

THIS INSTRUMENT PREPARED BY:  
Mike T. Atchison, Attorney at Law  
P O Box 822  
Columbiana, AL 35051

SEND TAX NOTICE TO:  
Downs Family Trust  
P.O.Box 180  
Calera, AL 35040

CORRECTIVE STATUTORY WARRANTY DEED

STATE OF ALABAMA       )  
COUNTY OF SHELBY     )

KNOW ALL MEN BY THESE PRESENTS,  
That in consideration of **FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00)**, to the undersigned grantor, **DAVID P. DOWNS, a single man; and DOROTHY L. SCHROEDER and husband, WILLIAM M. SCHROEDER, SR.**, the receipt of which is hereby acknowledged, the said Grantor does hereby grant, bargain, sell and convey unto the said Grantee, **DOWNS FAMILY TRUST – 2012** (as to an undivided one-half interest) and **WILLIAM M. AND DOROTHY D. SCHROEDER IRREVOCABLE TRUST** (as to an undivided one-half interest), in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in SHELBY County, Alabama, to wit:

SEE ATTACHED EXHIBIT “A” WHICH IS INCORPORATED HEREIN BY REFERENCE.


Subject to taxes for 2013 and subsequent years, easements, restrictions, rights of way, and permits of record.


All grantors interest in and to the following property described on Exhibit “A” attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit “A” is signed by grantor for the purpose of identification.  
The conveyance of Lot 16, in the 1977 Addition to Shelby Shores, recorded in Map Book 7, Page 87, herein made is subject to an easement 20 feet wide over the Eastern side thereof adjoining Bentley Circle for ingress and egress to and from Lot 17 of said subdivision.  
All property conveyed hereby except that which has been previously subdivided by map recorded in Office of Judge of Probate of Shelby County, Alabama, shall be subject to the restrictions and covenants as shown on Exhibit “X” attached hereto, and made part and parcel hereof as fully as if set out herein which said restrictions shall be binding on grantees, whether one or more, their heirs, successors, and assigns.

THIS DEED IS GIVEN TO CORRECT THAT CERTAIN DEED FROM WILLIAM M. SCHROEDER AND WIFE, DOROTHY D. SCHROEDER, TO WILLIAMS M. SCHROEDER, JR., SHANDA S. WATTS, AND SHANE SCHROEDER, AS RECORDED IN INSTRUMENT #20120626000225600, IN PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

TO HAVE AND TO HOLD to the said Grantee, his, her or their heirs and assigns forever.


IN WITNESS WHEREOF, we have hereunto set our hands and seal this 4<sup>th</sup> day of December, 2012.

  
\_\_\_\_\_  
DAVID P. DOWNS

  
\_\_\_\_\_  
DOROTHY L. SCHROEDER

  
\_\_\_\_\_  
WILLIAM M. SCHROEDER, SR.

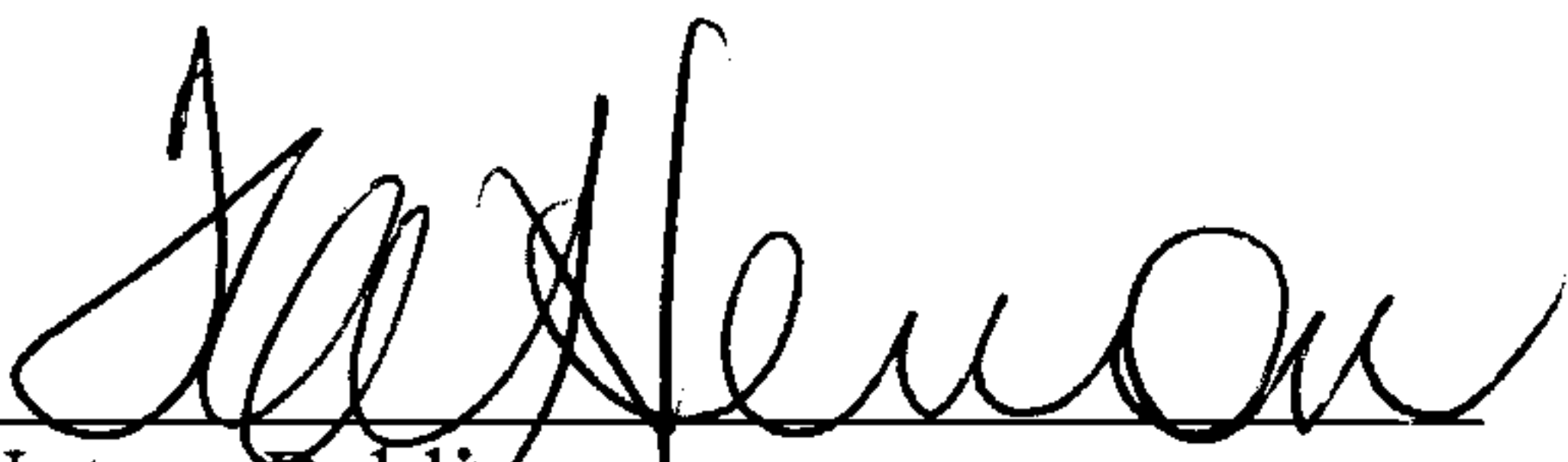
Shelby County, AL 12/17/2012  
State of Alabama  
Deed Tax:\$271.50

  
20121217000481660 1/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **DAVID P. DOWNS, DOROTHY L. SCHROEDER, and WILLIAM M. SCHROEDER, SR.**, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 4th day of December, 2012.

  
\_\_\_\_\_  
Notary Public

My Commission Expires My Commission Expires April 4, 2016

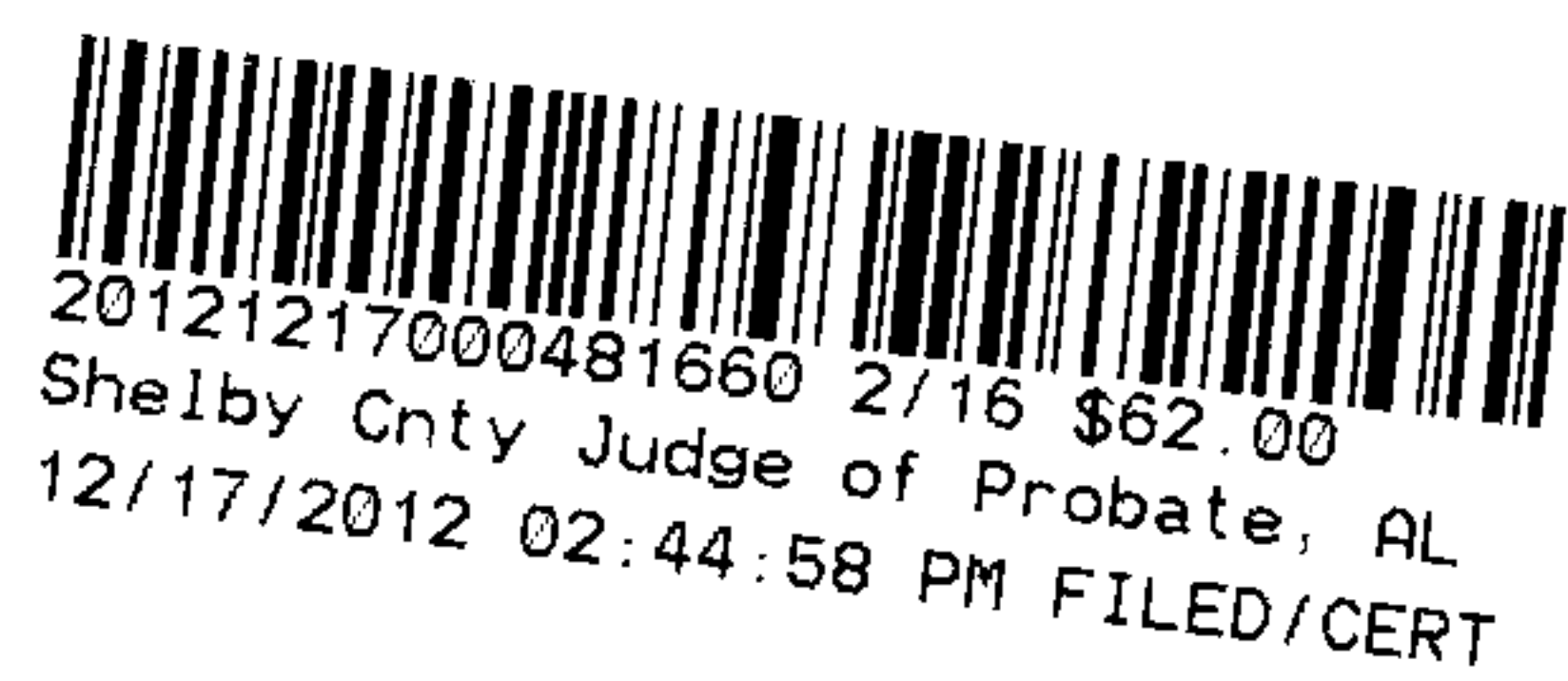




EXHIBIT "A"

Lots 1, 2, 11, 16 and 22 in the 1977 Addition to Shelby Shores, recorded in Map Book 7, page 87 in the Probate Records of Shelby County, Alabama;

Lots 44, 45, 46, 20, 47 in the 1974 Addition to Shelby Shores, Phase II, recorded in Map Book 6, page 33 in the Probate Records of Shelby County, Alabama;

There is also conveyed to grantees, with reference to any water front lots, any land or interest therein owned by grantor which lies between the water front lot line and the 397 ft. contour line of Lay Lake.

Also, a tract of land described as "Parcel 17" on Exhibit "B" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "B" is signed by grantor for the purpose of identification;

Also, a tract of land described as "Parcel 23" on Exhibit "C" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "C" is signed by grantor for the purpose of identification;

Also, a tract of land described as "Parcel 23 A" on Exhibit "D" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "B" is signed by grantor for the purpose of identification;

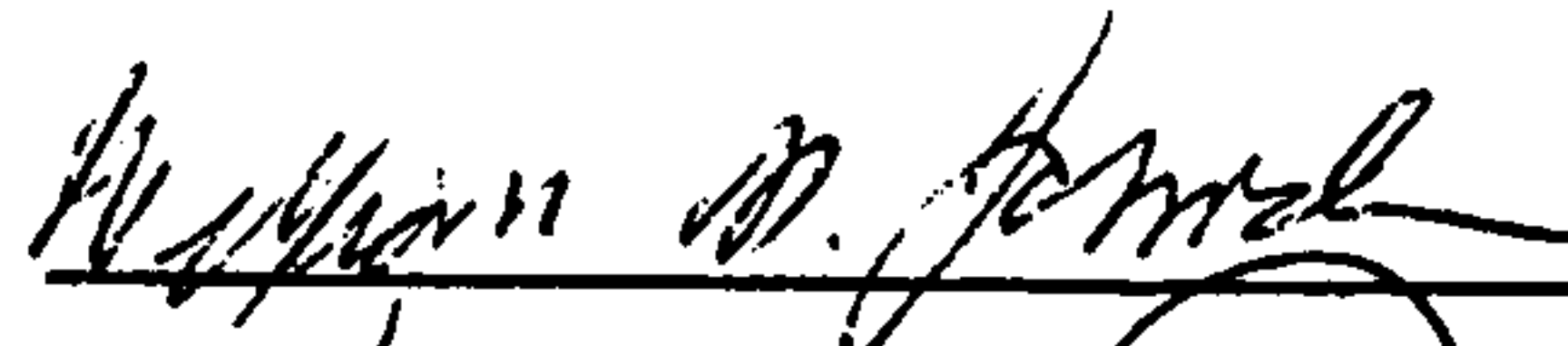
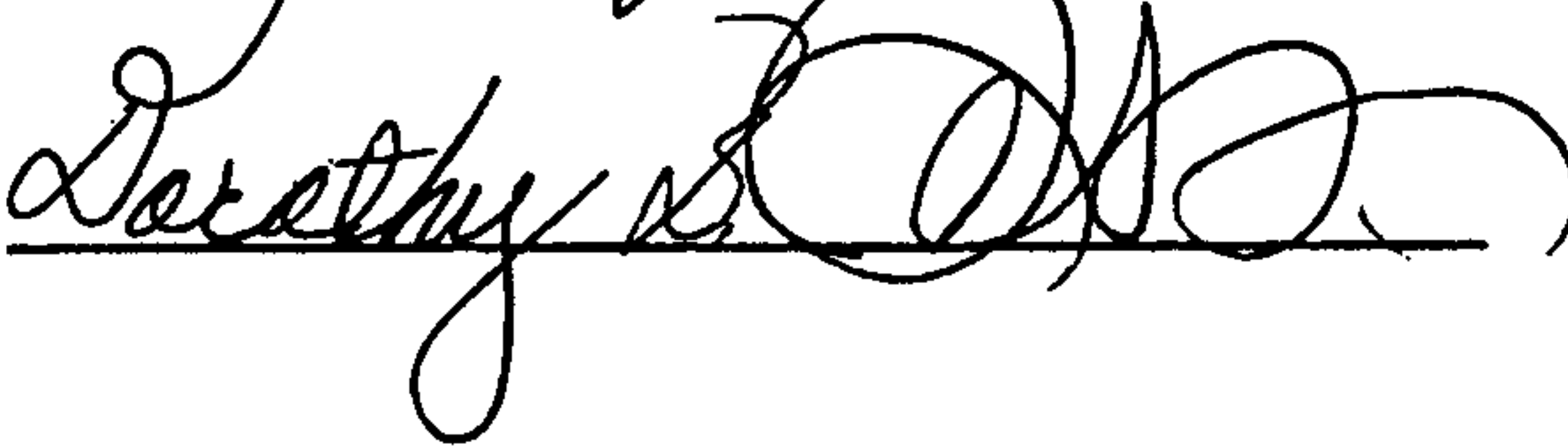
Also, a tract of land described as "Parcel 22" on Exhibit "E" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "E" is signed by grantor for the purpose of identification;


Also, a tract of land described as "Parcel 22 A" on Exhibit "F" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "F" is signed by grantor for the purpose of identification.


Also, a tract of land described as "Parcel 7" on Exhibit "G" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "G" is signed by grantor for the purpose of identification.

Also, a tract of land described as "Parcel 8" on Exhibit "H" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "H" is signed by grantor for the purpose of identification.

SIGNED FOR IDENTIFICATION BY GRANTOR:

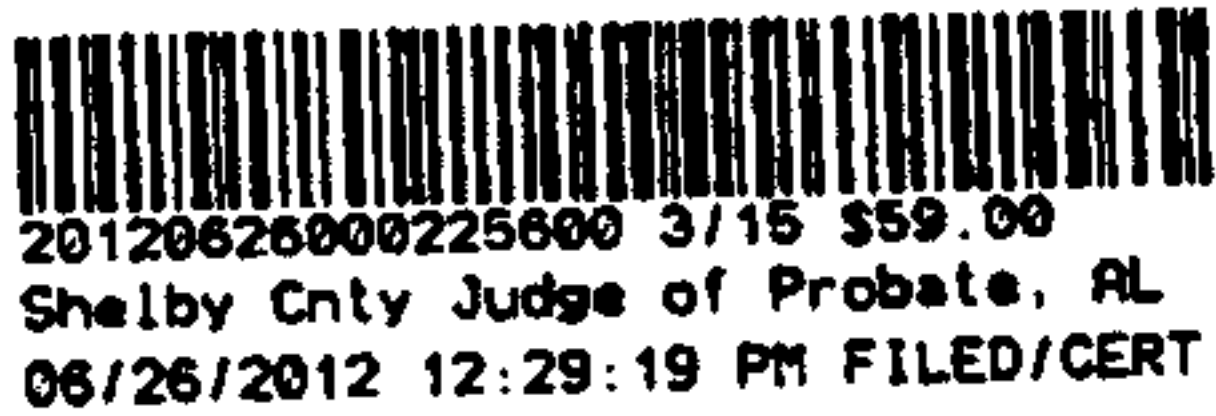
  
20120626000225600 2/15 \$59.00  
Shelby Cnty Judge of Probate, AL  
06/26/2012 12:29:19 PM FILED/CERT

  
20121217000481660 3/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT



20121217000481660 4/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT

EXHIBIT "B" (Page 1 of Exhibit "B")  
PARCEL 17



20120626000225600 3/16 \$59.00  
Shelby Cnty Judge of Probate, AL  
06/26/2012 12:29:19 PM FILED/CERT

That portion of the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  and SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 7, T22S, R2E that lies South of North River Drive and is more particularly described as follows: Commence at the NW Corner of the SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 7, T22S, R2E; Thence run Southerly along the West boundary line of said SW $\frac{1}{4}$  of NW $\frac{1}{4}$  a distance of 10.60 feet to a point on the Southeast 30 foot right-of-way line of North River Drive; Thence turn an angle of 159° 06' 23" to the left and run Northeasterly along said right-of-way line a distance of 426.09 feet to a point; Thence continue along said right-of-way line along a curve to the right (Concave Southeasterly) having a radius of 3004.85 feet and a central angle of 3° 46' 28", an arc distance of 197.95 feet to a point; Thence continue along said right-of-way line along the tangent of said curve, a distance of 221.85 feet to a point; Thence continue along said right-of-way line along a curve to the right (Concave Southeasterly) having a radius of 410.72 feet and a central angle of 25° 34' 06", an arc distance of 183.28 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 184.57 feet to a point; Thence continue along said right-of-way line along a curve to the right (Concave Southerly) having a radius of 226.67 feet and a central angle of 95° 03' 06" an arc distance of 376.04 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 80.47 feet to a point; Thence continue along said right-of-way line along a curve to the left (Concave Northeasterly) having a radius of 272.74 feet and a central angle of 64° 30' 00" an arc distance of 307.03 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 102.04 feet to a point on the East boundary line of the NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 7, T22S, R2E; Thence turn an angle of 99° 12' 06" to the right and run Southerly along the said East boundary line of the said NW $\frac{1}{4}$  of NW $\frac{1}{4}$  and the East boundary line of the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section, a distance of 2166.44 feet to a point at the SE Corner of said SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ; Thence turn an angle of 90° 19' 18" to the right and run Westerly along the South boundary line of said SW $\frac{1}{4}$  of NW $\frac{1}{4}$  a distance of 1319.73 feet to a point at the SW Corner of said SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ;





20121217000481660 5/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT



20120626000225600 4/15 \$59.00  
Shelby Cnty Judge of Probate, AL  
06/26/2012 12:29:19 PM FILED/CERT

EXHIBIT "C" (Page 1 of Exhibit "C")

PARCEL 23 .

Commence at the NW Corner of the SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 7, T22S, R2E;  
Thence run Southerly along the West boundary line of said  $\frac{1}{4}$  Section  
a distance of 119.44 feet to a point; Thence turn an angle of  
90° to the right and run a distance of 272.14 feet to a point on  
the SE 30 foot right-of-way line of Shelby County Highway 42 which  
is the point of beginning of the parcel of land herein described;  
Thence turn an angle of 125° 10' 34" to the right and run North-  
easterly along said right-of-way line a distance of 53.70 feet to  
a point; Thence continue along said right-of-way line along a curve  
to the right (Concave Southeasterly) having a radius of 1397.04  
feet and a central angle of 15° 57' 22", an arc distance of 389.06  
feet to a point; Thence continue along said right-of-way along the  
tangent of said curve a distance of 189.47 feet to a point; Thence  
continue along said right-of-way line along a curve to the right  
(Concave Southeasterly) having a radius of 689.55 feet and a central  
angle of 15° 49' 27" an arc distance of 190.44 feet to a point;  
Thence turn an angle of 87° 40' 50" to the right and leaving said  
right-of-way line, run a distance of 1458.28 feet to a point; Thence  
turn an angle of 41° 54' 40" to the left and run a distance of 555.98  
feet to a point; Thence turn an angle of 74° 05' 11" to the right  
and run a distance of 15.92 feet to a point near the waters edge of  
Lay Lake; Thence turn the following angles and run the following  
distances along and near the said waters edge viz: 18° 56' 29"  
right for 55.01 feet; 6° 43' 35" left for 63.98 feet; 2° 52' 42" left  
for 104.18 feet; 32° 28' 23" right for 106.81 feet; 10° 40' 07" right  
for 109.08 feet; 29° 14' 30" left for 78.67 feet; 23° 43' 51" right  
for 86.25 feet; 8° 24' 09" right for 104.29 feet; 43° 57' 25" left  
for 254.61 feet; 35° 20' 51" right for 97.96 feet; 90° 38' 29"  
right for 36.89 feet; 70° 20' 02" right for 87.99 feet; 22° 09' 01"  
left for 144.66 feet; 25° 38' 35" right for 168.55 feet; 8° 19' 45"  
left for 235.40 feet; 50° 03' 45" left for 31.21 feet; 24° 54' 21"  
left for 83.38 feet; 44° 18' 32" left for 43.52 feet; 17° 36' 27"  
left for 81.92 feet to a point; Thence turn an angle of 65° 29' 50"  
to the right and leaving said waters edge, run in a Northwesterly



20121217000481660 6/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT

EXHIBIT "C" (Page 2 of Exhibit "C")

direction a distance of 40.80 feet to an iron pin; Thence continue along the same course for a distance of 301.77 feet to a point on the Southernmost 30 foot right-of-way line of Wallace Drive; Thence turn an angle of 12° 07' to the right and run a distance of 268.71 feet to a point; Thence turn an angle of 90° to the left and run a distance of 417.42 feet to a point; Thence turn an angle of 90° to the right and run a distance of 1012.25 to the point of beginning. Said parcel of land is lying in the SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , and SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 7, T22S, R2E and in the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  and NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , of Section 18, T22S, R2E and contains 27.36 acres.



20120626000225600 5/15 \$59.00  
Shelby Cnty Judge of Probate, AL  
06/26/2012 12:29:19 PM FILED/CERT

SIGNED FOR IDENTIFICATION BY GRANTOR:

William M. H. H.  
Deputy J. H. H.



20121217000481660 7/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT

EXHIBIT "D"

PARCEL 23 A

A small island containing approximately 0.8 acre which has a center point located approximately as follows: Commence at the NE corner of the NE¼ of NW¼, Section 18, T22S, R2E and run S - 37° 49' - W Magnetic Bearing a distance of 1085 feet to the approximate center point of said island. Excepted from Parcels 23 and 23A are any and all portions of land that lie below the datum plane of 397 feet above mean sea level as established by the USC & G Survey. Said parcels are also subject to a flood right up to the datum plane of 398 feet above mean sea level.



20120626000225600 6/16 \$59.00  
Shelby Cnty Judge of Probate, AL  
06/26/2012 12:29:19 PM FILED/CERT

SIGNED FOR IDENTIFICATION BY GRANTOR:

Nathan D. Pina  
Deputy D. [Signature]





20121217000481660 8/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT



20120626000226800 7/15 \$59.00  
Shelby Cnty Judge of Probate, AL  
06/26/2012 12:29:19 PM FILED/CERT

EXHIBIT "E" (Page 1 of Exhibit "E")

PARCEL 22

Commence at the Southwest corner of Section 7, T22S, R2E;  
Thence run Northerly along the West Boundary line of said Section  
a distance of 50.57 feet to a point on the Southeast 30 foot right-  
of-way line of Shelby County Highway 42; Thence turn an angle of  
50° 45' 58" to the right and run in a Northeasterly direction along  
said right-of-way line a distance of 256.29 feet to a point at the  
intersection of said right-of-way line and the Easternmost 30 foot  
right-of-way line of Wallace Drive and being the point of beginning;  
Thence continue in the same direction along said right-of-way line  
of Shelby County Highway 42 for a distance of 131.36 feet to a  
point; Thence continue along said right-of-way line along a curve  
to the left (concave Northwesterly) having a radius of 3050.47  
and a central angle of 4° 52' 50", an arc distance of 262.40 feet  
to a point; Thence continue along said right-of-way line along the  
tangent of said curve a distance of 180.24 feet to a point; thence  
continue along said right-of-way line along a curve to the left  
(concave Northwesterly) having a radius of 834.58 feet and a central  
angle of 17° 23' 26", an arc distance of 253.31 feet to a point;  
Thence continue along said right-of-way line along a curve to the  
right (concave Southeasterly) having a radius of 2081.36 feet and  
a central angle of 6° 40' 15", an arc distance of 242.33 feet to a  
point; Thence continue along said right-of-way line along the tangent  
of said curve a distance of 246.51 feet to a point; Thence turn an  
angle of 115° 15' 55" to the right and leaving said right-of-way  
run a distance of 741.40 feet to a point; Thence turn an angle of  
90° to the right and run a distance of 444.31 feet to a point; Thence  
turn an angle of 90° to the left and run a distance of 533.08 feet  
to a point on the Northernmost 30 foot right-of-way line of  
Wallace Drive; Thence turn an angle of 68° 15' 00" to the right  
and run along said right-of-way line a distance of 239.00 feet to  
a point; Thence continue along said right-of-way line along a curve  
to the right (Concave Northerly) having a radius of 118.57 feet  
and a central angle of 71° 32' 00", an arc distance of 148.03 feet  
to a point; Thence continue along said right-of-way line along the  
tangent of said curve a distance of 73.82 feet to a point; Thence  
continue along said right-of-way line along a curve to the right





20121217000481660 9/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT

EXHIBIT "E" (Page 2 of Exhibit "E")

(Concave Northeasterly) having a radius of 144.73 feet and a central angle of  $46^{\circ} 30' 00''$ , an arc distance of 117.46 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 107.56 feet to a point; Thence continue along said right-of-way line along a curve to the left (Concave Southwesterly) having a radius of 178.37 feet and a central angle of  $62^{\circ} 53' 53''$ , an arc distance of 195.82 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 242.68 feet to a point; Thence continue along said right-of-way line along a curve to the right (Concave Northeasterly) having a radius of 171.67 feet and a central angle of  $57^{\circ} 00' 00''$ , an arc distance of 170.79 feet to a point; Thence continue along said right-of-way line along the tangent of said curve a distance of 167.33 feet to the point of beginning. Said parcel of land is lying in the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 7, T22S, R2E, and the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 18, T22S, R2E and contains 19.8 acres.



20120626000225600 8/15 \$59.00  
Shelby Cnty Judge of Probate, AL  
06/26/2012 12:29:19 PM FILED/CERT

SIGNED FOR IDENTIFICATION BY GRANTOR:

William D. Jones  
Sarah J. [Signature]

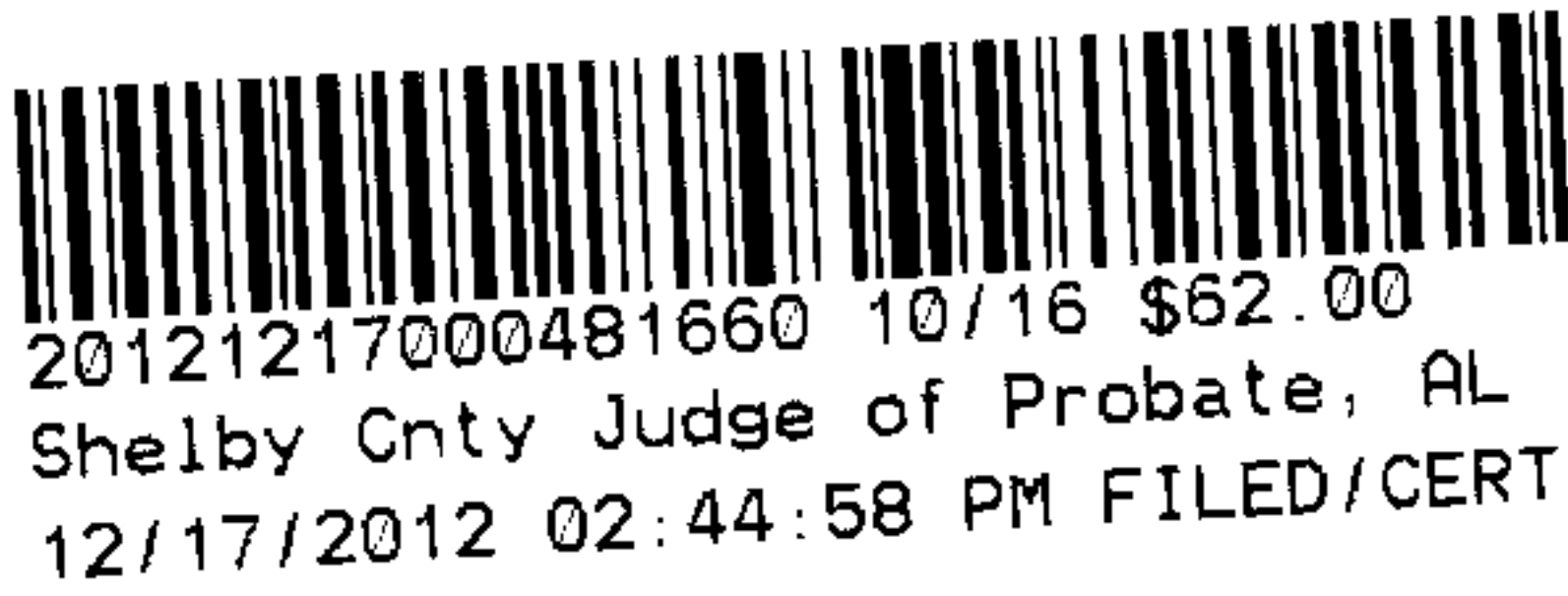
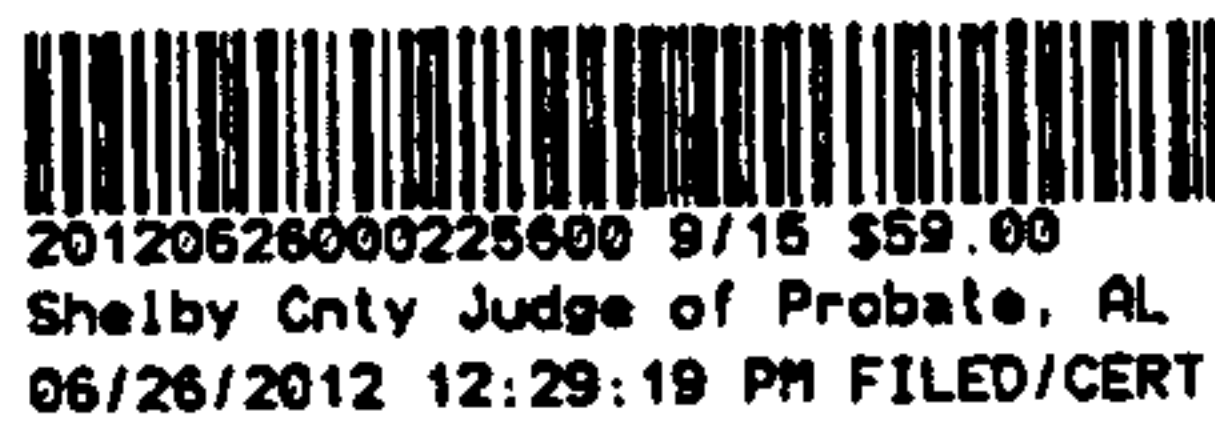


EXHIBIT "F"

PARCEL 22 A

Also to include that parcel of land shown as "Not a part of Subdivision" on the Map of The 1971 Addition to Shelby Shores as recorded in Map Book 5, page 96 in the Office of Probate Judge of Shelby County Alabama. Said parcel is further described as lying to the East of Lot 2 of said Subdivision, West of Lot 3 of said Subdivision, South of Wallace Drive, and North of Lay Lake and is located in the NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 18, T22S, R2E. Excepted from said parcel is any and all portions of lands that lie below the datum plane of 397 feet above mean sea level as established by the USC & G Survey. Said parcel is also subject to a flood right up to the datum plane of 398 feet above mean sea level.



SIGNED FOR IDENTIFICATION BY GRANTOR:

*W. D. Jones*  
*Verity*





20121217000481660 11/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT

EXHIBIT "G"

PARCEL 7

Commence at the Northwest corner of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 1, T22S, R1E; Thence proceed in a Southerly direction along the West Boundary of said  $\frac{1}{4}$  for a distance of 775.21 feet to a point, being the point of beginning of the parcel of land herein described; Thence continue along said West Boundary of said  $\frac{1}{4}$  for 294.25 feet to a point; Thence turn an angle of 89° 47' 53" left and run 1517.56 feet to a point; Thence turn an angle of 137° 41' 12" left and run 42.69 feet to a point; Thence turn an angle of 65° 04' 42" right and run 83.82 feet to a point; Thence turn an angle of 92° 56' 38" left and run 148.68 feet to a point; Thence turn an angle of 72° 49' 46" right and run 86.79 feet to a point; Thence turn an angle of 71° 32' 59" left and run 232.76 feet to a point; Thence turn an angle of 15° 47' 48" left and run 1139.93 feet to the point of beginning. Said parcel of land is located in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  and SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 1, T22S, R1E, and contains 9.5 acres, more or less. Excepted from said parcel is any and all portions of lands that lie below the datum plane of 397 feet above mean sea level as established by the USC & G Survey. Said parcel is also subject to a flood right up to the datum plane of 398 feet above mean sea level.

Also, an easement for ingress and egress and installation of utilities over and across road easement described on Exhibit "G-1" attached hereto and made part and parcel hereof as fully as if set out herein, which said Exhibit "G-1" is signed by grantor for identification.

SIGNED FOR IDENTIFICATION BY GRANTOR:

*[Handwritten signature]*  
*[Handwritten signature]*



20120626000225600 10/15 \$59.00  
Shelby Cnty Judge of Probate, AL  
06/26/2012 12:29:19 PM FILED/CERT

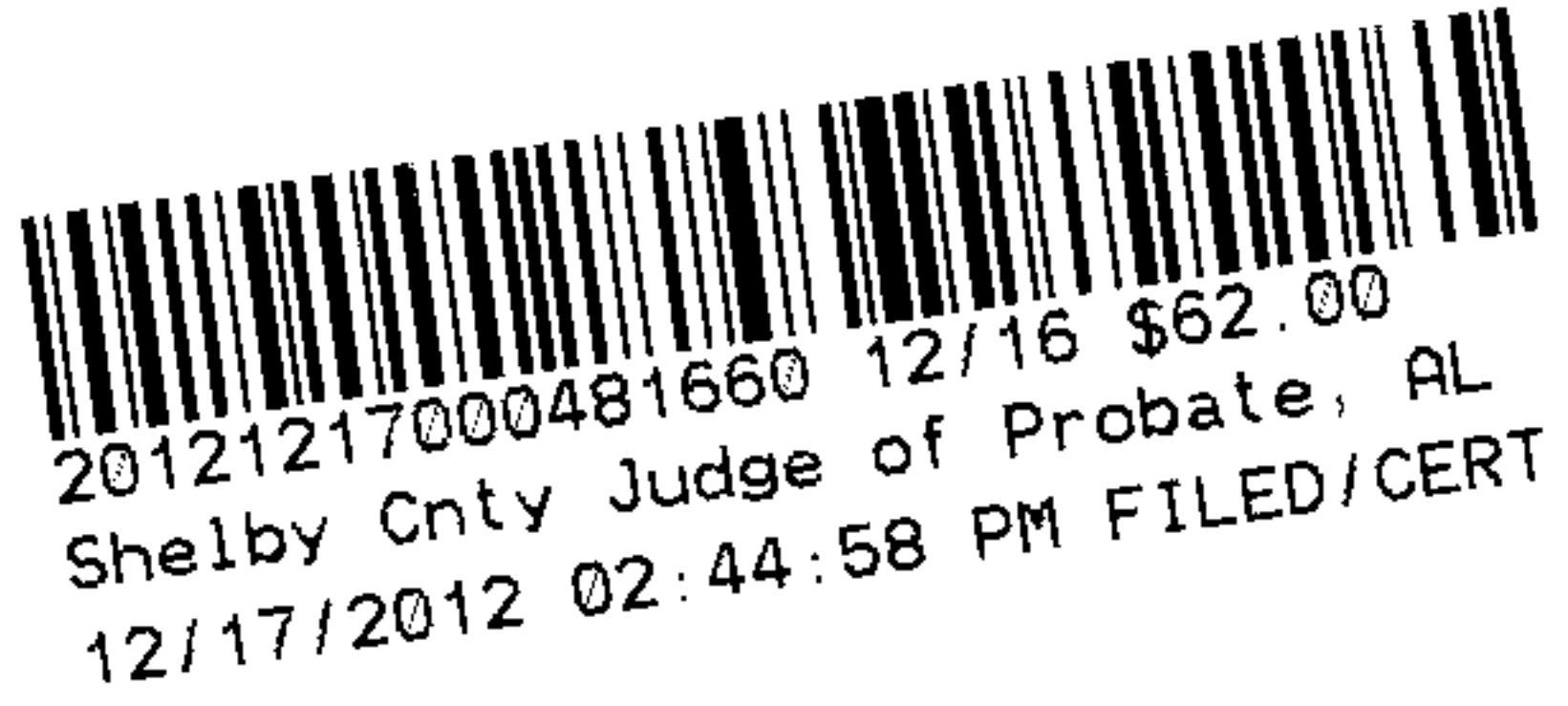


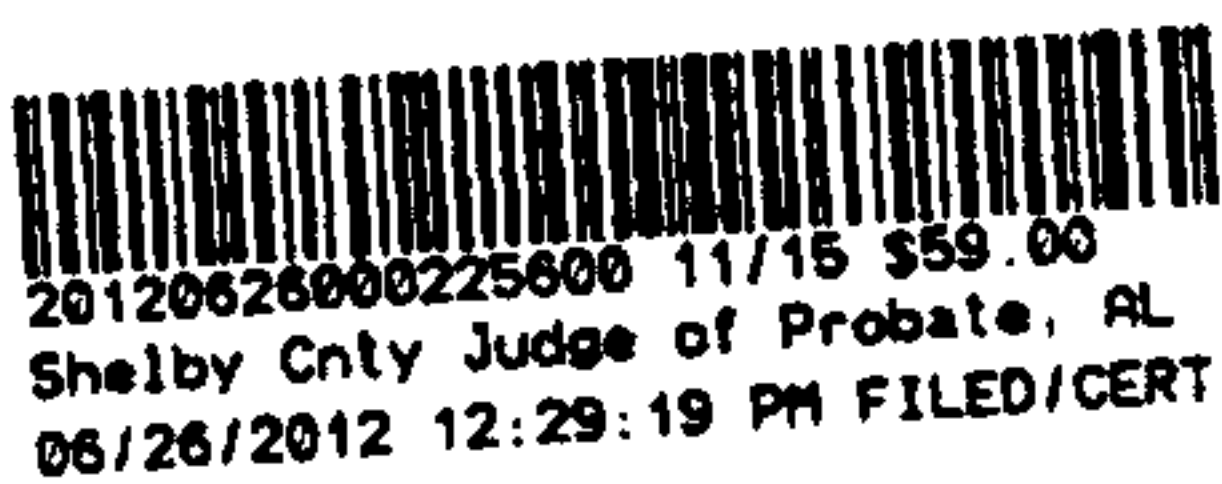
EXHIBIT "H"

PARCEL 8

Commence at the Northwest corner of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 1, T22S, R1E; Thence proceed in a Southerly direction along the West Boundary of said  $\frac{1}{4}$  for a distance of 1069.46 feet to a point, being the point of beginning of the parcel of land herein described; Thence continue along said West Boundary of said  $\frac{1}{4}$  for a distance of 247.90 feet to a point, being the Southwest corner of the SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 1, T22S, R1E; Thence turn an angle of 0° 24' 26" right and run 12.10 feet to a point; Thence turn an angle of 90° 12' 19" left and run 1307.75 feet to a point; Thence turn an angle of 58° 59' 10" right and run 23.44 feet to a point; Thence turn an angle of 62° 28' 01" left and run 129.37 feet to a point; Thence turn an angle of 62° 55' 45" left and run 42.54 feet to a point; Thence turn an angle of 45° 30' 50" right and run 134.90 feet to a point; Thence turn an angle of 52° 54' 29" left and run 125.77 feet to a point; Thence turn an angle of 75° 57' 01" left and run 127.76 feet to a point; Thence turn an angle of 30° 14' 44" left and run 1517.56 feet to the point of beginning. Said parcel is located in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  and SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 1, T22S, R1E and the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  and NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 12, T22S, R1E and contains 9.5 acres, more or less. Excepted from said parcel is any and all portions of lands that lie below the datum plane of 397 feet above mean sea level as established by the USC & G Survey. Said parcel is also subject to a flood right up to the datum plane of 398 feet above mean sea level.

Also, an easement for ingress and egress and installation of utilities over and across road easement described on Exhibit "H-1" attached hereto and made part and parcel hereof as fully as if set out herein, which said Exhibit "H-1" is signed by grantor for identification.

SIGNED FOR IDENTIFICATION BY GRANTOR:



*[Handwritten signature]*  
*[Handwritten signature]*



20121217000481660 13/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT

EXHIBIT "H-1"

ROAD EASEMENT FOR ACCESS TO PARCELS 1 THROUGH 13

Commence at the Southwest Corner of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 12, T22S, R1E; Thence proceed in an Easterly direction along the South boundary of said  $\frac{1}{4}$  for a distance of 406.69 feet to a point, being the point of beginning of the centerline of a 60 foot easement herein described; Thence turn an angle of 94° 52' 21" left and run 427.20 feet; Thence run along a curve to the right (Concave Easterly and radius = 435.87') for an arc distance of 175.70 feet; Thence run along a tangent section for 724.43 feet; Thence run along a curve to the right (Concave Southeasterly and radius = 227.17') for an arc distance of 111.37 feet; Thence run along a tangent section for 26.9 feet; Thence run along a curve to the left (Concave Northwesterly and radius = 7544.81') for an arc distance of 359.95 feet; Thence run along a tangent section for 15.52 feet; Thence run along a curve to the left (Concave Northwesterly and radius = 3583.17') for an arc distance of 199.95 feet; Thence run along a tangent section for 174.95 feet; Thence run along a curve to the left (Concave Northwesterly and radius = 848.69') for an arc distance of 238.42 feet; Thence run along a tangent section for 545.60 feet; Thence run along a curve to the left (Concave Westerly and radius = 399.17') for an arc distance of 167.96 feet; Thence run along a tangent section for 146.04 feet; Thence turn an angle of 48° 01' 34" right and run 91.50 feet; Thence run along a curve to the right (Concave Southeasterly and radius = 390.59') for an arc distance of 157.82 feet; Thence run along a tangent section for 48.18 feet to the point of ending. Said easement shall be sixty (60) feet in width, thirty feet each side of the above described centerline. Said easement is located in the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , SE $\frac{1}{4}$  of SE $\frac{1}{4}$  and SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 1, T22S, R1E, and the NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 12, T22S, R1E.

SIGNED FOR IDENTIFICATION BY GRANTOR:

20120626000225000 12/15 \$59.00  
Shelby Cnty Judge of Probate, AL  
06/26/2012 12:29:19 PM FILED/CERT

*William M. Jones*  
*Deborah A. Jones*





20121217000481660 14/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT

RESTRICTIONS

1. These restrictions shall not apply to nor in any way change or modify existing restrictions on any lot or parcels previously subdivided and shown on recorded plats in the Probate Office of Shelby County, Alabama.

2. The premises shall be conveyed and shall be used exclusively for residential purposes. No business or commercial activity shall be allowed. Any property may be divided provided that no house or other structure used for any living quarters whatsoever shall be constructed on any parcel which shall contain less than 30,000 square feet of land area except as to Parcel 29 on the 1982 Survey which must have a minimum of 20,000 square feet in such water front lots. No more than one single family dwelling per 30,000 square feet of land area shall be allowed (20,000 square feet as to said Parcel 29). In addition to said one single family dwelling, the owner of each such parcel shall be allowed to build no more than one guest house and one other out structure in addition to a boat house on water front lots. In no event, however, shall the total number of structures, excluding a boat house on water front lots, exceed a total number of three.

3. Buildings shall be neat in appearance, and no building or structure shall be moved, constructed or erected on the premises, that may be considered detrimental to the neighborhood. Wood exteriors shall be stained or painted with two coats of paint or stain. Yards and property must be kept clean and neat in appearance.

4. No outside toilets shall be allowed and sanitary arrangements must comply with State and Local laws and regulations.

5. No residence of less than 700 square feet of heated area shall be erected or constructed.

6. There shall be no building, porch or projection extending nearer than thirty-five (35) feet from the front or road line of any lot or within twenty-five (25) feet from the property line of any abutting property owner. No building other than a pier or boat house not used for human occupancy, shall be constructed with any projection thereof extending nearer than fifty (50) feet to the normal high water mark of Lay Lake.

7. No animal or fowl shall be kept or maintained on said property except as herein provided but nothing herein shall be construed to prevent or prohibit the owner from keeping as a domestic pet a cat, dog or birds provided the number thereof and the existence thereof do not constitute an interference with the ability of other property owners to enjoy their property. The owner of any parcel containing three (3) or more acres may have horses or cattle totaling not more than one such animal per acre. House trailers and mobile homes of any and every type shall be prohibited. No house or structure of any kind or character shall be allowed which now has or has ever had affixed to the same any wheels or an axle or axles used for transporting the same, or which now has or has ever had an original exterior wall or walls constructed out of a metallic substance of any kind. Nothing contained herein shall prevent, however, the installation of aluminum or metal siding of an attractive nature and color over an original exterior wall constructed of wood on a building already located on the property. No building or structure shall be allowed which has ever been sold or advertised as a mobile home, house trailer or a modular home or which has ever been sold by or through any dealer or other person who engages in the sale of such.

8. No property may be subdivided or reduced in size by voluntary alienation, judicial sale or other proceedings unless done in compliance with these restrictions.

9. No property shall be sold or used for the purpose of extending any public or private road, street or alley, or for the purpose of opening any road, street or alley except for the sole and limited purpose of such road, street or alley which is restricted to provide ingress and egress to and from any portion of property which was described in that certain deed dated October 21, 1959, in favor of Lewis B. Walker, Wales W. Wallace, Jr., George Horn, Margaret Christie, Roy Downs, Conrad M. Fowler and Harold Hall and recorded in Deed Book 205, Page 369, in the Probate Records of Shelby County, Alabama, less and except any portion thereof previously conveyed to Shelby Shores, Inc. and such road, street or alley not be used to provide ingress or egress directly or indirectly to any other property.

10. These restrictions shall be considered as covenants running with the land and shall bind the purchaser and his heirs, executors, administrators, and all future assigns of said premises or any part or parts thereof. These said covenants may be changed by a majority of the following after twenty-five (25) years from the date hereof, namely, Diane B. Ellis, George T. Bentley, [redacted] D. Schroeder, William [redacted] Schroeder, David P. Downs, [redacted] M. Fowler.





20121217000481660 15/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT

W. Wallace, Jr., and Harold [redacted] (hereinafter referred to as "original owners"), or their heirs, successors and assigns. These restrictions are imposed for the sole benefit of the owners named in this paragraph and their heirs, successors and assigns coming into existence or occurring after May 15, 1982.

11. The exterior finish and general clean-up of construction must be completed within one year after starting construction of cottage. Any unfinished or temporary type of material is prohibited for use on the exterior of any residence.

12. No pier, boat house, or other structure of any kind whatsoever shall be constructed out in the water or in or below the normal water level of Lay Lake or its backwaters, or any part thereof, if the same interferes with the reasonable and convenient use of water and water access by the persons, firms or corporations owning water front property.

13. No owner of any water front property shall provide any public launching site for the purpose of launching boats or other access to the water and no public launching sites will be allowed except for the limited use of such owner and his heirs, successors and assigns, and their personal guests.

14. The following restrictions shall apply only to that property lying West of Kelly Creek, sometimes referred to as Flat Branch, and shall be construed as additional restrictions on that property in addition to all of the above restrictions.

(1) Each owner, his heirs, successors and assigns, shall have a right-of-way for ingress and egress over and along the existing road constructed in 1981 and shall have the right to install or have installed electric lines, telephone lines, gas and water lines over and along the right-of-way thereof. Each owner, their heirs, successors and assigns, shall have responsibility for using said road in a manner which will not damage the same and shall be responsible for repairing any damage which may be caused by such owner or his or her heirs, successors or assigns. All owners, their heirs, successors and assigns who have constructed any improvements on said property or any part thereof shall be responsible jointly for the general up keep and maintenance of said road. A committee shall be formed with each separate property owner or parcel having one membership on said committee. In the event there is more than one owner named on any given deed, said owners shall have the right to designate one representative on the committee. Any committee member who owns more than one parcel in such area shall have an additional vote on said committee for such additional parcel provided, however, that no parcel may be subdivided simply for the purpose of providing more votes on said committee. Such committee will decide by majority vote when and if maintenance work needs to be done on said property and shall fairly allocate or divide the cost thereof among those owners having responsibility for road maintenance as above specified. Once said sum is allocated, the same shall be due and payable by such owner within thirty days and shall thereafter constitute a lien against the land of the owner thus assessed. This committee shall be a separate committee from the committee of the original owners or grantees as hereafter described. It is understood and agreed that a maintenance fund in the amount of Five Thousand and no/100 (\$5,000.00) Dollars shall be established in the names of one or more of the original grantees named in Paragraph 10 above. The proceeds of said fund shall be maintained solely and exclusively in the name or names of one or more of such original owners as long as one or more of such original owners survive and may be used by such original owner or owners in their sole discretion for such general road maintenance as is desired by the remaining original owners. In the event any original owner dies while still owning a property in this area, his surviving spouse or children who become subsequent owners thereof by inheritance shall have the right to take the place of such original owner in relationship to said fund. The existence of this





20121217000481660 16/16 \$62.00  
Shelby Cnty Judge of Probate, AL  
12/17/2012 02:44:58 PM FILED/CERT

PAGE 3 OF EXHIBIT "X"

-3-

fund will not in any way diminish or relieve any owner of any property of the duty to contribute his, her or its share of road maintenance.

(2) In the event any parcels West of Kelly Creek, sometimes called Flat Branch, are ever subdivided or reduced in size, volutarily or involuntarily, by judicial order, or otherwise, each such water front parcel shall have at least 150 feet of water front and contain at least one and one-half acre in size; any such nonwater front parcel must contain at least three acres. In the event all of the land West of the 1981 constructed access road in any original parcel as described in the original division in 1982 shall contain less than three acres, the same may still be used as one separate parcel but may not be further subdivided.

(3) If any original parcel as described on the 1982 Survey shall have constructed thereon, whether later subdivided or not, more than two residences, the owner of the third residence and each residence thereafter, prior to construction, shall contribute the sum of \$1,000.00 per residence to the owners' road fund above referred to, the same to be used by the original owners in their sole discretion as above provided.

(4) In the event a majority of the above named original owners who still own property in this area desire to do so, they may install a gate across the entrance road at the South property line, provided all owners, original and subsequent, are given keys if same is locked.

(5) As long as any one or more of the original owners survives, they will have the right to dedicate the 1981 access road as a public road in the event Shelby County shall indicate a willingness to accept the same.

(6) The original owners reserve the right to change or modify these restrictions by a majority vote of the said original owners within the next 25 years. Thereafter, said restrictions may be modified only by the general membership committee described above.

Dated this 30 day of June, 1982.

Diane B. Ellis  
Diane B. Ellis

George T. Bentley  
George T. Bentley

Dorothy D. Schroeder  
Dorothy D. Schroeder

William M. Schroeder  
William M. Schroeder

David P. Doans  
David P. Doans

Conrad M. Fowler  
Conrad M. Fowler

Wales W. Wallace, Jr.  
Wales W. Wallace, Jr.

Harold Hall  
Harold Hall

CLERK OF PROBATE  
I CERTIFY THIS  
DOCUMENT WAS FILED

1982 JUL -8 AM 11:34

JUDGE OF PROBATE

Deed TAX 25.00  
Rec 25.50  
Jud 1.00  
51.50