

Oct 1 - 8 1988

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RELEASE

WHEREAS, on August 5, 1988, a Quitclaim Deed was executed by the United States of America, acting by and through the Farmers Home Administration, Grantor, to Bruce McKittrick, Grantee(s). The Quitclaim Deed is recorded in Shelby County, Alabama, in the Office of the Judge of Probate in 204, pages 997-999.


WHEREAS, the Quitclaim Deed contains the following covenant:

"Pursuant to section 519(e) of the Housing Act of 1949, as amended, 42 U.S.C. §1480(e), the purchaser ('Grantee herein) of the above-described real property (the 'subject property' herein) covenants and agrees with the United States acting by and through Farmers Home Administration (the 'Grantor' herein) that the dwelling unit(s) located on the subject property as of the date of this Quitclaim Deed shall not be occupied or used for residential purposes until such time as such unit(s) is structurally sound and habitable, has a potable water supply, has a functionally adequate, safe, and operable heating, plumbing, electrical and sewage disposal system and meets the Thermal Performance Standards as outlined in Exhibit D of 7 C.F.R. Part 1924 Subpart A. This covenant shall be binding on Grantee and Grantee's heirs, assigns and successors and shall be construed as both a covenant running with the subject property and as an equitable servitude. This covenant shall be enforceable by the United States in any court of competent jurisdiction. At such time as the existing dwelling unit(s) on the subject property complies with the aforementioned Standards of the Farmers Home Administration or such unit(s) shall have been completely razed, upon application to Farmers Home Administration in accordance with its regulations, the subject property may be released from the effect of this covenant and this covenant shall thereafter be of no further force or effect."

NOW THEREFORE, for one dollar and other valuable consideration, the United States of America, acting by and through the Farmers Home Administration, does hereby release the property described in the above-described Quitclaim Deed from the covenant which is listed in this release.

Dated this 26th day of October, 1988.

✓  
Sue Hope  
P.O. Box 69  
1111 111 25121

  
William E. Somerall (Name and Title)  
Acting State Director

STATE OF ALABAMA }  
COUNTY OF MONTGOMERY }

ACKNOWLEDGMENT

I, Sherrie S. Perdue, a Notary Public in and for said County in said State, hereby certify that William E. Somerall, whose name as Acting State Director of the Farmers Home Administration, United States Department of Agriculture, 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 the instrument, he, in his capacity as Acting State Director of the Farmers Home Administration, United States Department of Agriculture, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 26th day of October, 19 88.

Sherrie S. Perdue  
Notary Public  
State of Alabama at Large

(NOTARIAL SEAL)

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

My Commission Expires 88 NOV 15 AM 8:12

10-14-91

Thomas P. Shanderson Jr.  
JUDGE OF PROBATE

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