


STATE OF ALABAMA)
 :
SHELBY COUNTY)


20071004000464350 1/5 \$24.00
Shelby Cnty Judge of Probate, AL
10/04/2007 09:44:27AM FILED/CERT

**TERMINATION OF
DECLARATION OF REAL PROPERTY RESTRICTIONS,
COVENANTS AND AGREEMENTS**

This Termination of Declaration of Real Property Restrictions, Covenants and Agreements (this "Termination") is entered into this the 2nd day of October, 2007, by the undersigned **52 PELHAM, LLC**, an Alabama limited liability company ("52 Pelham") and **C&A ENTERPRISES, L.L.C.**, an Alabama limited liability company, **AWTREY INVESTMENT REALTY, LLC**, an Alabama limited liability company, and **COLE INVESTMENT REALTY, LLC**, an Alabama limited liability company (collectively "Cole and Awtrey").

W I T N E S S E T H:

WHEREAS, 52 Pelham and Cole and Awtrey entered into that certain Declaration of Real Property Restrictions, Covenants and Agreements (the "Declaration") dated February 8, 2006, recorded as Instrument #20060209000068200 in the Probate Office of Shelby County, Alabama; and

WHEREAS, the Declaration has terminated pursuant to the provisions thereof;

NOW, THEREFORE, 52 Pelham and Cole and Awtrey hereby acknowledge and agree that the Declaration is terminated and of no further force or effect.

/SIGNATURES ON FOLLOWING PAGES/

Executed by each of the undersigned under seal, effective the same date as first hereinabove written.

52 PELHAM, LLC
By: Samuel W. Sharp
Samuel W. Sharp
Its Member

STATE OF ALABAMA)
 :
JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Samuel W. Sharp, whose name as Member of 52 Pelham, LLC, an Alabama limited liability company, 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 Member and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 28th day of September, 2007.

Adina R. Freeman
Notary Public
MY COMMISSION EXPIRES JULY 23, 2011

[NOTARIAL SEAL]

My commission expires: _____

C&A ENTERPRISES, L.L.C.

By: Eugene K. Cole
Eugene K. Cole
Its Managing Member

STATE OF ALABAMA)
 :
JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Eugene K. Cole, whose name as Managing Member of C&A Enterprises, L.L.C., an Alabama limited liability company, 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 Member and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 28th day of September, 2007.

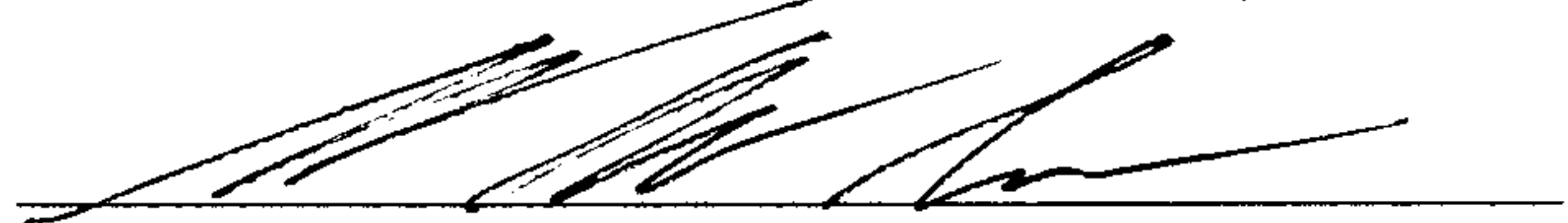
Frances Seale
Notary Public

[NOTARIAL SEAL]

My commission expires: May 31, 2009

AWTREY INVESTMENT REALTY, LLC

By:



H. Albert Awtrey
Its Member

STATE OF ALABAMA)
 :
JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that H. Albert Awtrey, whose name as Member of Awtrey Investment Realty, LLC, an Alabama limited liability company, 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 Member and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 18 day of September, 2007.



Notary Public

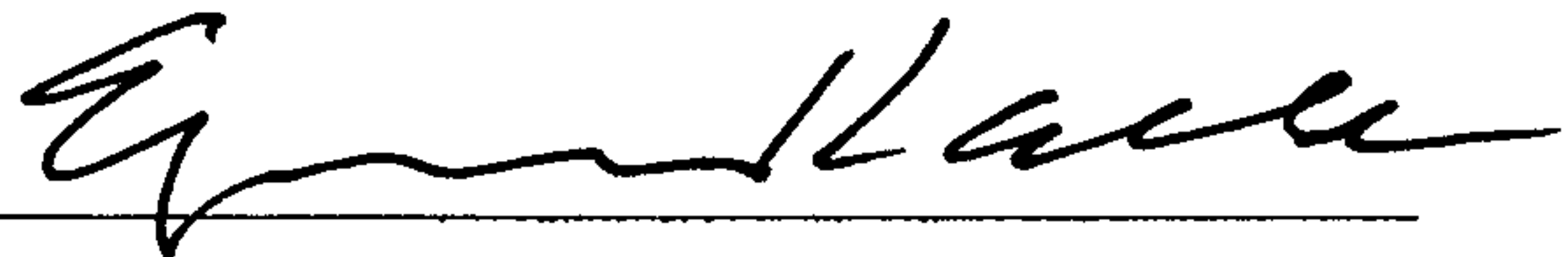
[NOTARIAL SEAL]

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Jan 26, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS

20071004000464350 5/5 \$24.00
Shelby Cnty Judge of Probate, AL
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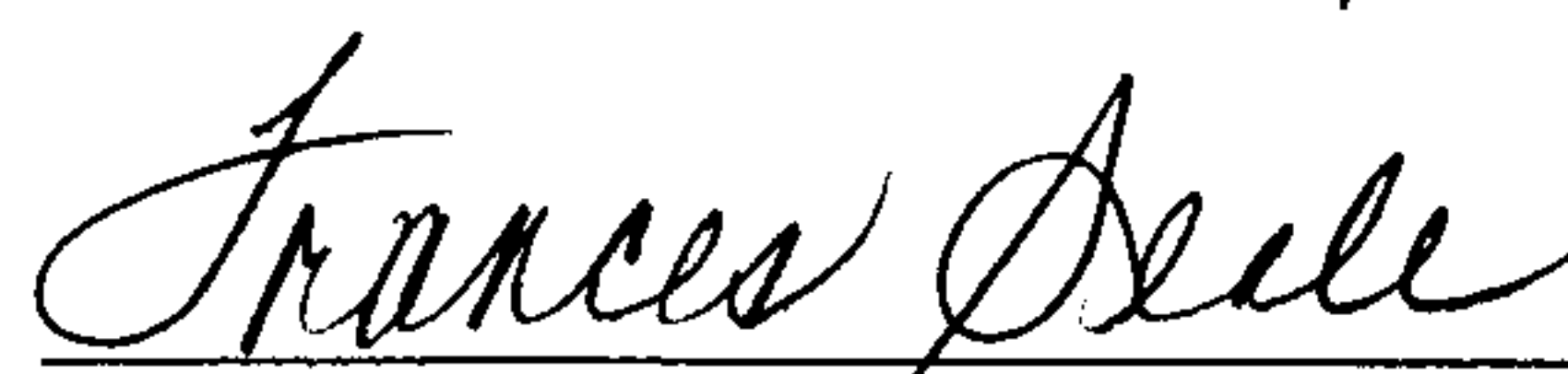
COLE INVESTMENT REALTY, LLC

By: 
Eugene K. Cole
Its Member

STATE OF ALABAMA)
 :
JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Eugene K. Cole, whose name as Member of Cole Investment Realty, LLC, an Alabama limited liability company, 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 Member and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 28th day of September, 2007.


Notary Public

[NOTARIAL SEAL]

My commission expires: May 31, 2009

This instrument prepared by:
Charles A. J. Beavers, Jr.
Bradley Arant Rose & White LLP
One Federal Place
1819 Fifth Avenue North
Birmingham, Alabama 35203-2119