

56p

STATE OF ALABAMA )  
COUNTY OF Shelby )

COVENANTS TO RUN WITH LAND

WHEREAS, Wayne Horton

hereinafter called the owner(s) of certain real property situated in Shelby County, Alabama, described in Exhibit "A," attached hereto and incorporated herein fully; and

WHEREAS, upon said property the owner(s) desire(s) to construct an alternative onsite sewage disposal system, hereinafter called the system, to service the facility/ dwelling on said property; and

WHEREAS, the approval of the system by the Shelby County Health Department, hereinafter called the local health department, is conditioned upon the covenant by the owner(s) and his/her/their successors in title and his/her/their assigns that he/she/they will satisfy all of the requirements of the local health department and assure the proper functioning of the system.

NOW, THEREFORE, in consideration of the premises, the owner(s) hereby declare the following covenants to run with the land described in Exhibit "A":

1. The owner(s) and his/her/their successors in title and assigns shall comply with the Rules of the State Board of

Inst. # 1998-49821

12/13/1998-49821  
10:06 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CRH 18.30

Health governing onsite sewage disposal (Chapter 420-3-1, Alabama Administrative Code), and with the terms and conditions of the permit issued by the local health department for the system, with respect to construction, installation, operation, maintenance, and repair of the system.

2. The owner(s) hereby give his/her/their assurance that the system shall be installed, and that the completed installation shall be certified by an engineer. The owner(s) and his/her/their successors in title and assigns hereby give his/her/their assurance that he/she/they will provide adequate maintenance for the system and that the system shall not receive hazardous waste, nonbiodegradable waste, or any waste which may contain high levels of metals, or chemicals from industrial, agricultural, or chemical establishments. The system shall receive only domestic liquid waste containing animal or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution from water closets, urinals, lavatories, bathtubs, showers, laundry tubs or devices, floor drains, drinking fountains, or other sanitary fixtures.
3. These covenants shall run with the land and be binding on all present and future owners or occupants of said

facility/dwelling and the property on which it is situated until such time as the system is no longer required by the Administrative Code, the same being the case when the facility/dwelling is connected to a public or private sanitary sewer system.

Dated this, the 15 day of Dec., 1998.

Wayne Horton

(Signature(s) of Owner(s))

Donald E. Williamson, M.D.  
State Health Officer

By: Larry W. Rush  
(Local Health Officer's Signature)

STATE OF ALABAMA )

COUNTY OF Shelby )

I, the undersigned Notary Public in and for said County, in said State, hereby certify that Wayne Horton

\_\_\_\_\_, whose name(s) is/are  
(Name(s) of Owner(s))

signed to the foregoing instrument, and who is/are known to me, acknowledge(s) before me this day that, being informed of the contents thereof, he/she/they has/have executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 15th day of December, 1998.

Shelia D. Stutts  
Notary Public

My Commission Expires 9/11/99

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned Notary Public in and for said County, in said state, hereby

Donald E. Williamson, M. D.

certify that By: Larry W. Rush  
Local Health officer's Name

whose name is signed to the foregoing instrument, and who is known to me, acknowledges before me this day, that being informed of the contents hereof, has executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 15th day of December, 1998.

Shelia D. Huntz  
Notary Public

My Commission Expires 9/11/99

Exhibit "A"

All property in the survey of Thomas Simmons dated 12 NW 44, a map/deed of which is recorded in Map/Deed Book       , page        or instrument # Exhibit A, in the Probate Office of Shelby County, Alabama. Or all property described in the attached legal description.

Exhibit A

# LEGEND

• DEGREE	NW NORTHWEST	R RADIUS	R/W RIGHT OF WAY
• FEET OR MINUTES	NE NORTHEAST	L ARC LENGTH	• CENTERLINE
• INCHES OR SECONDS	SW SOUTHWEST	TAN. ARC TANGENT	X X PAINTED LINE
LP.F. IRON PIN FOUND	SE SOUTHEAST	CH CHORD	P.O.B. POINT OF BEGINNING
LP.S. IRON PIN SET	P.P. POWER POLE	Δ CENTRAL ANGLE	P.O.C. POINT OF COMMENCEMENT

NW COR. NW1/4-SW1/4  
SEC. 6, T-22 S, R-1 W

2553.47

57°27'58"

1/2" REBAR  
LP.S.

89°58'53"

400.00

1643.82

1/2" REBAR  
LP.S.

386.44

90°03'07"

3.55 ACRES

1/2" REBAR  
LP.S.

400.00

1/2" REBAR/R.C.F.A. MTS  
LP.F.

89°58'53"

SHELBY COUNTY HIGHWAY 25



GRAPHIC SCALE: 1"=200'



## BOUNDARY SURVEY

DATE: NOVEMBER 12TH, 1998

### PROPERTY DESCRIPTION:

COMMENCE AT THE NW CORNER OF THE NW1/4 OF THE SW1/4 OF SECTION 6, TOWNSHIP 22 SOUTH, RANGE 1 WEST; THENCE RUN EASTERLY ALONG THE NORTH LINE THEREOF FOR 2553.47 FEET; THENCE 122°32'1" RIGHT RUN SOUTHWESTERLY FOR 1643.82 FEET TO THE NORTHERLY R/W OF SHELBY COUNTY HIGHWAY 25 AND TO THE POINT OF BEGINNING; THENCE 95°41'32" RIGHT RUN NORTHWESTERLY FOR 400.00 FEET; THENCE 90°3'7" LEFT RUN SOUTHWESTERLY FOR 386.44 FEET; THENCE 89°58'53" LEFT RUN SOUTHEASTERLY FOR 400.00 FEET TO THE AFORE MENTIONED NORTHERLY R/W OF SHELBY COUNTY HIGHWAY 25; THENCE 90°3'5" LEFT RUN NORTHEASTERLY ALONG SAID R/W FOR 386.44 FEET TO THE POINT OF BEGINNING. CONTAINING 3.55 ACRES.

### STATE OF ALABAMA SHELBY COUNTY

I, THOMAS E. SIMMONS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA, DO HEREBY STATE, SUBJECT TO THE NOTES SHOWN HEREON, THAT THE FOREGOING MAP OR SKETCH PREPARED BY MYSELF OR UNDER MY SUPERVISION SUBSTANTIALLY MEETS THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA.

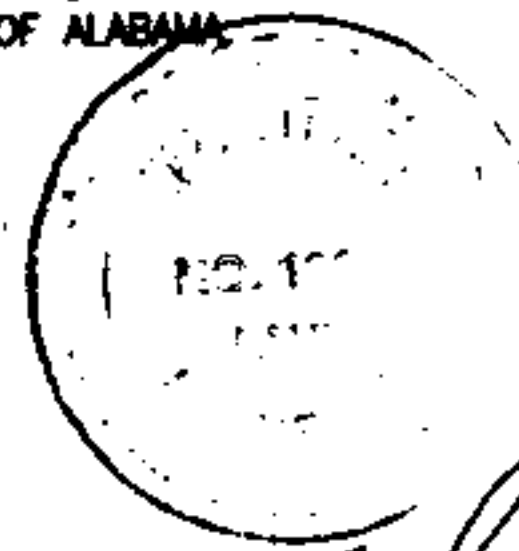
ACCORDING TO MY SURVEY THIS 12TH DAY OF NOVEMBER, 1998



**Simmons  
Surveying**

P.O. BOX 895 108 PINSON PLAZA  
PINSON, ALABAMA 35126  
(205) 681-3679

DRAWING NO.: 1198-108 DRAFTSMAN: TOMMY DATE: 11/12/98



*Thomas E. Simmons*  
THOMAS E. SIMMONS LS# 12945

P. O. BOX 895 PINSON, AL 35126  
TEL: (205) 681-3679

Inst. # 1998-49821

12/15/1998-49821  
10:06 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
18.50  
005 CRH