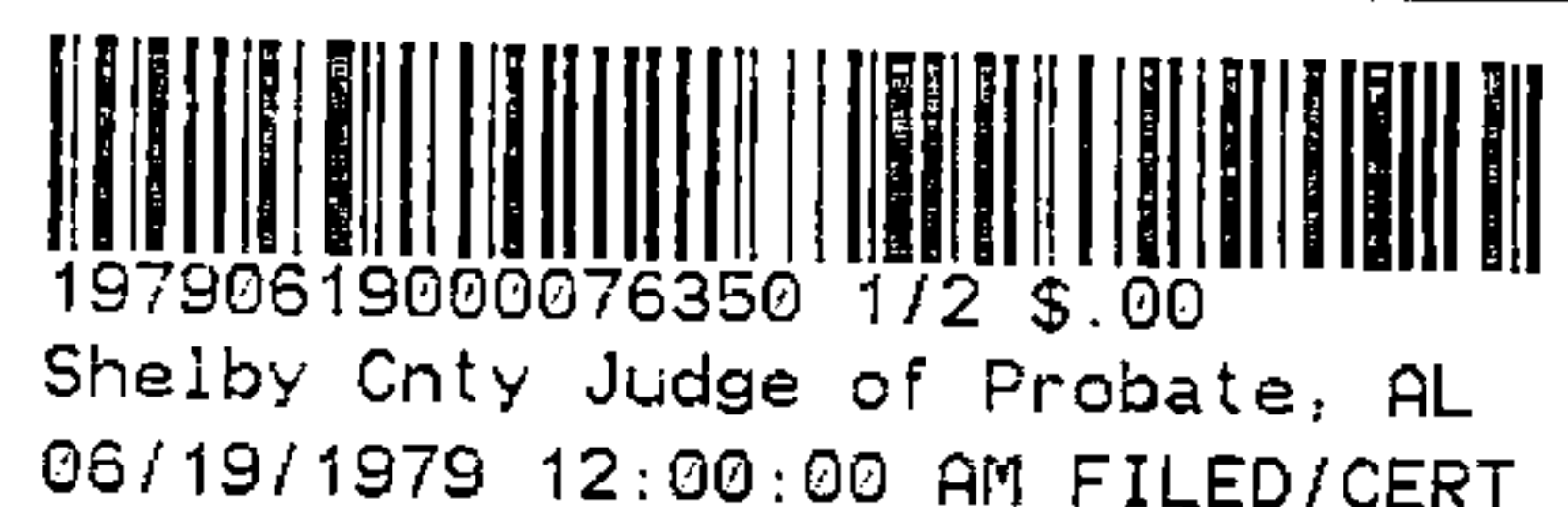
WHEREAS, said record owner adopted certain restrictions applicable to all lots in said survey of Brandywine, Second Sector, including the above described Lot 12, said restrictions being recorded in Misc. Book 21, Page 759 in the Probate Office of Shelby County, Alabama, and said restrictions contain a provision for a 40 foot building set-back line from the portion of the above described Lot 12 which fronts on MacQueen Drive;

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 12 by Jack McGuire Excavating Co., Inc., which violates said 40 foot set-back line provision in said restrictions; as shown in Exhibit "A";

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, Jack McGuire Excavating Co., Inc., 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.

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



Jack A. [redacted]

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 14th day of June 1979.

ARCHITECTURAL CONTROL COMMITTEE

Lenord Martin

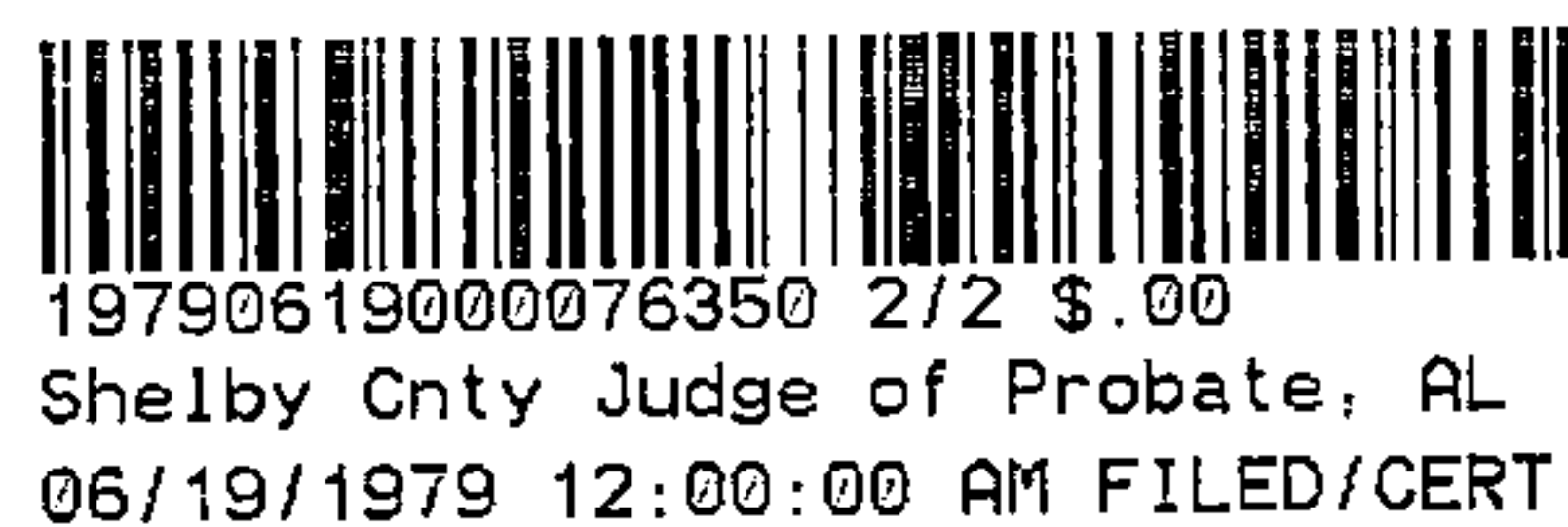
By: Beverly Thunderlock, Power of Attorney
LENORD MARTIN (Member)

Eloise Theobald
ELOISE THEOBALD (Member)

Jack A. McGuire
JACK MCGUIRE (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 14th day of June, 1979.

MY COMMISSION EXPIRES OCTOBER 26, 1982

[Signature]
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 14th day of June, 1979.

JUN 19 AM 9:06

[Signature]
Notary Public

MY COMMISSION EXPIRES OCTOBER 26, 1982

JUDGE OF PROBATE

Rec. 3.00
Ind. 1.00
11.00