

STATE OF ALABAMA )

SHELBY COUNTY )

VARIANCE TO RESTRICTIONS

WHEREAS, On October 23, 1986, Havenwood Park, Inc., owner of all lots in the survey of Havenwood Park, Second Sector, recorded in Map Book 10, Page 47, in the Office of the Judge of Probate of Shelby County, Alabama, did heretofore file for record certain protective covenants and restrictions applicable to all lots in said survey of Havenwood Park, Second Sector; and

WHEREAS, the said covenants and restrictions are recorded in Real Book 96, Page 870, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, paragraph four (4) of the said covenants and restrictions provides that no dwelling shall be erected on said property, the front line of which shall be nearer the street on which the property faces than is shown on said record map of Havenwood Park, Second Sector; and

WHEREAS, improvements situated on Lot 1, Block 1, according to the survey of Havenwood Park, Second Sector, as recorded in Map Book 10, Page 47, in the Shelby County Probate Office, are located nearer the front line than is permitted in said paragraph four (4) of said covenants and restrictions, as recorded in Real Book 96, Page 870, in the Shelby County Probate Office; and

WHEREAS, paragraph nine (9) of said covenants and restrictions provides that Havenwood Park, Inc., its successors or assigns may, amend, modify, release, or void any one or more of the recorded covenants and restrictions; and

WHEREAS, Havenwood Park, Inc., by its President, Emmett W. Cloud, has agreed to modify the building line restrictions so as to consent to the location of the residence situated on said Lot 1, Block 1, Havenwood Park, Second Sector, as now built;

NOW THEREFORE, in consideration of the premises and the sum of One Dollar and No/100's (\$1.00) in hand paid to Havenwood Park, Inc., the receipt of which is hereby acknowledged, the undersigned, Havenwood Park, Inc., by its President, Emmett W. Cloud, does hereby amend and modify the said protective covenants and restrictions recorded in Real Book 96, Page 870, in the Shelby County Probate Office, so as to allow and permit the said lot line description on said Lot 1, Block 1, Havenwood Park, Second Sector, to accomodate the residence built on said lot, in said survey.

✓  
Cubaba Title

IN WITNESS WHEREOF, the undersigned, Havenwood Park, Inc., by its President, Emmett W. Cloud, has hereunto set its hand and seal this 30<sup>th</sup> day of DECEMBER, 1986.

HAVENWOOD PARK, INC.

BY: Emmett W. Cloud  
President

STATE OF ALABAMA )

SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify the EMMETT W. CLOUD, whose name as President of Havenwood Park, Inc., a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 30<sup>th</sup> day of DECEMBER, 1986.

Theresa A. Hawk  
Notary Public

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

1987 JAN -7 AM 10:23

Theresa A. Hawk  
JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ <u>5.00</u>
Index Fee	<u>1.00</u>
TOTAL	\$ <u>6.00</u>