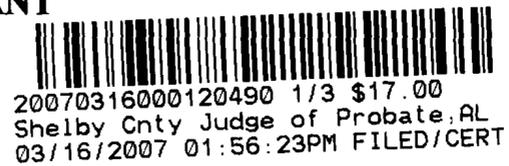


DECLARATION OF RESTRICTIVE COVENANT



This Declaration is made as of the 8 day of March 2007

By RIVERCHASE CORNERS, LLC (jointly and severally, "Declarant") to and for the benefit of Pierce Hardy Limited Partnership ("Seller"), having a mailing address of 1019 Route 519, Eighty Four, PA 15330.

RECITALS

- A. On the 8 day of MARCH, 2007 Seller has conveyed to Declarant a certain parcel of land located in the County of Shelby, Alabama see more fully described on Schedule A herein (the "Subject Property").
- B. In consideration of the purchase and sale of the Subject Property, Declarant has agreed to make this Declaration upon the terms and conditions hereinafter set forth.

NOW THEREFORE, for good and valuable consideration, intending to be legally bound, Declarant hereby covenants, declares and agrees as follows:

- 1. **Incorporation By Reference** - The above recitals are incorporated herein and made a part hereof.
- 2. **Declaration** - None of the Subject Property as described more fully on Schedule A herein (collectively the "Encumbered Property") shall be used for the operation of a retail lumber or building supply business or truss manufacturing company for a period of twenty (20) years after the date hereof.
- 3. **Run With The Land** - The terms and conditions of this Declaration shall run with the land and shall be binding upon Declarant and their respective heirs, representatives, successors and assigns and shall benefit Seller and its successors and assigns.
- 4. **Recordation** - This Declaration shall be recorded in the appropriate land records of each county or appropriate local jurisdiction within the location of the Encumbered Property.
- 5. **Modifications** - This Declaration may not be modified, waived or amended except by a written instrument executed by Seller, its successors or assigns.
- 6. **Headings Not Controlling** - Headings used in this Declaration are for reference purposes only and shall not be deemed a part of this Declaration.

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date first written above.

Witness: J. C. Map

RIVERCHASE CORNERS, LLC
R. Connor Farmer
By: R. Connor Farmer
Its: Member

(All Declarants Must Sign)

This Instrument was prepared by and after recording should be returned to:

Pierce Hardy Limited Partnership
1019 Route 519
Eighty Four, PA 15330

Schedule A
(Legal Description of Subject Property)

See Attached hereto Schedule A-1



20070316000120490 2/3 \$17.00
Shelby Cnty Judge of Probate, AL
03/16/2007 01:56:23PM FILED/CERT

Sworn to and subscribed before me by R. CONNOR FARMER, MEMBER OF RIVERCHASE CORNERS, LLC

on this 8 day of MARCH, 2007.

A handwritten signature in black ink, appearing to be 'M. W.', written over a horizontal line.

Notary Public

My Commission Expires 5/21/2008

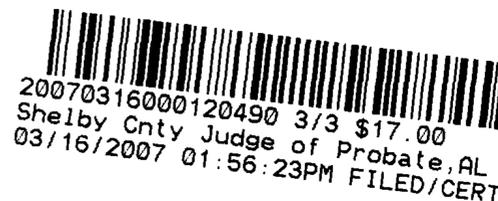


EXHIBIT "A"

A part of the NE 1/4 of NE 1/4 of Section 36, Township 19, Range 3 West, described as follows; Begin at the NW corner of the NE 1/4 of NE 1/4 of said Section and run thence along North line of said forty North 88 degrees 30 minutes East 139.1 feet to the beginning point of tract herein described; being on the East right of way line of Highway; thence Southeast along the East Right of way line of said highway South 36 degrees 30 minutes East, 360 feet to North margin of Little Cahaba Road; thence along North margin of said road as follows; North 64 degrees East 244.1 feet; thence 71 degrees East 131 feet; North 63 degrees 30 minutes East 85 feet; North 55 degrees 45 minutes East 214.7 feet to intersection of North line of said NE 1/4 of NE 1/4 of said Section; thence along North line of said forty South 88 degrees 30 minutes West 810.5 feet to point of beginning .

Less and Except the following described parcel. A parcel of land located in the NE1/4 of NE1/4 of Section 36, Township 19 South Range 2 West, Shelby County, Alabama, more particularly described as follows: Commence at the NE corner of said Section; thence in a Westerly direction along the North line of said Section a distance of 362.50 feet to the point of beginning; thence continue along last described course a distance of 277.20 feet; thence 131 degrees 45 minutes left, in a Southeasterly direction a distance of 146.25 feet; thence 79 degrees 30 minutes left in a Northeasterly direction a distance of 210.33 feet to the point of beginning. Mineral and mining rights excepted.

Less and except the following described parcel: A Parcel of land located in the NE of the NE1/4 of Section 36, Township 19 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the NW corner of said 1/4-1/4 Section, thence in an Easterly direction, along the North line of said 1/4-1/4 Section a distance of 127.08 feet to the Northeasterly Right-of-Way line of Shelby County Highway Number 275, said point being the Point of Beginning; thence continue along last described course a distance of 338.19 feet, thence 109 degrees, 29 minutes, 40 seconds right in a Southwesterly direction a distance of 21.23 feet, thence 70 degrees 30 minutes 20 seconds right in a Westerly direction a distance of 315.87 feet to said Northeasterly highway right of way, thence 52 degrees 42 minutes right in a Northwesterly direction along said right of way a distance of 25.14 feet, to the Point of Beginning.