

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

WITHDRAWAL OF PROPERTY FROM RESTRICTIVE COVENANTS

THIS WITHDRAWAL OF PROPERTY FROM RESTRICTIVE COVENANTS (this "Agreement") is made and entered into as of the 10th day of June, 2002 by HARBAR HOMES, INC., a corporation ("Developer").

RECITALS:

Developer has heretofore caused the Chase Plantation Subdivision Declaration of Protective Covenants, Restrictions, Easements, Rights and Liens dated March 5, 1986 (the "Declaration") to be recorded in Real 66, Page 616 in the Office of the Judge of Probate of Shelby County, Alabama.

Lot 53, according to the Survey of Chase Plantation 4th Sector, as recorded in Map Book 9, Page 156A and B in the Office of the Judge of Probate of Shelby County, Alabama ("Lot 53"), is currently subject to and encumbered by the Declaration.

Pursuant to the terms and provisions of Paragraph 20 of the Declaration, Developer desires to release Lot 53 from all of the terms and provisions of the Declaration.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Developer does hereby declare that, pursuant to Paragraph 20 of the Declaration, Lot 53 is hereby withdrawn and released from all of the terms and provisions of the Declaration. From and after the date hereof, no portion of Lot 53 shall be deemed to be subjected to or encumbered by any of the terms and provisions of the Declaration. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the current and all future owners of Lot 53 or any portion thereof.

IN WITNESS WHEREOF, Developer has caused this Agreement to be executed
as of the day and year first above written.

HARBAR HOMES, INC., a corporation

By: Denney Barrow
Its: Vice President

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby
certify that Denney Barrow, whose name as Vice President of HARBAR
HOMES, 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 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 official seal this 10th day of June, 2002.

Alesia H. Ray
Notary Public

[NOTARIAL SEAL]

My commission expires: 3/19/04

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Mar 19, 2004
BONDED THRU NOTARY PUBLIC UNDERWRITERS

This instrument prepared by and
upon recording should be returned to:

Stephen R. Monk, Esq.
Bradley Arant Rose & White LLP
2001 Park Place, Suite 1400
Birmingham, Alabama 35203
(205) 521-8429