

AMENDMENT TO RESTRICTED USE

On or about May 1, 1978, Joe A. Scotch and wife, Peggy P. Scotch, conveyed the following described property located in Shelby County, Alabama:

A parcel of land located in the North-east 1/4 of the Southeast 1/4 of Section 12, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows: Commence at the Southwest corner of said 1/4 - 1/4 Section, thence in an Easterly direction, along the South line of said 1/4 - 1/4 Section, a distance of 242.84 feet to the Point of Beginning, thence continue along last described course a distance of 602.15 feet to the Northwesterly Right-of-Way Line of Alabama Highway 119, thence 48 degrees 21 minutes 35 seconds left, in a Northeasterly direction, along said Right-of-Way Line, a distance of 86.58 feet, thence 90 degrees left, in a Northwesterly direction, a distance of 450.0 feet, thence 90 degrees left, in a Southwesterly direction, a distance of 486.68 feet to the Point of Beginning.

Said Parcel contains 2.96 acres.

Subject to taxes and easements and restrictions of record.

The within described property is restricted to use for single family dwellings of no less than 2,000 square feet of heated living area.

Said property carries with it a restriction recorded in book 313, page 51, recorded in the Probate Court of Shelby County, Alabama. Said restriction specifically pertains to the use of single family dwellings of no less than 2,000 square feet of heated living area. Said parcel of property has now been divided into three separate lots with the restriction being attached to each of these lots. It is the intent of the property owners and the grantor to change the restriction placed on the aforementioned parcel by limiting the square footage of heated living area from 2,000 square feet to <sup>1,800</sup> ~~2,000~~ square feet. *1,800 sq ft per lot. See S.K. J.P.S.*

WHEREFORE, we, P. Lauren Barrett and wife, Deborah B. Barrett; George Kurtts and wife, Sammi Lie Kurtts; Peggy P. Scotch, individually and as Co-Executor along with Joe A. Scotch, Jr. of the Estate of Joe A. Scotch, deceased on June

*Edwyna R. Johnson III  
562 Navajo Trail  
Alabama, AL 35007*

53 PAGE 235

BOOK

30, 1983; and Edwyn R. Johnson, III and wife, Deborah M. Johnson, hereby agree to modify the restriction previously recorded in volume 313, page 51, in the Probate Office of Shelby County, Alabama. Said restriction being as follows:

The within described property is restricted to use for single family dwellings of no less than 2,000 square feet of heated living area.

WHEREFORE, all necessary parties are joined and hereby agree that the restriction recorded in real volume 313, page 51, in the Probate Office of Shelby County, Alabama, be and is hereby modified from the square footage of 2,000 square feet to ~~1,650~~ <sup>1,800</sup> square feet and shall henceforth run with the parcel heretofore previously described and the lots which were made from said parcel, to read as follows:

The within described property is restricted to use for single family dwellings of no less than ~~1,650~~ <sup>1,800</sup> square feet of heated living area.

Sworn to and subscribed on this the 19<sup>th</sup> day of October, 1983.

BOOK 53 PAGE 236

P. Lauren Barrett

P. Lauren Barrett

Deborah B. Barrett

Deborah B. Barrett

George E. Kurtts

George Kurtts

Sammy Lee Kurtts

Sammy Lee Kurtts

Peggy P. Scotch

Peggy P. Scotch, Individually

Peggy P. Scotch

Peggy P. Scotch, as Co-Executor of the Estate of Joe A. Scotch, Deceased

Joe A. Scotch, Jr.

Joe A. Scotch, Jr., as Co-Executor of the Estate of Joe A. Scotch, Deceased

Edwyn R. Johnson, III

Edwyn R. Johnson, III

Deborah M. Johnson

Deborah M. Johnson

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

1983 OCT 19 AM 11:21

Thomas G. Snowden, Jr.  
JUDGE OF PROBATE

Rec 3.00  
Jud 1.00  
6.00

Sworn to and subscribed before me, this 19<sup>th</sup> day of October, 1983.

Judy Ann Waller  
Notary Public

My commission expires  
6/17/84

