

STATE OF ALABAMA

SHELBY COUNTY

VARIANCE

This grant of variance is made effective the 23rd day of January, 1987, by Jack D. Harris, pursuant to the authority vested in him as the sole member of the Architectural Control Committee, by virtue of the restrictive covenants duly recorded in the Office of the Judge of Probate of Shelby County, Alabama in Book 111, Page 456, with such restrictions pertaining to those certain lots of the Dearing Downs Subdivision Sixth Addition, Phase I, as recorded in Map Book 10, Page 78, in the office of the Judge of Probate of Shelby County, Alabama.

WHEREAS, Lot 98, according to the survey of Dearing Downs Subdivision, Sixth Addition, Phase I, as recorded in Map Book 10, Page 78, in the office of the Judge of Probate of Shelby County, Alabama, is subject to a 40 foot building line from its Northwest lot line;

WHEREAS, the Restrictive Covenants pertaining to said Lot 98, as recorded in Book 111, Page 456, in the office of the Judge of Probate of Shelby County, Alabama, sets forth that any portion of the building shall not be located on said lot nearer than 35 feet to the front line;

WHEREAS, the building located on said Lot 98 is 35.93 feet from the front line on its southeasterly corner and 37.1 feet from the front line on its southwesterly corner;

WHEREAS, Jack D. Harris, as the sole member of the

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SHELBY COUNTY JUDGE OF PROBATE
002 NCD 11.00

Mary Paulsen

Architectural Control Committee, is desirous of granting a specific variance for said Lot 98;

THEREFORE, In consideration of the foregoing premises, the undersigned executes this instrument as follows:

1. The variance of the required 40 foot set back line set forth in the survey of Lot 98, as recorded in Map Book 10, Page 78, is hereby granted by virtue of the Restrictive Covenants as recorded in Book 111, Page 456, in the office of the Judge of Probate of Shelby County, Alabama;

2. The building located on Lot 98, is in compliance with the 35 foot set back line set forth in said Restrictive Covenants as recorded in Book 111, Page 456, in the office of the Judge of Probate of Shelby County, Alabama;

IN WITNESS WHEREOF, the undersigned hereunto sets his hand and seal this the 4th day of November, 1994.

Jack D. Harris
JACK D. HARRIS

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, hereby certify that JACK D. HARRIS, who is known to me and acknowledge before me on this day, that being informed of the contents of said Variance, he voluntarily executed the same this 4th day of November, 1994.

George H. Lynn
NOTARY PUBLIC

My Commission Expires: 10-26-96

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END

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