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RESTRICTIVE COVENANTS ON THE AIRPARK  
INDUSTRIAL COMPLEX, SHELBY COUNTY, ALABAMA  
OWNED BY I-65 INVESTMENT PROPERTIES

These covenants are promulgated by the owners of I-65 Investment Properties for the purpose of maintaining an attractive industrial subdivision. To the extent possible, I-65 Investment Properties will attempt to uniformly administer these restrictions and will give full credence to any owners' request to modify or enlarge the covenants but in all cases the final authority as to whether or not such changes shall be made will be handled initially by the I-65 Investment partnership. Upon the project's completion I-65 Investment Properties will appoint an architectural committee consisting of no less than five (5) of the existing owners of lots in the Airpark Industrial Complex who are actually in business in the subdivision. After all lots are sold, these individuals may from time to time make such changes as they deem necessary and appropriate for the best interest of the property owners.

1. All ground shall be maintained and landscaped in an attractive manner.

2. There shall be no mobile homes allowed in the subdivision unless such permission has been obtained from the architectural committee and in no case to exceed more than six (6) month period for the purpose of construction of building ect..

3. There shall be no outside storage of materials or equipment unless such storage is done in a fashion where it cannot be seen. This is not intended to include normal work vehicles, trucks, and other items associated with a business.

4. No junk vehicles shall be stored on or about the grounds. Likewise, no junk or debris will be allowed to accumulate in an unsightly manner.

5. All buildings shall be maintained in a neat and attractive manner, for example, concrete or masonry block buildings shall be painted and kept in good condition.

6. No used building materials shall be utilized in connection with the construction of any buildings unless such materials are approved in advance by I-65 Investment Properties or its successor, the architectural committee.

7. The setback line for construction of buildings shall be fifty (50) feet from the road with the fenced area not to extend into the setback area.

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8. I-65 Properties or its successor, the architectural committee, reserves the right of architectural review on all buildings. Such review shall be minimal and only for the limited purpose of protecting other subdivision lot owners.

9. No well, of any kind shall be drilled on the site.

10. Property owners shall be responsible for any damage to roadway, caused by movement of heavy equipment.

These covenants shall run with the land and each owner agrees and acknowledges that he has been furnished a copy of such restrictions and that he will abide by same. Likewise, the owner shall advise any assigns of such covenants and upon sale require such assignee to agree to be bound by such covenants and upon sale require such assignee to agree to be bound by such covenants. In the event an owner fails to abide by the covenants, he shall be liable for such actions as may be brought by the remaining property owners and/or I-65 Investment Properties as a result of his breach of these covenants. In such event, owner agrees to pay all expenses pertaining to the enforcement of such covenants including a reasonable attorney's fee.



**GROUND ENGINEERING AND TESTING SERVICE, INC.**

October 7, 1988

I-65 Investment Properties  
P. O. Box 625  
Helena, Alabama 35080

ATTENTION: Mr. Wayne Boothe

Subject: **SITE SINKHOLE EVALUATION AND  
GEOTECHNICAL ENGINEERING RECOMMENDATIONS  
AIR PARK INDUSTRIAL COMPLEX - PHASE 1  
SHELBY COUNTY, ALABAMA  
Our Job No. B5096-D**

Gentlemen:

Ground Engineering and Testing Service, Inc., has completed a geologic reconnaissance and geotechnical evaluation for the above site. The purpose of this study was to evaluate soil stability and ground water conditions around two depression and to make geotechnical recommendations impacting planned development. The study was performed in general accordance with the scope of services outlined in our Proposal No. PD-866 dated September 16, 1988.

**SITE CONDITIONS/PLANNED DEVELOPMENT**

Air Park Industrial Complex - Phase 1 encompasses 92 acres west of the old quarry community of Longview, Alabama. The property is situated between the Seaboard Rail Line on the east and I-65 to the west. More specifically it is located in the NE 1/4 of Section 19 and SE 1/4 of Section 18, Township 21 South, Range 2 West as shown on the Alabaster Quadrangle Map.

Site terrain is distinguished by a northwardly trending, narrow ridge and adjacent northwest drainage feature. A large depression approximately 200 ft in diameter is located at the crest of the chert ridge just north of Air Park Industrial Road. A smaller depression about 50 ft in diameter is located in the adjacent northwest swale. Surface elevations range from El 625 atop the chert ridge down to about EL 545 near the northwest corner of the property. Portions of Phase 1 have been cleared of trees and underbrush while large trees stand along the north ridge line and adjacent swale.

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The grading of Air Park Industrial Road has been completed to final subgrade. Industrial/commercial plots of three acres or larger are planned along the central roadway. Sewage disposal will be by on-site septic tank systems. The development's location and general configuration is shown on the attached site map.

## FINDINGS

### A. SITE GEOLOGY

Published geologic maps (Butts, 1940) confirmed by our ground reconnaissance indicate most of the site is underlain at depth by the Chepultepec/Copper Ridge Dolomites undifferentiated ( $OC_{CCR}$ ) of late Cambrian to early Ordovician Age. These formations are characterized by deep cherty residuum overlying weathered dolomite with some interbedded limestone at depth. The southeast part of Phase 1 is interpreted to be underlain by the Longview Limestone. The attached site map illustrates the interpreted formation contact at the site.

Both the Chepultepec/Copper Ridge dolomites ( $OC_{CCR}$ ) and Longview Limestone (Olv) are susceptible to sinkhole development. Ground water solution weathering along planes of weakness in the carbonate bedrock can form ground water flow channels with enlarged horizontal caverns and vertical slots or chimneys. Fluctuations ground water levels tend to flush or ravel soil overburden into these underground cavities which can lead directly to a surface soil collapse or sinkhole.

Two depressions, S-1 and S-2, located at the south end of Phase 1 are interpreted to be ancient, natural sinkholes. Their location is shown on the attached site map.

### B. SUBSURFACE CONDITIONS

#### 1. S-1 Depression

Boring B-1 near the center of the S-1 feature encountered 68 ft of soft, wet clayey to silty sand (SC-SM). These gray-brown soils were interpreted as water-borne deposits or ancient alluvium. Light brown clayey silt (ML) with abundant angular chert gravel (possible residuum) was encountered below the ancient alluvium. The boring was terminated at 70 ft on dense chert gravel. Ground water was measured at a depth of 40 ft immediately following drill completion. Ground water was measured at a depth of 9.5 ft below top of ground on October 6, 1988.

Test pit TP-1 which was excavated on the south rim of the S-1 depression encountered 12 ft of hard cherty clay (CL-GC) residuum. Test pit TP-2 which was excavated on the north slope of the depression encountered about 2.5 ft of recent loose, silty colluvium (gravity-borne soils) overlying very stiff cherty clays. No ground water was observed within the test pits.



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2. S-2 Depression

Boring B-2 was drilled about 50 ft north of the S-2 depression which contained about 2 ft of ponded surface water. Soft, wet sandy clay (CL-ML) alluvium was encountered to a depth of 53 ft where the augers met resistance from large boulders or dense chert gravel. A ground water level of 53 ft was measured immediately following drill operations. On October 6, 1988, the ground water level was 10.5 ft below top of ground.

**SITE EVALUATION**

1. Depressions S-1 and S-2 are ancient natural sinkholes that formed due to voids in the underlying bedrock.
2. Test pit and gravel observations indicate stable, residual soil conditions outside the depressional rim of the S-1 feature.
3. The northwest swale which encompasses the S-2 feature may reflect a bedding contact and possible structural weakness in the underlying bedrock.
4. High seasonal ground water levels should be anticipated within both depressions and along the northeast swale.
5. Lower site elevations within the northwest swale and other linear, secondary swales have a higher risk of future ground subsidence than elsewhere on-site.
6. The risk of ground water contamination from the S-1 and S-2 depressions, assuming our recommended setback distances are observed is no greater than elsewhere on the site.

**RECOMMENDATIONS**

A. S-1 FEATURE

We recommend a 200 ft radius building and sewerline setback be established from the center of this depression as shown on the attached site map. No building foundations or sewer system tank/lines should be constructed within this zone. Roadway or pavement areas can be constructed within this zone provided the owner is willing to accept limited risk of future ground subsidence.

Future development should not permit the ponding or diversion of surface water into this depression. Consideration should be given to filling the depression with on-site soils to match the surrounding top of ridge topography. Before placing fill, timber and surface organics should be removed from the basin. Fill can consist of on-site cherty, silty clays placed in lifts of 12 in. or less. Individual fill lifts should be compacted to a minimum of 95 percent of the materials standard Proctor maximum dry density.

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**B. S-2 FEATURE**

We recommend a 100 ft radius building and sewerline setback be established from the center of this depression as shown on the attached site map. No building foundations or sewer system tank/lines should be constructed within this zone.

This depression, as part of the northwest drainage way, should be left in its natural setting or filled only to match the slope of the adjacent swale bottom. Additional filling above the natural bottom of swale grade should incorporate a drainage pipe and free-drainage gravel layer to permit unimpeded water flow.

**C. NORTHWEST SWALE**

We recommend structural foundations be built no closer than 50 ft to the natural swale centerline as defined on the attached site map.

**D. WELLS**

We recommend no water wells be drilled within the Phase 1 area.

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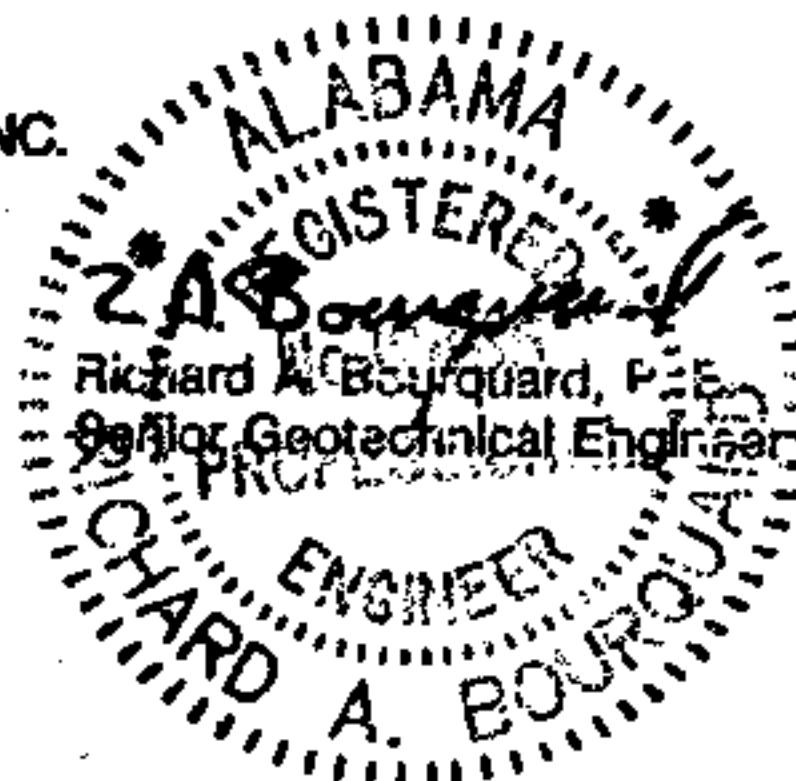
We appreciate the opportunity to have performed the site geotechnical evaluation. If we may be of assistance during construction or should you have any questions concerning this report, please contact the undersigned.

Very truly yours,

GROUND ENGINEERING AND TESTING SERVICE, INC.

*A. David Kendrick*  
A. David Kendrick  
Engineering Geologist

ADK/ro



STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

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*Thomas A. Snowden, Jr.*  
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