Please Index Under:

Grantors:

- John E. Van Valkenburgh,
- Carl D. Panattoni,
- Carl D. Panattoni, Yolanda Panattoni, Leonard Panattoni, Christine Kowalski, and Elaine Schaedler, as co-trustees of the P-GST Trust dated December 26, 1989
- Pebble Partners, LLP (hereinafter "Pebble Partners")

Grantee: Dotry Enterprises, LLC

AGREEMENT

STATE OF ALABAMA COUNTY OF SHELBY



Shelby Cnty Judge of Probate, AL 10/16/2014 01:05:32 PM FILED/CERT

THIS AGREEMENT (hereinafter the "Agreement") pertains to that certain Deed dated September 5, 2001 recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Instrument # 2001-38805 (hereinafter referred to as the "Deed") by and between John E. Van Valkenburgh (hereinafter "Van Valkenburgh"), Carl D. Panattoni (hereinafter "Panattoni"), Carl D. Panattoni, Yolanda Panattoni, Leonard Panattoni, Christine Kowalski, and Elaine Schaedler, as co-trustees of the P-GST Trust dated December 26, 1989 (hereinafter the "Trust") and Pebble Partners, LLP (hereinafter "Pebble Partners") (hereinafter Van Valkenburgh, Panattoni, the Trust and Pebble Partners jointly, severally and collectively referred to as the "Grantors") and Dotry Enterprises, LLC (hereinafter referred to as the "Grantee").

WHEREAS, by and through the Deed, Grantors deeded certain real estate situated in Shelby County, Alabama described on Exhibit "A" attached hereto and made a part hereof (hereinafter the "Property") to Grantee.

WHEREAS, Grantors subjected Grantee to certain covenants and restrictions set forth in the body of the Deed which specifically prohibit the Grantee from constructing, installing, locating or permitting any building, structure, fence, paving, landscaping or other improvement on the Property without the prior written consent of Grantors (hereinafter the "Restrictions").

WHEREAS, the Restrictions specifically appoint Pebble Partners to act for all of the Grantors with respect to certification to any interested person of whether compliance may have been had with the Restrictions.

WHEREAS, Pebble Partners was cancelled on February 27, 2004 according to records maintained by the Alabama Secretary of State shown on Exhibit "B" attached hereto and made a part hereof.

WHEREAS, Grantee has erected certain improvements on the Property which were consented to by all the Grantors and those improvements are not in violation of the Restrictions.

Agreement.doc

13-1732

WHEREAS, Grantee desires to be able to make any improvements to the Property that Grantee sees fit in its sole discretion.

WHEREAS, for the consideration stated herein, Grantors agree to remove and strike the Restrictions from the Deed so that the Property will no longer be encumbered by the Restrictions.

NOW, THEREFORE, for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each party hereto, Grantee and Grantors agree as follows:

- 1. Grantee and Grantors hereby agree and declare that the improvements are not in violation of the Restrictions as set forth in the Deed.
- 2. The Grantors hereby remove and strike the Restrictions from the Deed. Henceforth the Property shall no longer be encumbered by the Restrictions.
- 3. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which, when taken together, shall constitute one and the same instrument.
- 4. Pebble Partners cannot and shall not be required to execute this document as Pebble Partners was cancelled on February 27, 2004.

[Signature Lines and Notary Acknowledgments on Following Pages]

20141016000328190 2/13 \$57.00 20141016000328190 e of Probate, AL Shelby Cnty Judge of Probate, AL 10/16/2014 01:05:32 PM FILED/CERT IN WITNESS WHEREOF, the parties hereto have executed this Plan effective as of the 14th day of May, 2014.

P-GST TRUST

BY:

Yolanda Panattetti assco-trustee of the P-GST Trust dated December 26, 1989

BY:

D. Panattoni as co-trustee of the P-GST Trust dated

December 26, 1989

BY:

Leonard Panattoni as co-trustee of the P-GST Trust

dated December 26, 1989

BY:

Christine Kowalski as co-trustee of the P-GST Trust

dated December 26, 1989

BY:

Elaine Schaedler as co-trustee of the P-GST Trust dated

December 26, 1989

[Notary Acknowledgments on Following Pages]

20141016000328190 3/13 \$57.00 Shelby Cnty Judge of Probate, AL 10/16/2014 01:05:32 PM FILED/CERT

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County of Sacranerio	20141016000328190 4/13 \$57.00 Shelby Cnty Judge of Probate, AL 10/16/2014 01:05:32 PM FILED/CERT
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the within instrument and acknowledged to me th	dence to be the person(s) whose name(s) is/are subscribed to at he/she/they executed the same in his/her/their authorized on the instrument the person(s), or the entity upon behalf of t.
I certify under PENALTY OF PERJURY under this true and correct.	e laws of the State of California that the foregoing paragraph KATINA K. WOODBURY
WITNESS my hand and official seal.	Commission # 1950784 Notary Public - California Sacramento County My Comm. Expires Sep 3, 2015
Lat K Wolf	——— (Notary Seal)
Signature of Notary Public	
ADDITIONAL OF	PTIONAL INFORMATION INSTRUCTIONS FOR COMPLETING THIS FORM
DESCRIPTION OF THE ATTACHED DOCUMENT	Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative
(Title or description of attached document)	acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the
(Title or description of attached document continued)	document carefully for proper notarial wording and attach this form if required.
Number of Pages Document Date	 State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment. Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
(Additional information)	 The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
	• Print the name(s) of document signer(s) who personally appear at the time of
CAPACITY CLAIMED BY THE SIGNER ☐ Individual (s) ☐ Corporate Officer	 Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording. The notary seal impression must be clear and photographically reproducible.
(Title) Description of the property of the pr	 Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form. Signature of the notary public must match the signature on file with the office of the county clerk.
☐ Attorney-in-Fact ☐ Trustee(s) ☐ Other	 Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document. Indicate title or type of attached document, number of pages and date. Indicate the capacity claimed by the signer. If the claimed capacity is a

corporate officer, indicate the title (i.e. CEO, CFO, Secretary).

Securely attach this document to the signed document

State of California	
County of Montarey	
	The second of the Nation 1 and
On <u>May 8, 2014</u> before me,	Janet Lay Buchner, Notary Public, Here Insert Name and Title of the Officer
personally appeared	Carl D. Panattoni Name(s) of Signer(s)
20141016000328190 5/13 \$57.00 Shelby Cnty Judge of Probate: AL	who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to the me, that he/she/they executed the same in
JANET LAY SUECINEAL Commission # 1900520 Notary Public - California	to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
My Comm. Expires Jan 29, 2016	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
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	(Here insert name and title of the officer)
personally appeared — LECN(III) PAP	iuttini —,
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the within instrument and acknowledged to me the	lence to be the person(s) whose name(s) is/are subscribed to at he/she/they executed the same in his/her/their authorized on the instrument the person(s), or the entity upon behalf of t.
Lecrtify under PENALTY OF PERJURY under th	e laws of the State of California that the foregoing paragraph
is true and correct.	KATINA K. WOODBURY
WITNESS my hand and official seal.	Commission # 1950784 Notary Public - California Sacramento County My Comm. Expires Sep 3, 2015
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Signature of Notary Public	——— (Notary Seal)
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{	 commission followed by a comma and then your title (notary public). Print the name(s) of document signer(s) who personally appear at the time of
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Partner(s)	• Signature of the notary public must match the signature on file with the office of

the county clerk.

Additional information is not required but could help to ensure this

acknowledgment is not misused or attached to a different document.

corporate officer, indicate the title (i.e. CEO, CFO, Secretary).

• Securely attach this document to the signed document

Indicate title or type of attached document, number of pages and date.

Indicate the capacity claimed by the signer. If the claimed capacity is a

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Attorney-in-Fact

Trustee(s)

Other

State of California 20141016000328190 7/13 \$57.00 Shelby Chty Judge of Probate, AL County of Sacramento 10/16/2014 01:05:32 PM FILED/CERT before me, Kutruak Woodbury, Notary Public On 10.0.2014 (Here insert name and title of the officer) - Christine personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. KATINA K. WOODBURY Commission # 1950784 Notary Public - California WITNESS my hand and official seal. Sacramento County My Comm. Expires Sep 3, 2015 (Notary Seal) Signature of Notary Public ADDITIONAL OPTIONAL INFORMATION INSTRUCTIONS FOR COMPLETING THIS FORM Any acknowledgment completed in California must contain verbiage exactly as DESCRIPTION OF THE ATTACHED DOCUMENT appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the (Title or description of attached document) verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required. (Title or description of attached document continued) • State and County information must be the State and County where the document Number of Pages Document Date signer(s) personally appeared before the notary public for acknowledgment. Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed. • The notary public must print his or her name as it appears within his or her (Additional information) commission followed by a comma and then your title (notary public). • Print the name(s) of document signer(s) who personally appear at the time of notarization. • Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. CAPACITY CLAIMED BY THE SIGNER he/she/they; is /are) or circling the correct forms. Failure to correctly indicate this Individual (s) information may lead to rejection of document recording. Corporate Officer • The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form. (Title) Signature of the notary public must match the signature on file with the office of Partner(s) the county clerk. Attorney-in-Fact Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document. Trustee(s) Indicate title or type of attached document, number of pages and date.

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Other

State of California 20141016000328190 8/13 \$57.00 County of SACramento Shelby Cnty Judge of Probate: AL 10/16/2014 01:05:32 PM FILED/CERT before me, Katina K Woodbury, noctory Public On 10-6-2014 (Here insert name and title of the officer) - Elaine Schuedler personally appeared who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. KATINA K. WOODBURY Commission # 1950784 Notary Public - California WITNESS my hand and official seal. Sacramento County My Comm. Expires Sep 3, 2015 (Notary Seal) Signature of Notary Public ADDITIONAL OPTIONAL INFORMATION INSTRUCTIONS FOR COMPLETING THIS FORM Any acknowledgment completed in California must contain verbiage exactly as DESCRIPTION OF THE ATTACHED DOCUMENT appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the (Title or description of attached document) verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required. (Title or description of attached document continued) • State and County information must be the State and County where the document Number of Pages Document Date signer(s) personally appeared before the notary public for acknowledgment. • Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed. • The notary public must print his or her name as it appears within his or her (Additional information) commission followed by a comma and then your title (notary public). • Print the name(s) of document signer(s) who personally appear at the time of notarization. • Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. CAPACITY CLAIMED BY THE SIGNER he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this Individual (s) information may lead to rejection of document recording. Corporate Officer The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form. (Title) • Signature of the notary public must match the signature on file with the office of Partner(s) the county clerk. Attorney-in-Fact Additional information is not required but could help to ensure this Trustee(s) acknowledgment is not misused or attached to a different document. Indicate title or type of attached document, number of pages and date. Other Indicate the capacity claimed by the signer. If the claimed capacity is a

corporate officer, indicate the title (i.e. CEO, CFO, Secretary).

Securely attach this document to the signed document

IN WITNESS WHEREOF, the parties hereto have executed this Plan effective as of the 14th day of May, 2014.

John E. Van Valkenburgh

L.S.

(Individually)

STATE OF ALABAMA JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John E. Van Valkenburgh, whose name 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 this instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the ____ day of May, 2014.

NOTARY PUBLIC
My Commission expires:

20141016000328190 9/13 \$57.00 Shelby Cnty Judge of Probate; AL 10/16/2014 01:05:32 PM FILED/CERT

County of Monterey	J
On Mary 2014 before me	, Janet Lay Byechner, Notory Public Here Insert Name and Title of the Officer
	John E Van Valkenburgh
	Name(s) of Signer(s)
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	his/ her/thei r signature(s) on the instrument the
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Commission # 1965520	
Notary Public - Californie Monterey County	I certify under PENALTY OF PERJURY under the
My Comm. Expires Jan 29, 20	
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	WITNESS my hand and official seal.
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IN WITNESS	WHEREOF, the parties hereto have executed this Plan effective as of the 14th day
of May, 2014.	

L.S.

Carl D. Panattoni

(Individually)

STATE OF ALABAMA JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Carl D. Panattoni, whose name 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 this instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the ____ day of May, 2014.

NOTARY PUBLIC
My Commission expires: _____

20141016000328190 11/13 \$57.00 20141016000328190 of Probate, AL Shelby Cnty Judge of Probate, AL 10/16/2014 01:05:32 PM FILED/CERT

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County of Monterer	
On May 8, 2014 before me,	Janet Lay Buchner, Notory Public. Here Insert Name and Title of the Officer
personally appeared(Carl D Pana +toni
	Name(s) of Signer(s)
<u> </u>	
	who proved to me on the basis of satisfactory
	evidence to be the person(s)-whose name(s) is/arc
	subscribed to the within instrument and acknowledged
IAMET I AV SUSSIA	to me that he /she/they- executed the same in his /her/their authorized capacit y(ies), and that by
JANET LAY BUECHNER Commission # 1985520	his/ her/their signature(s) on the instrument the
Notary Public - California	person (s) , or the entity upon behalf of which the
My Comm. Expires Jan 29, 201	person (s) acted, executed the instrument.
	I certify under PENALTY OF PERJURY under the
	laws of the State of California that the foregoing
	paragraph is true and correct.
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helby Cnty Judge of Probate, AL	WITNESS my hand and official seal.
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EXHIBIT "A"

A parcel of land located in Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Northwest corner of the Southeast quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, and run in an Easterly direction along the North line of said quarter section a distance of 329.55 feet to a point, said point lying on the Southwesterly boundary line of Cahaba Valley Park North, as recorded in Map Book 13, Pages 140a and 140b, in the Office of the Judge of Probate of Shelby County, Alabama; thence turn a deflection angle of 60 degrees 17 minutes 38 seconds to the right and run in a Southeasterly direction along said boundary line of Cahaba Valley Park North a distance of 841.35 feet to a point; thence turn a deflection angle of 88 degrees 06 minutes 12 seconds and run to the right in a Southwesterly direction a distance of 577.12 feet to a point, said point being on the Westerly right of way line of Southgate Drive, as recorded in Map Book 22, Page 91, in the Probate Office of Shelby County; thence turn a deflection angle of 91 degrees 53 minutes 48 seconds and run to the right in a Northwesterly direction along the Westerly right of way line of said Southgate Drive a distance of 385.48 feet to the POINT OF BEGINNING of the parcel herein described; thence continue in the same direction as the last described course, in a Northwesterly direction, along said right of way a distance of 47.60 feet to a point and the beginning of a curve to the left; thence continue along said right of way in a Northwesterly direction, and along the arc of said curve, having a radius of 220.00 feet and a central angle of 79 degrees 07 minutes 16 seconds, an arc distance of 303.80 feet to a point; thence continue along said right of way, tangent to last described curve, in a Westerly direction a distance of 181.50 feet to a point and the beginning of a curve to the left; thence, leaving said right of way, run in a Southwesterly to Southeasterly direction, along the arc of said curve, having a radius of 35.00 feet and a central angle of 105 degrees 34 minutes 59 seconds an arc distance of 64.50 feet to a point; thence continue in a Southeasterly direction, tangent to last described curve, a distance of 42.63 feet to a point; thence turn an interior angle of 183 degrees 06 minutes 00 seconds and run to the right in a Southeasterly direction a distance of 201.40 feet to a point; thence turn an interior angle of 183 degrees 14 minutes 59 seconds and run to the right in a Southeasterly direction a distance of 29.77 feet to a point; thence turn an interior angle of 86 degrees 27 minutes 28 seconds and run to the left in a Northeasterly direction a distance of 390.14 feet to the point of beginning.

Situated in Shelby County, Alabama.

SUBJECT TO: i) taxes and assessments for the year 2014, a lien but not yet payable; ii) Restrictions appearing of record in Instrument # 2001-38805; iii) Easements and building line as shown on recorded map; and iv) coal, oil, gas and mineral and mining rights which are not owned by Mortgagor.

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Shelby Cnty Judge of Probate, AL

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