

STATE OF ALABAMA }
Shelby COUNTY } KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Twenty-five thousand and no/100 (\$25,000.00) Dollars

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, HAROLD HALL and GEORGE BENTLEY, as Trustees under the provisions of deed dated February 15, 1971 recorded in Probate Office of Shelby County, Alabama, in Deed Book 266, page 341
(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto

Diane B. Ellis

(herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Property described on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "A" is signed by grantor for the purpose of identification.

All property conveyed hereby except that which has been previously subdivided by map recorded in the Office of Judge of Probate of Shelby County, Alabama, shall be subject to the restrictions and covenants shown on Exhibit "X" attached hereto and made part and parcel hereof as fully as if set out herein which said restrictions shall be binding on grantees, whether one or more, their heirs, successors and assigns.

BOOK 340 PAGE 883

TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons. who is authorized to execute this conveyance,

IN WITNESS WHEREOF grantor have hereunto set its signature hands(s) and seal(s), this 30th day of June, 1982

_____(Seal)
_____(Seal)
_____(Seal)

Harold Hall (Seal)
George Bentley (Seal)
AS TRUSTEES UNDER PROVISIONS OF DEED (Seal)
DATED FEBRUARY 15, 1971 RECORDED IN
PROBATE OFFICE OF SHELBY COUNTY, ALABAMA,
IN DEED BOOK 266, PAGE 341
General Acknowledgment

STATE OF ALABAMA }
Shelby COUNTY }

I, the undersigned, _____, a Notary Public in and for said County, in said State, hereby certify that Harold Hall and George Bentley whose name s as trustees are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they, as such trustees, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30th day of June, A. D., 1982
Dorothy Jackson

Notary Public.

EXHIBIT "A"

Lots 26, 27, 28, 29 and 30 in the 1978 Addition to Shelby Shores, recorded in Map Book 7, page 88 in the Probate Records of Shelby County, Alabama;

There is also conveyed to grantee, with reference to any water front lots, any land or interest therein owned by grantor which lies between the water front lot line and the 397 ft. contour line of Lay Lake.

A tract of land described as "Parcel 11" on Exhibit "B" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "B" is signed by grantor for the purpose of identification and has attached thereto Exhibit "B-1";

A tract of land described as "Parcel 15" on Exhibit "C" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "C" is signed by grantor for the purpose of identification;

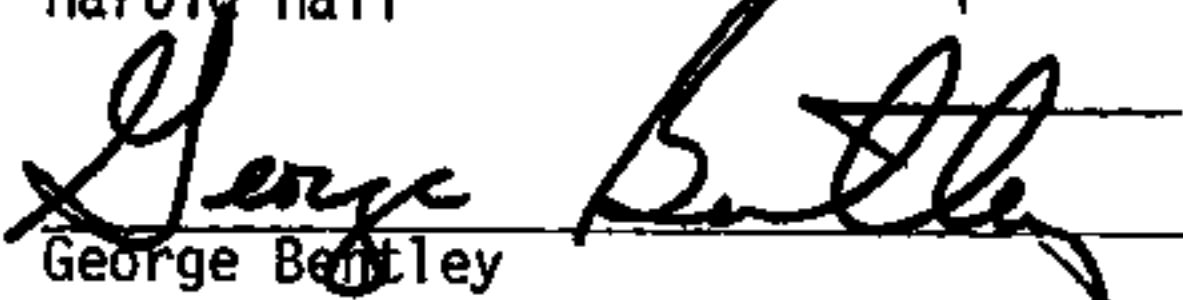
A tract of land described as "Parcel 18" on Exhibit "D" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "D" is signed by grantor for the purpose of identification;

A tract of land described as "Parcel 29" on Exhibit "E" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "E" is signed by grantor for the purpose of identification.

A tract of land described as "Parcel 29 A" on Exhibit "F" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "F" is signed by grantor for the purpose of identification.

SIGNED FOR IDENTIFICATION BY GRANTOR:


Harold Hall


George Bentley

AS TRUSTEES UNDER THE PROVISIONS OF DEED
DATED FEBRUARY 15, 1971 RECORDED IN
PROBATE OFFICE OF SHELBY COUNTY, ALABAMA,
IN DEED BOOK 266, page 341.

EXHIBIT "B"
PARCEL 11

Commence at the Northwest corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 12, T22S, R1E; Thence proceed in a Southerly direction along the West line of said $\frac{1}{4}$ for a distance of 627.10 feet to a point, being the point of beginning of the parcel of land herein described; Thence continue along said West boundary of said $\frac{1}{4}$ for 325.00 feet to a point; Thence turn an angle of 90° 12' 19" left and run 1174.40 feet to a point; Thence turn an angle of 49° 34' 42" left and run 66.34 feet to a point; Thence turn an angle of 10° 22' 34" right and run 119.21 feet to a point; Thence turn an angle of 63° 55' 19" left and run 175.62 feet to a point; Thence turn an angle of 45° 28' 19" left and run 53.97 feet to a point; Thence turn an angle of 31° 24' 14" left and run 1222.69 feet to the point of beginning. Said parcel is located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 12, T22S, R1E, and contains 9.5 acres, more or less. Excepted from said parcel is any and all portions of lands that lie below the datum plane of 397 feet above mean sea level as established by the USC & G Survey. Said parcel is also subject to a flood right up to the datum plane of 398 feet above mean sea level.

Also, an easement for ingress and egress and installation of utilities over and across road easement described on Exhibit "B-1" attached hereto and made part and parcel hereof as fully as if set out herein, which said Exhibit "B-1" is signed by grantor for identification.

SIGNED FOR IDENTIFICATION BY GRANTOR:


Harold Hall


George Bentley

AS TRUSTEES UNDER PROVISIONS OF DEED DATED
FEBRUARY 15, 1971, RECORDED IN PROBATE OFFICE
OF SHELBY COUNTY, ALABAMA, IN DEED BOOK 266,
PAGE 341

ROAD EASEMENT FOR ACCESS TO PARCELS 1 THROUGH 13

Commence at the Southwest Corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 12, T22S, R1E; Thence proceed in an Easterly direction along the South boundary of said $\frac{1}{4}$ for a distance of 406.69 feet to a point, being the point of beginning of the centerline of a 60 foot easement herein described; Thence turn an angle of 94° 52' 21" left and run 427.20 feet; Thence run along a curve to the right (Concave Easterly and radius = 435.87') for an arc distance of 175.70 feet; Thence run along a tangent section for 724.43 feet; Thence run along a curve to the right (Concave Southeasterly and radius = 227.17') for an arc distance of 111.37 feet; Thence run along a tangent section for 26.9 feet; Thence run along a curve to the left (Concave Northwesterly and radius = 7544.81') for an arc distance of 359.93 feet; Thence run along a tangent section for 15.52 feet; Thence run along a curve to the left (Concave Northwesterly and radius = 3583.17') for an arc distance of 199.95 feet; Thence run along a tangent section for 174.95 feet; Thence run along a curve to the left (Concave Northwesterly and radius = 848.69') for an arc distance of 238.42 feet; Thence run along a tangent section for 545.60 feet; Thence run along a curve to the left (Concave Westerly and radius = 399.17') for an arc distance of 167.96 feet; Thence run along a tangent section for 146.04 feet; Thence turn an angle of 48° 01' 34" right and run 91.50 feet; Thence run along a curve to the right (Concave Southeasterly and radius = 390.59') for an arc distance of 157.82 feet; Thence run along a tangent section for 48.18 feet to the point of ending. Said easement shall be sixty (60) feet in width, thirty feet each side of the above described centerline. Said easement is located in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, SE $\frac{1}{4}$ of SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 1, T22S, R1E, and the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 12, T22S, R1E.

SIGNED FOR IDENTIFICATION BY GRANTOR:

Harold Hall
 Harold Hall

George Bentley
 George Bentley

AS TRUSTEES UNDER PROVISIONS OF DEED DATED
 FEBRUARY 15, 1971, RECORDED IN PROBATE OFFICE
 OF SHELBY COUNTY, ALABAMA, IN DEED BOOK 266,
 PAGE 341

PARCEL 15

Commence at the SW Corner of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 12, T22S, R1E; Thence run Northerly along the West boundary line of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$, a distance of 247.10 feet to a point on the centerline of a private chert road and being also the point of beginning; Thence continue along the said West boundary line a distance of 398.36 feet to a point; Thence turn an angle of 25° 52' 29" to the right and run Northeasterly a distance of 365.58 feet to a point; Thence turn an angle of 97° 13' 32" to the right and run Southeasterly a distance of 661.62 feet to a point on the centerline of the above mentioned private chert road; Thence turn an angle of 101° 19' 55" to the right and run Southwesterly along said centerline a distance of 156.01 feet to a point; Thence continue along said centerline along a curve to the right (Concave Northwesterly) having a radius of 352.65 feet and a central angle of 30° 57' 30", an arc distance of 190.54 feet to a point; Thence continue along said centerline along the tangent of said curve a distance of 159.46 feet to a point; Thence continue along said centerline along a curve to the left (Concave Southeasterly) having a radius of 920.93 feet and a central angle of 11° 23' 15" an arc distance of 183.04 feet to a point; Thence continue along said centerline along the tangent of said curve a distance of 129.09 feet to the point of beginning. Said parcel of land is lying in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 12, T22S, R1E and contains 6.6 acres. Included in the above description shall be any and all portions of land that lie above the datum plane of 397 feet above mean sea level as established by the USC & G Survey. Excepted from the above description is any and all portions of land that lie below the datum plane of 397 feet above mean sea level as established by the USC & G Survey. Said parcel is also subject to a flood right up to the datum plane of 398 feet above mean

sea level. Said parcel of land is subject to a roadway right-of-way granted to Charles Zanaty as recorded in Deed Book 340 Page 600 in the office of Probate Judge of Shelby County.

Also, an easement 30 ft. in width for ingress and egress and installation of utilities which such easement is described in right-of-way deed to Charles Zanaty recorded in Deed Book 340 page 600, in the Office of Probate Judge of Shelby County, Alabama.

SIGNED FOR IDENTIFICATION BY GRANTOR:


Harold Hall


George Bentley

AS TRUSTEES UNDER PROVISIONS OF DEED DATED
FEBRUARY 15, 1971, RECORDED IN PROBATE OFFICE
OF SHELBY COUNTY, ALABAMA, IN DEED BOOK 266,
PAGE 341

BOOK 340 PAGE 888

PARCEL 18

The SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 7, T22S, R2E and all that portion of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 7, T22S, R2E that lies South of North River Drive, and all that portion of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 7, T22S, R2E that lies South and West of North River Drive, and all that portion of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 7, T22S, R2E that lies West of North River Drive and West of Marina Road and is more particularly described as follows: Beginning at the SW Corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 7, T22S, R2E; Thence run Northerly along the West boundary line of said SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and the West boundary line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 7, a distance of 2166.44 feet to a point on the South right-of-way line of North River Drive; Thence turn an angle of 81° 37' 34" to the right and run Southeasterly along said right-of-way line along a curve to the right (Concave Southwesterly) having a radius of 141.02 feet and a central angle of 88° 50' 17" an arc distance of 218.65 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 110.00 feet to a point; Thence continue along said right-of-way line along a curve to the left (Concave Northeasterly) having a radius of 238.28 feet and a central angle of 71° 00' 00" an arc distance of 295.27 feet to a point; Thence continue along said right-of-way line along a curve to the left (Concave Northerly) having a radius of 296.65 feet and a central angle of 41° 50' 00" an arc distance of 216.59 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 48.00 feet to a point; Thence continue along said right-of-way line along a curve to the right (Concave Southeasterly) having a radius of 327.13 feet and a central angle of 45° 00' 00" an arc distance of 256.93 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 280.00 feet to a point; Thence continue along said right-of-way line along a curve to the right (Concave Southwesterly) having a radius of 919.06 feet and a central angle of 6° 00' 00" an arc distance of 96.24 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 215.00 feet to a point; Thence continue along said right-of-way line along a curve to the right (Concave Westerly)

having a radius of 114.09 feet and a central angle of $111^{\circ} 45' 00''$ an arc distance of 222.52 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 35.72 feet to a point; Thence continue along said right-of-way line along a curve to the left (Concave Southeasterly) having a radius of 338.57 feet and a central angle of $38^{\circ} 35' 12''$ an arc distance of 228.01 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 257.95 feet to a point; Thence continue along said right-of-way line along a curve to the left (Concave Northeasterly) having a radius of 303.96 feet and a central angle of $57^{\circ} 24' 10''$ an arc distance of 304.53 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 100.00 feet to a point; Thence continue along said right-of-way line along a curve to the right (Concave Westerly) having a radius of 25.00 feet and a central angle of 90° an arc distance of 39.27 feet to a point on the Northwest right-of-way line of Marina Road; Thence run Southwesterly along the said right-of-way line of Marina Road along the tangent of said curve a distance of 135.00 feet to a point; Thence continue along said right-of-way line along a curve to the left (Concave Southeasterly) having a radius of 473.80 feet and a central angle of $25^{\circ} 31' 00''$ an arc distance of 211.01 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 218.51 feet to a point; Thence continue along said right-of-way line along a curve to the right (Concave Norwesterly) having a radius of 1348.51 feet and a central angle of $6^{\circ} 56' 49''$ an arc distance of 163.50 feet to a point on the South boundary line of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 7; Thence turn an angle of $74^{\circ} 29' 58''$ from the tangent of said curve and run Westerly along the said South boundary line of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and the South boundary line of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 7, a distance of 1375.79 feet to the point of beginning. Said parcel is lying in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, all in Section 7, T22S, R2E and contains 61.0 acres.

SIGNED FOR IDENTIFICATION BY GRANTOR:


 Harold Hall


 George Bentley

AS TRUSTEES UNDER PROVISIONS OF DEED DATED FEBRUARY 15, 1971, RECORDED IN PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, IN DEED BOOK 266, PAGE 341

PARCEL 29

Commence at the SW Corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 7, T22S, R2E; Thence run Northerly along the West boundary line of said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ a distance of 821.74 feet to a point; Thence turn an angle of 90° to the right and run Easterly a distance of 223.22 feet to a point on the Northeast 30 foot right-of-way line of North River Drive; Thence turn an angle of 34° 24' 09" to the right and run Southeasterly along said right-of-way line a distance of 100.00 feet to a point; Thence continue along said right-of-way line along a curve to the left (Concave Northerly) having a radius of 25.0 feet and a central angle of 90°, an arc distance of 39.27 feet to a point on the Northwest 30 foot right-of-way line of Marina Road; Thence continuing from last named point along the said right-of-way line of Marina Road along a curve to the left (Concave Northwesterly) having a radius of 3665.64 feet and a central angle of 3° 06' 00", an arc distance of 198.33 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 186.50 feet to a point; Thence continue along said right-of-way line along a curve to the right (Concave Southeasterly) having a radius of 390.59 and a central angle of 13° 40' 58" an arc distance of 93.28 feet to a point; Thence turn an angle of 90° to the right from the tangent of said curve and run Southeasterly a distance of 60.0 feet to a point on the South 30 foot right-of-way line of said Marina Road: (Also being the Northernmost corner of Lot 12 according to the Map of Shelby Shores - 1976 Addition as recorded in Map Book 6, page 107 in the Office of Probate Judge of Shelby County Alabama); Thence turn an angle of 13° 40' 58" to the left and run Southeasterly along the Northeast boundary line of said Lot 12 a distance of 150.0 feet to a point; Thence turn an angle of 93° 48' 38" to the left and run Northeasterly a distance of 92.20 feet to a point near the waters edge of Lay Lake; Thence turn the following angles and run the following distances along said waters edge viz: 0° 10' 15" to the right for 68.30 feet; 1° 13' 12" to the left for 81.08 feet; 22° 49' 22" to the left for 77.48 feet; 20° 47' 03" to the left for 69.58 feet; 28° 33' 39" to the left for 96.55 feet; 10° 35' 57" to the left for 57.62 feet; 24° 19' 07" to the

left for 54.68 feet; 46° 39' 24" to the left for 66.28 feet; 23° 42' 33" to the left for 63.05 feet; 14° 13' 21" to the right for 97.42 feet; 9° 24' 04" to the left for 66.24 feet; 20° 44' 02" to the right for 79.30 feet; 79° 56' 44" to the right for 16.02 feet; 40° 57' 03" to the right for 92.53 feet to an iron pin; Thence turn an angle of 81° 16' 11" to the left and run Westerly a distance of 108.44 feet to an iron found in place; Thence turn an angle of 26° 49' 48" to the right and run Northwesterly a distance of 157.25 feet to an iron found in place; Thence continue along the same line for a distance of 5.21 feet to a point on the Southeast right-of-way line of North River Drive; Thence turn an angle of 84° 40' 16" to the left and run Southwesterly along said right-of-way line along a curve to the left (Concave Southeasterly) having a radius of 278.57 feet and a central angle of 34° 31' 45" an arc distance of 167.88 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 257.95 feet to a point; Thence continue along said right-of-way line along a curve to the left (Concave Northeasterly) having a radius of 243.96 feet and a central angle of 57° 24' 10" an arc distance of 244.42 feet to the point of beginning. Said parcel is lying in the NW¼ of NE¼, and SW¼ of NE¼, all in Section 7, T22S, R2E and contains 7.2 acres.

Excepted from said parcel is any and all portions of lands that lie below the datum plane of 397 feet above mean sea level as established by the USC & G Survey. Said parcel is also subject to a flood right up to the datum plane of 398 feet above mean sea level.

SIGNED FOR IDENTIFICATION BY GRANTOR:

Harold Hall

Harold Hall

George Bentley

George Bentley

AS TRUSTEES UNDER PROVISIONS OF DEED DATED
FEBRUARY 15, 1971, RECORDED IN PROBATE OFFICE
OF SHELBY COUNTY, ALABAMA, IN DEED BOOK 266,
PAGE 341

EXHIBIT "F"

PARCEL 29 A

Beginning at the Northernmost corner of Lot 12 according to the Map of Shelby Shores - 1976 Addition as recorded in Map Book 6, page 107 in the office of Probate Judge of Shelby County Alabama. Said point being situated on the Southeast 30 foot right-of-way line of Marina Road; Thence run in a Northeasterly direction along said right-of-way line along a curve to the right (Concave Southeasterly) having a radius of 330.59 feet and a central angle of $17^{\circ} 19' 04''$ an arc distance of 99.92 feet to a point; Thence turn an angle of 90° to the left from the tangent of said curve and run in a Northwesterly direction a distance of 60.0 feet to a point on the Northwest 30 foot right-of-way line of said Marina Road; Thence turn an angle of 90° to the left and run Southwesterly along said Northwest right-of-way line along a curve to the left (Concave Southeasterly) having a radius of 390.59 feet and a central angle of $17^{\circ} 19' 04''$ an arc distance of 118.06 feet to a point; Thence turn an angle of 90° to the left from the tangent of said curve and run in a Southeasterly direction a distance of 60.0 feet to the point of beginning. Said parcel of land is lying in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 7, T22S, R2E and contains 0.15 acre.

SIGNED FOR IDENTIFICATION BY GRANTOR:


Harold Hall


George Bentley

AS TRUSTEES UNDER PROVISIONS OF DEED
DATED FEBRUARY 15, 1971 RECORDED IN
PROBATE OFFICE OF SHELBY COUNTY, ALABAMA,
IN DEED BOOK 266, page 341

1. These restrictions shall not apply to nor in any way change or modify existing restrictions on any lot or parcels previously subdivided and shown on recorded plats in the Probate Office of Shelby County, Alabama.

2. The premises shall be conveyed and shall be used exclusively for residential purposes. No business or commercial activity shall be allowed. Any property may be divided provided that no house or other structure used for any living quarters whatsoever shall be constructed on any parcel which shall contain less than 30,000 square feet of land area except as to Parcel 29 on the 1982 Survey which must have a minimum of 20,000 square feet in such water front lots. No more than one single family dwelling per 30,000 square feet of land area shall be allowed (20,000 square feet as to said Parcel 29). In addition to said one single family dwelling, the owner of each such parcel shall be allowed to build no more than one guest house and one other out structure in addition to a boat house on water front lots. In no event, however, shall the total number of structures, excluding a boat house on water front lots, exceed a total number of three.

3. Buildings shall be neat in appearance, and no building or structure shall be moved, constructed or erected on the premises, that may be considered detrimental to the neighborhood. Wood exteriors shall be stained or painted with two coats of paint or stain. Yards and property must be kept clean and neat in appearance.

4. No outside toilets shall be allowed and sanitary arrangements must comply with State and Local laws and regulations.

5. No residence of less than 700 square feet of heated area shall be erected or constructed.

6. There shall be no building, porch or projection extending nearer than thirty-five (35) feet from the front or road line of any lot or within twenty-five (25) feet from the property line of any abutting property owner. No building other than a pier or boat house not used for human occupancy, shall be constructed with any projection thereof extending nearer than fifty (50) feet to the normal high water mark of Lay Lake.

7. No animal or fowl shall be kept or maintained on said property except as herein provided but nothing herein shall be construed to prevent or prohibit the owner from keeping as a domestic pet a cat, dog or birds provided the number thereof and the existence thereof do not constitute an interference with the ability of other property owners to enjoy their property. The owner of any parcel containing three (3) or more acres may have horses or cattle totaling not more than one such animal per acre. House trailers and mobile homes of any and every type shall be prohibited. No house or structure of any kind or character shall be allowed which now has or has ever had affixed to the same any wheels or an axle or axles used for transporting the same, or which now has or has ever had an original exterior wall or walls constructed out of a metallic substance of any kind. Nothing contained herein shall prevent, however, the installation of aluminum or metal siding of an attractive nature and color over an original exterior wall constructed of wood on a building already located on the property. No building or structure shall be allowed which has ever been sold or advertised as a mobile home, house trailer or a modular home or which has ever been sold by or through any dealer or other person who engages in the sale of such.

8. No property may be subdivided or reduced in size by voluntary alienation, judicial sale or other proceedings unless done in compliance with these restrictions.

9. No property shall be sold or used for the purpose of extending any public or private road, street or alley, or for the purpose of opening any road, street or alley except for the sole and limited purpose of such road, street or alley which is restricted to provide ingress and egress to and from any portion of property which was described in that certain deed dated October 21, 1959, in favor of Lewis B. Walker, Wales W. Wallace, Jr., George Horn, Margaret Christie, Roy Downs, Conrad H. Fowler and Harold Hall and recorded in Deed Book 205, Page 369, in the Probate Records of Shelby County, Alabama, less and except any portion thereof previously conveyed to Shelby Shores, Inc. and such road, street or alley not be used to provide ingress or egress directly or indirectly to any other property.

10. These restrictions shall be considered as covenants running with the land and shall bind the purchaser and his heirs, executors, administrators, and all future assigns of said premises or any part or parts thereof. These said covenants may be changed by a majority of the following after twenty-five (25) years from the date hereof, namely, Diane B. Ellis, George T. Bentley, Dorothy D. Schroeder, William M. Schroeder, David P. Downs, Conrad H. Fowler,

Wales W. Wallace, Jr., and Harold Hall (hereinafter referred to as "original owners"), or their heirs, successors and assigns. These restrictions are imposed for the sole benefit of the owners named in this paragraph and their heirs, successors and assigns coming into existence or occurring after May 15, 1982.

11. The exterior finish and general clean-up of construction must be completed within one year after starting construction of cottage. Any unfinished or temporary type of material is prohibited for use on the exterior of any residence.

12. No pier, boat house, or other structure of any kind whatsoever shall be constructed out in the water or in or below the normal water level of Lay Lake or its backwaters, or any part thereof, if the same interferes with the reasonable and convenient use of water and water access by the persons, firms or corporations owning water front property.

13. No owner of any water front property shall provide any public launching site for the purpose of launching boats or other access to the water and no public launching sites will be allowed except for the limited use of such owner and his heirs, successors and assigns, and their personal guests.

14. The following restrictions shall apply only to that property lying West of Kelly Creek, sometimes referred to as Flat Branch, and shall be construed as additional restrictions on that property in addition to all of the above restrictions.

(1) Each owner, his heirs, successors and assigns, shall have a right-of-way for ingress and egress over and along the existing road constructed in 1981 and shall have the right to install or have installed electric lines, telephone lines, gas and water lines over and along the right-of-way thereof. Each owner, their heirs, successors and assigns, shall have responsibility for using said road in a manner which will not damage the same and shall be responsible for repairing any damage which may be caused by such owner or his or her heirs, successors or assigns. All owners, their heirs, successors and assigns who have constructed any improvements on said property or any part thereof shall be responsible jointly for the general up keep and maintenance of said road. A committee shall be formed with each separate property owner or parcel having one membership on said committee. In the event there is more than one owner named on any given deed, said owners shall have the right to designate one representative on the committee. Any committee member who owns more than one parcel in such area shall have an additional vote on said committee for such additional parcel provided, however, that no parcel may be subdivided simply for the purpose of providing more votes on said committee. Such committee will decide by majority vote when and if maintenance work needs to be done on said property and shall fairly allocate or divide the cost thereof among those owners having responsibility for road maintenance as above specified. Once said sum is allocated, the same shall be due and payable by such owner within thirty days and shall thereafter constitute a lien against the land of the owner thus assessed. This committee shall be a separate committee from the committee of the original owners or grantees as hereafter described. It is understood and agreed that a maintenance fund in the amount of Five Thousand and no/100 (\$5,000.00) Dollars shall be established in the names of one or more of the original grantees named in Paragraph 10 above. The proceeds of said fund shall be maintained solely and exclusively in the name or names of one or more of such original owners as long as one or more of such original owners survive and may be used by such original owner or owners in their sole discretion for such general road maintenance as is desired by the remaining original owners. In the event any original owner dies while still owning a property in this area, his surviving spouse or children who become subsequent owners thereof by inheritance shall have the right to take the place of such original owner in relationship to said fund. The existence of this

-3-

fund will not in any way diminish or relieve any owner of any property of the duty to contribute his, her or its share of road maintenance.

(2) In the event any parcels West of Kelly Creek, sometimes called Flat Branch, are ever subdivided or reduced in size, volutarily or involuntarily, by judicial order, or otherwise, each such water front parcel shall have at least 150 feet of water front and contain at least one and one-half acre in size; any such nonwater front parcel must contain at least three acres. In the event all of the land West of the 1981 constructed access road in any original parcel as described in the original division in 1982 shall contain less than three acres, the same may still be used as one separate parcel but may not be further subdivided.

(3) If any original parcel as described on the 1982 Survey shall have constructed thereon, whether later subdivided or not, more than two residences, the owner of the third residence and each residence thereafter, prior to construction, shall contribute the sum of \$1,000.00 per residence to the owners' road fund above referred to, the same to be used by the original owners in their sole discretion as above provided.

(4) In the event a majority of the above named original owners who still own property in this area desire to do so, they may install a gate across the entrance road at the South property line, provided all owners, original and subsequent, are given keys if same is locked.

(5) As long as any one or more of the original owners survives, they will have the right to dedicate the 1981 access road as a public road in the event Shelby County shall indicate a willingness to accept the same.

(6) The original owners reserve the right to change or modify these restrictions by a majority vote of the said original owners within the next 25 years. Thereafter, said restrictions may be modified only by the general membership committee described above.

Dated this 30 day of June, 1982.

<u>Diane B. Ellis</u> Diane B. Ellis	<u>George T. Bentley</u> George T. Bentley
<u>Dorothy D. Schroeder</u> Dorothy D. Schroeder	<u>William M. Schroeder</u> William M. Schroeder
<u>David P. Downs</u> David P. Downs	<u>Conrad M. Fowler</u> Conrad M. Fowler
<u>Wales W. Wallace, Jr.</u> Wales W. Wallace, Jr.	<u>Harold Hall</u> Harold Hall

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

1982 JUL -8 AM 11: 29

Thomas A. Shanderson, Jr.
JUDGE OF PROBATE

Recd TAX 25.00
Recd 21.00
Fees 1.00
47.00

BOOK 340 PAGE 896