

PREPARED BY:
JOE C. BAILEY, JR.
1326 SMYER LAKE ROAD
LEEDS, AL. 35094

STATE OF ALABAMA
COUNTY OF SHELBY


KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of One Dollar (\$1.00) and other valuable considerations paid by the Grantees herein, Joseph C. Bailey, Jr. and Anne P. Bailey, to the Grantors herein, S. W. Smyer, Jr. and wife, Astrid M. Smyer, receipt of which is acknowledged, we the said Grantors do hereby release, cancel, and annul the following condition, limitation, and restriction contained in the deed from Grantors to Grantees dated September 6, 1983, and recorded in Book 349, Page 898 in the office of the Judge of Probate of Shelby County, Alabama, and covering the conveyance of approximately 0.31 of an acre, minerals and mining rights excepted, adjacent to Lot 23 according to map and survey of Mountain View Lake Company, Second Sector, as recorded in Map Book 3, Page 150, Shelby County, Alabama:

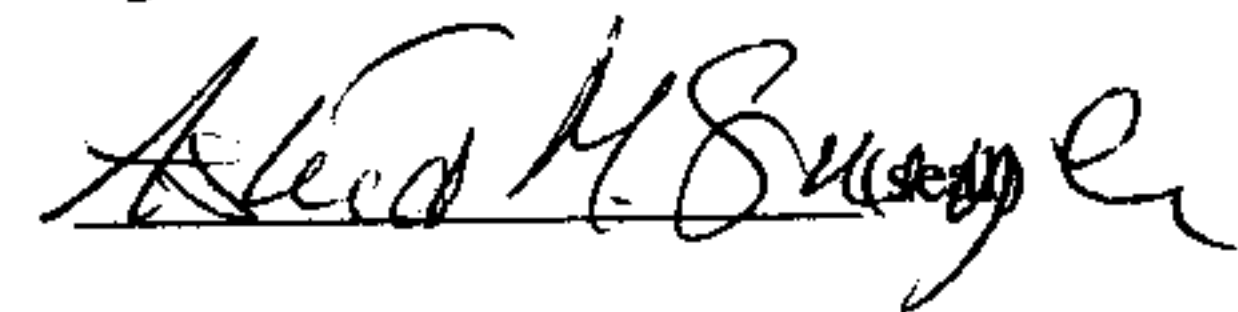
"This conveyance is made subject to the following limitation which shall be binding upon the Grantees, their heirs and assigns for a period of 25 years from the date hereof:

No improvement or structure (except road and fence) may be erected upon the real estate herein conveyed and Grantees, their heirs and assigns, agree to include the real estate herein conveyed in any conveyance of Lot 22, according to the survey of Mountain View Lake Company, Second Sector."

This instrument is given for the sole purpose of releasing the above real estate from said condition, limitation, and restriction.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 18TH day
of January, 2002

 (Seal)

 (Seal)

State of Alabama

County of Jefferson

I, the undersigned Notary Public in and for said County, in said State, hereby certify that S. W. Smyer, Jr., and wife, Astrid M. Smyer, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day, that being informed of the contents of this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 18 day of January, 2002



Notary Public

MY COMMISSION EXPIRES DECEMBER 10, 2003

Inst # 2002-03492

01/22/2002-03492
09:53 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 CH 11.50