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EXHIBIT "A"

RELEASE AND WAIVER OF PROTECTIVE COVENANT

WHEREAS, the undersigned, South Forty Corporation, by and through its authorized officer, is the developer of the subdivision known as South Forty Subdivision as recorded in Map Volume 11, Page 102, in the Office of the Judge of Probate, Shelby County, Alabama, situated in the Northeast Quarter of Section 18, Township 21, South Range 2 West, Shelby County, Alabama.

WHEREAS, the undersigned desires to release and waive all restrictions and protective covenants as recorded in Book 181, Page 882 in the Office of the Judge Probate, Shelby County, Alabama, as applies to Lot 18 of the South Forty Subdivision as recorded in Map Book 11, Page 102 in the Office of the Judge of Probate, Shelby County, Alabama.

NOW THEREFORE, based on the premises, the provisions set out herein, the purchase of Lot 18 as described hereinabove by Cardinal Homes, Inc., and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned hereto agree as follows:

1. That the undersigned by the execution of this Release and Waiver of Protective Covenant, on behalf of South Forty Corporation and the Architect Control Committee as provided for in the protective covenants previously recorded in Book 181, Page 882 in the Office of the Judge of Probate, Shelby County, Alabama, pertaining to the South Forty Subdivision as described hereinabove, do specifically release and waive the application of said protective covenants and any and all approval as provided for by such protective covenants and as to Lot 18 of South Forty Subdivision.

2. That the undersigned by the execution of this Release and Waiver of Protective Covenant does approve the existing improvements and structures on Lot 18 and the plans and specifications relating to such improvements in that the same is substantially complete and pursuant to the terms and conditions of the protective covenants as referred to hereinabove, approval is hereby acknowledged and certified by the signature of the undersigned on behalf of the Architect Control Committee and South Forty Corporation, developer of South forty Subdivision, and as recorder and issuer of the protective covenants referred to hereinabove.

Cardinal Homes
P.O. Box 74

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3. That no further action is required in order to release, waive and/or approve the present structure as existing pursuant to the present plans, specifications and improvements located on Lot 18 of South Forty Subdivision other than the recording and filing of this Release and Waiver of Protective Covenant.

IN WITNESS WHEREOF, the undersigned, South Forty Corporation, has hereunto set its hand and seal this the day of December, 1988, by its authorized agent and the members of the Architect Control Committee do acknowledge and approve the existing plans, specifications and improvements located on Lot 18 by the execution of this document.

SOUTH FORTY CORPORATION

BY:

Roger D. Massey, President
Roger D. Massey, President

Roger D. Massey
Roger D. Massey, member of
Architect Control Committee

Dr. Lochlan Campbell
Dr. Lochlan Campbell, member of
Architect Control Committee

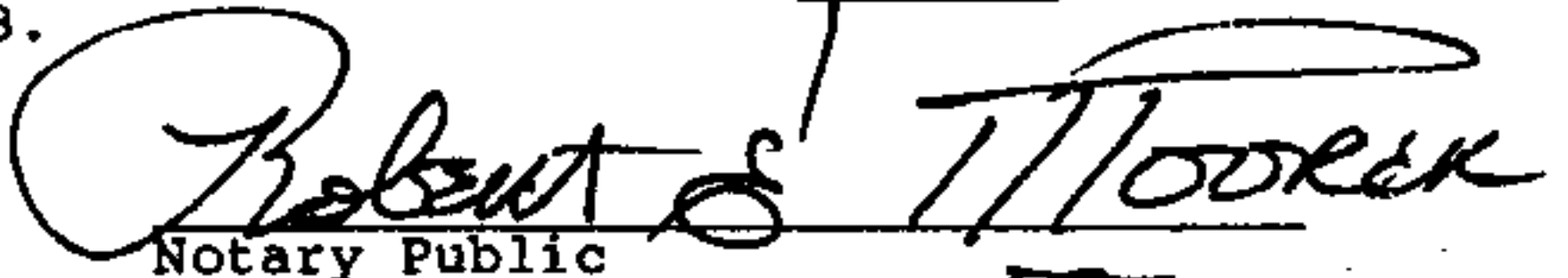
Steve Whittle
Steve Whittle, member of
Architect Control Committee

STATE OF ALABAMA *
 *
COUNTY OF JEFFERSON *

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Roger D. Massey, whose name as President of South Forty Corporation, a corporation, is signed to the foregoing instrument, and who is known to me on this day, that being informed of the contents of said 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 seal, this the 22nd day of DECEMBER, 1988.


Notary Public
My Commission Expires: FR
11.5.90

STATE OF ALABAMA *
*
COUNTY OF JEFFERSON *

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Roger D. Massey, individually and member of Architect Control Committee, whose name is signed to the foregoing, and who is known to me, acknowledged before me on this day, that being informed of the contents of said instrument, he executed the same voluntarily.

Given under my hand and seal, this the 22nd day of DECEMBER, 1988.


Notary Public
My Commission Expires: 11.5.90

STATE OF ALABAMA *
*
COUNTY OF JEFFERSON *

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Dr. Lochlan Campbell, individually and member of Architect Control Committee, whose name is signed to the foregoing, and who is known to me, acknowledged before me this day, that being informed of the contents of said instrument, he executed the same voluntarily.

Given under my hand and seal, this the 22nd day of DECEMBER, 1988.


Notary Public
My Commission Expires: 11.5.90

STATE OF ALABAMA *

COUNTY OF JEFFERSON *

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Steve Whittle, individually and member of Architect Control Committee, whose name 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 said instrument, he executed the same voluntarily.

Given under my hand and seal, this the 29th day of DECEMBER, 1988.

Robert S. T. Tooten
Notary Public
My Commission Expires: 11.5.90

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STATE OF ALABAMA
I CERTIFY THIS
INSTRUMENT WAS FILED

89 JAN -4 AM 8:20

Thomas H. Shawcross, Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee 10.00

Index Fee 1.00

TOTAL 11.00