

STATE OF ALABAMA)

COUNTY OF SHELBY)

RESTRICTIVE COVENANTS

WHEREAS, Cahaba Water Renovation Systems, Inc., a corporation ("Systems") is the owner of a certain parcel of real property situated in Shelby County, Alabama; and

WHEREAS, Systems intends to construct a sanitary sewage treatment plant, along with associated appurtenances and office facilities on such property, and further desires to restrict the use of said property for such purposes.

NOW, THEREFORE, Systems does hereby proclaim, publish and declare that the following described real property shall be held, conveyed, hypothecated or encumbered, rented, used, occupied and improved only for the purpose of domestic sewage treatment facilities and associated appurtenances, and general office facilities with no more than 20,000 square feet of heated area, which restriction shall run with the land and shall be binding upon Systems and upon all parties having or acquiring any right, title or interest in the real property subject to these restrictions:

A part of Lot 2-E, according to the map of a Resurvey of Lot "2-D", Cahaba River Park, as recorded in Map Book 8, page 110 in the Office of the Judge of Probate, Shelby County, Alabama, and being more particularly described as follows:

Begin at the northwesterly corner of said Lot 2-E, said point being the intersection of the westerly line of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35, Township 18 South, Range 2 West and the southerly right-of-way line of Riverview Road and thence run easterly 247.23 ft. along said southerly right-of-way line and along a curve to the left, said curve having a radius of 336.63 ft. and a central angle of 42°04'46" to a point of tangent; thence continue northeasterly 565.19 ft. along said southerly right-of-way line and said tangent to a point, said point being the northeasterly corner of said Lot 2-E; thence turn 118°55'08" right and run southerly 635.00 ft. along the east line of said Lot 2-E to a point; thence turn 40°59'23" right and run southwesterly 603.38 ft. to a point; thence turn 53°00'12" right and run westerly 392.14 ft. to a point on the westerly line of said Lot 2-E and the westerly line of said $\frac{1}{4}$ section, thence turn 90°00'00" right and run northerly 758.54 ft. to the Point of Beginning. Lying and being situated in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 35, Township 18 South, Range 2 West, Shelby County, Alabama.

The property described above is more particularly shown on the survey attached hereto as Exhibit A.

The restrictions contained in this instrument shall run with and bind the property until December 31, 2000, and for so long thereafter as Systems or

its successors or assigns is providing sewage treatment services from a sewage treatment plant located on the property, after which time the restrictions shall automatically terminate.

IN WITNESS WHEREOF, Systems has caused this instrument to be duly executed on this the 17 day of August, 1983.

CAHABA WATER RENOVATION SYSTEMS, INC.

ATTEST:

By: Patti E. Bates
Its: Asst. Secretary

By: Charles G. Sweetman
Its: PRESIDENT

CONSENT OF MORTGAGEE

City Federal Savings and Loan Association, mortgagee of Lot 2-E as described above under mortgage recorded in Mortgage Book 431, Page 235, Probate Office of Shelby County, Alabama, hereby consents to and joins in the above Restrictive Covenants.

ATTEST:

By: Myrtle B. Woods
Its: ASSISTANT SECRETARY

CITY FEDERAL SAVINGS AND LOAN
ASSOCIATION

By: Myrtle B. Woods
Its: VICE PRESIDENT

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BOOK

STATE OF ALABAMA)

COUNTY OF Jefferson)

I, Patti E. Bates, a Notary Public in and for said County in said State, hereby certify that Charles G. Sweetman, whose name as PRESIDENT of Cahaba Water Renovation Systems, Inc., a corporation, 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 the above and foregoing instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal of office this 17 day of August, 1983.

Patti E. Bates
Notary Public

My Commission expires: MY COMMISSION EXPIRES MARCH 19, 1985

STATE OF ALABAMA)

COUNTY OF Jefferson)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Myrtle B. Woods, whose name as Vice President of City Federal Savings and Loan Association, a corporation, 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 the above and foregoing instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal of office this 18th day of August, 1983.

Helen Hays Richardson
Notary Public

My Commission expires: 11-17-86

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NW 1/4, NE NE 1/4

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2-E

SW 1/4 OF NE 1/4

C FUTURE
60' ROADWAY

W 725 94
A. 13-09-35
T 4000
C 79 60

RESURVEY OF LOT 2-B
CHADRA RIVER PARK

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N

SCALE :  1" = 200'

Rec. 600
 Incl 100
700

1983 AUG 29 AM 10:14

Thomas A. Hansen, Jr.

A PART OF LOT 2-E
According to the map of...
RESURVEY OF LOT "2-D",
CAHABA RIVER PARK 8/110

EXHIBIT A