

This instrument prepared by:
David P. Condon
David P. Condon, PC
100 Union Hill Drive
Suite 200
Birmingham, Alabama 35209

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03/18/2022 08:16:28 AM
RESTCOVN 1/3

STATE OF ALABAMA)
 :
SHELBY COUNTY)

DECLARATION OF RESTRICTIVE COVENANT PROHIBITING PRIVATE OR PUBLIC ROAD

WHEREAS, Arthur Lee Perkins and Vicki Davis Perkins, husband and wife, are the Owners (“Owner”) of the following described real property (the “Exhibit ‘A’ Property”) situated in Shelby County, Alabama:

See Exhibit “A” attached hereto and incorporated herein

WHEREAS, Owner is this date conveying property which adjoins the “Exhibit ‘A’ Property” to Tim James, Inc, an Alabama Corporation and said property being conveyed is attached hereto as **Exhibit “B”** (“Exhibit ‘B’ Property”), and

WHEREAS, a condition of the purchase of the “Exhibit ‘B’ Property” is that Owner will restrict the use of the “Exhibit ‘A’ Property”, and



NOW, THEREFORE, Owner hereby declares that the “Exhibit ‘A’ Property” is held and shall be held subject to the following:

Owner shall not construct, permit or allow in any manner the placement of a public or private road without the express written consent of Tim James, Inc., an Alabama Corporation

The restrictions and covenants contained herein are permanent restrictions, running with the land and binding on subsequent owners of the “Exhibit ‘A’ Property,” and

Nothing contained in this Declaration of Restrictive Covenant is intended to place any responsibility or duty on Tim James, Inc, other than providing or refusing, at its discretion, the consent referenced above, regarding the “Exhibit ‘A’ Property.”


IN WITNESS WHEREOF, Owner has executed this Declaration of Restrictive Covenant this 14th day of March, 2022.


By: Arthur Lee Perkins

By: Vicki Davis Perkins

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Arthur Lee Perkins and Vicki Davis Perkins whose names are signed to the foregoing Declaration of Restrictive Covenant, and who are known to me, acknowledged before me on this day, that being informed of the contents of such instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 14th day of March, 2022.


Notary Public: David P. Condon
Commission Expires: 02.12.2026

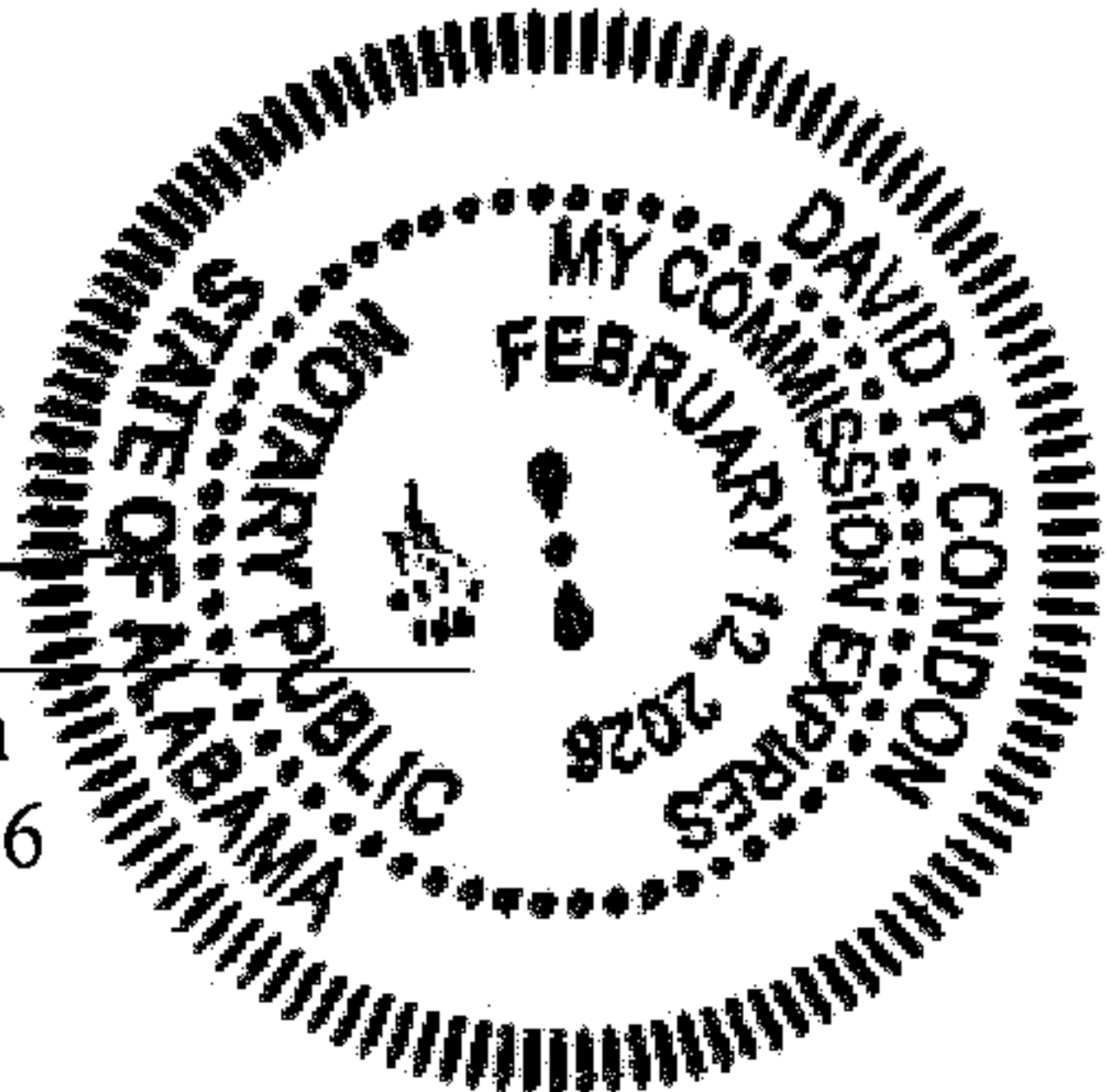


Exhibit "A"

Property Description

Commencing at the SE Cor. of SE1/4 of NW1/4, Section 36, Township 21 S, Range 1 E, Shelby County, Alabama. Thence S 0°22'40" E along the West line of said 1/4 1/4 Section line for 200.05 feet to a point on the North R.O.W. of County Hwy. #28 also the point of beginning; thence continue along previous described line for 952.71 feet to a point; thence S 50°50'15" E for 481.46 feet to a point; thence N 79°46'25" E for 245.0 feet to a point; thence N 89°54'10" E for 572.02 feet to a point; thence N 89°56'05" E for 680.85 feet to a point; thence S 59°04'30" E for 40.0 feet to a point on the 397 Contour of Lay Lake; thence S 67°38'15" E along said Contour Line for 235.81 feet to a point; thence N 0°45'30" E along said Contour Line for 395.13 feet to a point; thence N 4°06'35" W along said Contour for 161.98 feet to a point; thence N 4°01'45" W along said Contour for 258.04 feet to a point; thence S 84°16' W for 231.53 feet to a point; thence N 27°12'25" W for 771.16 feet to a point; thence N 81°44' E for 376.84 feet to a point on the 397 Contour of Lay Lake; thence N 34°13'25" W along said Contour for 190.0 feet to a point; thence N 82°26'05" W along said Contour for 120.0 feet to a point; thence N 86°44'55" W for 108.60 feet to a point; thence N 64°17'35" W for 308.65 feet to a point; thence N 36°35'45" E for 450.90 feet to a point on the 397 Contour of Lay Lake; thence N 57°38'35" W along said Contour for 174.49 feet to a point; thence S 49°07'10" W for 315.23 feet to a point; thence S 74°01'25" W for 576.87 feet to a point; thence S 05°48'25" W for 563.22 feet to a point on the North R.O.W. of a public road; thence S 80°45'25" W along said road for 157.76 feet to a point; thence S 80°42' W along said road for 156.42 feet to a point; thence S 89°39'25" W along said road for 240.54 feet back to the point of beginning. Containing 70.38 acres ±. Being in and a part of the SW1/4 of NE1/4, SE1/4 of NE1/4, NW1/4 of SE1/4, SW1/4 of SE1/4, NE1/4 of SE1/4 and SE1/4 of SE1/4, Section 36, Township 21 S, Range 1 E. Said property subject to Alabama Power Co. Flood Easement. Less and except .37 acres ± along the South line of said property being a portion of Lay Lake.

LESS AND EXCEPT

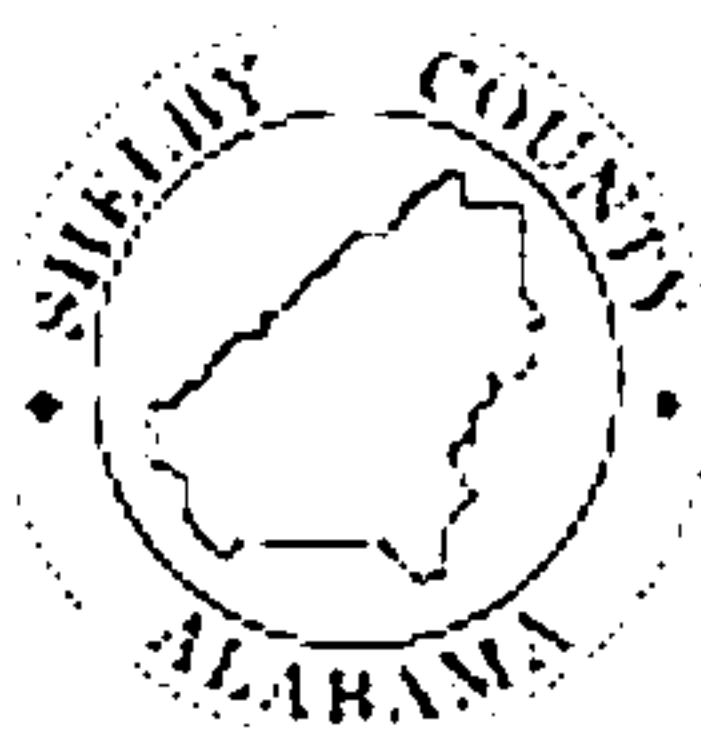
Commence at the NW Corner of the SE 1/4 of the NW 1/4 of above said Section 36; thence S89°53'40"E, a distance of 2,540.97'; thence S22°00'15"E, a distance of 443.41'; thence N49°07'10"E, a distance of 10.23' to the Coosa River, (the following calls will be along the Coosa River until otherwise noted.); thence S41°28'44"E, a distance of 7.40'; thence S62°59'33"E, a distance of 24.21'; thence S42°56'59"E, a distance of 19.63'; thence S52°52'08"E, a distance of 22.96'; thence S66°42'43"E, a distance of 19.67'; thence S85°43'26"E, a distance of 19.04'; thence S43°32'28"E, a distance of 64.12'; thence S36°40'58"W and leaving said Coosa River, a distance of 451.11'; thence S64°16'28"E, a distance of 308.59'; thence S86°41'29"E, a distance of 129.14' to the Coosa River, (the following calls will be along the Coosa River until otherwise noted.); thence S81°57'23"W, a distance of 14.08'; thence S63°52'51"E, a distance of 18.80'; thence N81°14'26"E, a distance of 8.84'; thence S82°07'47"E, a distance of 27.26'; thence S88°54'31"E, a distance of 73.16'; thence S42°18'47"E, a distance of 65.00' to the POINT OF BEGINNING; thence continue along the last described course, a distance of 29.77'; thence S80°33'39"W, leaving said Coosa River and along the Northerly R.O.W. as once defined by Shelby County Highway 28 (80' R.O.W.), a distance of 1,137.61'; thence N09°26'21"W, a distance of 25.00'; thence N80°33'39"E, a distance of 1,121.46' to the POINT OF BEGINNING.

AND LESS AND EXCEPT

Commence at a 1/4" iron in place accepted as the Northwest corner of the Northwest 1/4 of the Southeast 1/4 of Section 36, Township 21 South, Range 1 East, Shelby County, Alabama; thence proceed South 00 degrees 21 minutes 12 seconds East along the West boundary of said quarter-quarter section for a distance of 199.91 feet to a 1/2" rebar in place, said point being the POINT OF BEGINNING. From this beginning point proceed Northeasterly along the curvature of a concave curve left having a delta angle of 02 degrees 58 minutes 42 seconds and a radius of 11,419.16 feet for a chord bearing and distance of North 81 degrees 41 minutes 15 seconds East, 593.52 feet to the Point of Tangent of said curve; thence proceed North 80 degrees 52 minutes 17 seconds East for a distance of 187.30 feet; thence proceed North 09 degrees 07 minutes 43 seconds West for a distance of 25.0 feet; thence proceed North 80 degrees 52 minutes 17 seconds East for a distance of 1095.79 feet to the pool elevation of Lay Lake; thence proceed South 44 degrees 44 minutes 30 seconds East along said pool elevation for a distance of 13.51 feet; thence proceed South 70 degrees 18 minutes 08 seconds East along said pool elevation for a distance of 30.64 feet; thence proceed South 08 degrees 24 minutes 16 seconds East along said pool elevation for a distance of 51.96 feet; thence proceed South 07 degrees 43 minutes 35 seconds East along said pool elevation for a distance of 28.51 feet; thence proceed South 80 degrees 52 minutes 17 seconds West for a distance of 1308.88 feet to the Point of Curve of a concave curve right having a delta angle of 03 degrees 01 minutes 25 seconds and a radius of 11,499.16 feet; thence proceed Southwesterly along the curvature of said curve for a chord bearing and distance of South 81 degrees 42 minutes 36 seconds West, 606.77 feet to its point of intersection with the West boundary of said quarter-quarter section; thence proceed North 00 degrees 21 minutes 12 inches West along the West boundary of said quarter-quarter section for a distance of 80.51 feet

Exhibit "B"
Property Description

Commence at a 1/4" iron in place accepted as the Northwest corner of the Northwest 1/4 of the Southeast 1/4 of Section 36, Township 21 South, Range 1 East, Shelby County, Alabama; thence proceed South 00 degrees 21 minutes 12 seconds East along the West boundary of said quarter-quarter section for a distance of 199.91 feet to a 1/2" rebar in place, said point being the POINT OF BEGINNING. From this beginning point proceed Northeasterly along the curvature of a concave curve left having a delta angle of 02 degrees 58 minutes 42 seconds and a radius of 11,419.16 feet for a chord bearing and distance of North 81 degrees 41 minutes 15 seconds East, 593.52 feet to the Point of Tangent of said curve; thence proceed North 80 degrees 52 minutes 17 seconds East for a distance of 187.30 feet; thence proceed North 09 degrees 07 minutes 43 seconds West for a distance of 25.0 feet; thence proceed North 80 degrees 52 minutes 17 seconds East for a distance of 1095.79 feet to the pool elevation of Lay Lake; thence proceed South 44 degrees 44 minutes 30 seconds East along said pool elevation for a distance of 13.51 feet; thence proceed South 70 degrees 18 minutes 08 seconds East along said pool elevation for a distance of 30.64 feet; thence proceed South 08 degrees 24 minutes 16 seconds East along said pool elevation for a distance of 51.96 feet; thence proceed South 07 degrees 43 minutes 35 seconds East along said pool elevation for a distance of 28.51 feet; thence proceed South 80 degrees 52 minutes 17 seconds West for a distance of 1308.88 feet to the Point of Curve of a concave curve right having a delta angle of 03 degrees 01 minutes 25 seconds and a radius of 11,499.16 feet; thence proceed Southwesterly along the curvature of said curve for a chord bearing and distance of South 81 degrees 42 minutes 36 seconds West, 606.77 feet to its point of intersection with the West boundary of said quarter-quarter section; thence proceed North 00 degrees 21 minutes 12 inches West along the West boundary of said quarter-quarter section for a distance of 80.51 feet to the POINT OF BEGINNING.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
03/18/2022 08:16:28 AM
\$28.00 CHERRY
20220318000111230

Allie S. Bayl