

STATE OF ALABAMA)
)
SHELBY COUNTY)

286

PARTY WALL AGREEMENT

THIS AGREEMENT made and entered into this 27th day of August, 1982, by and between RIVERCHASE TOWNHOMES, II, LTD., an Alabama limited partnership, hereinafter referred to as "Developer", on behalf of itself and all adjoining landowners within the subdivision, and Jeffrey C. Kirby and Jenny O. Kirby, James E. Gilreath and Barbara A. Gilreath, hereinafter referred to as the "Purchasers":

WHEREAS, Developer is the owner, or entitled to contract on behalf of the owners of certain real property located in Shelby County, Alabama, and more particularly described as follows:

Davenport's Addition to Riverchase West-Sector III
as recorded in Map Book 8, Page 53 in the Probate
Office of Shelby County, Alabama.

These lands being a townhouse development of a townhome nature, currently referred to as Riverchase Townhomes, and

WHEREAS, the Developer is the owner, or entitled to contract on behalf of the owners, of all lots included therein, specifically including, but not limited to Lot 78, which lot is being purchased by the "Purchasers" simultaneously with the signing of this agreement, and specifically including, but not being limited to the adjoining lot 78 or lots 77 and 79, and

AND WHEREAS, Developer has erected certain residential buildings on said lots which have or may have either one or two (as the case may be) common and adjoining walls built on or at the lot lines of each respective lot and specifically the lots referred to herein, which common and adjoining walls between the adjacent buildings are agreed to be party walls and to be constructed with one-half (1/2) of their thickness on each side of the division line between the premises of the

respective individual owners of the homes built on each respective lot.

NOW, THEREFORE, for good and valuable consideration, including the purchase price and sale of the subject lot to the Purchasers and including the covenants and agreements herein contained, the parties hereto do hereby agree for themselves and for their respective heirs, successors, assigns, executors and administrators, as follows:

1. It is understood and agreed between the parties that the party

KENNETH D. WALLIS
ATTORNEY AT LAW

SUITE 107 COLONIAL CENTER

1007 MONTGOMERY HIGHWAY SOUTH

MOBILE, ALABAMA 36686

[illegible]

11. The undersigned hereby assigns and cures to the benefit of the
 12. undersigned, his personal representative, his
 13. heirs, administrators, assigns, for the entire term of
 14. years, all right, title and interest in and to the

1. The above information is to be used for the purpose of having executed a bill of exchange.

Witness the day and year first above written.

RIVERCHASE TOWNHOMES II, LTD.

JAMES D. DAVENPORT,
GENERAL PARTNER, - DEVELOPER

Jeffrey C. Kirby PURCHASER

Jenny O. Kirby PURCHASER

James E. Gilreath

Barbara A. Gilreath

NOTARY PUBLIC
I CERTIFY THIS
DOCUMENT WAS FILED

1982 SEP -7 AM 10:07

Thomas A. Shoups, Jr.
JUDGE OF PROBATE

Rec. 85c
Pd. 10c
95c

BOOK 46 PAGE 664

NOTARY PUBLIC
COUNTY OF ALABAMA

I, the undersigned Notary Public in and for said county in
and for said state, do hereby certify that RIVERCHASE TOWNHOMES II, LTD., an
artificial entity, has been created, by James D. Davenport, General Partner, and
developed, and whose name is signed to the foregoing PARTY WALL, and
who is known to me, acknowledged before me that, being informed of the
contents of said PARTY WALL AGREEMENT, he executed the same voluntarily
and of his own free will and accord, on the day the same bears date.

Witness my hand and seal of office this the 27th day of

August, 1982.

NOTARY PUBLIC
COUNTY OF ALABAMA

I, the undersigned Notary Public in and for said county in
and for said state, do hereby certify that Jeffrey C. Kirby and wife, Jenny O. Kir
/James E. Gilreath and Barbara A. Gilreath, who are known to me, are signed to the fore-
going PARTY WALL AGREEMENT, and who are known to me, acknowledged before
me that, being informed of the contents of the PARTY WALL AGREEMENT,
they executed the same voluntarily and as their act on the day
the same bears date.

Witness my hand and seal of office this the 27th day of

August, 1982.

NOTARY PUBLIC
COUNTY OF ALABAMA