MAP BOOK 16 PAGE 73

MAP OF

BROOK HIGHLAND COMMERCIAL I

BEING A RE-SURVEY OF A TRACT OF LAND
SITUATED IN
THE NW1/4 OF SECTION 32, TOWNSHIP 18 SOUTH, RANGE 1 WEST

SHELBY COUNTY, ALABAMA

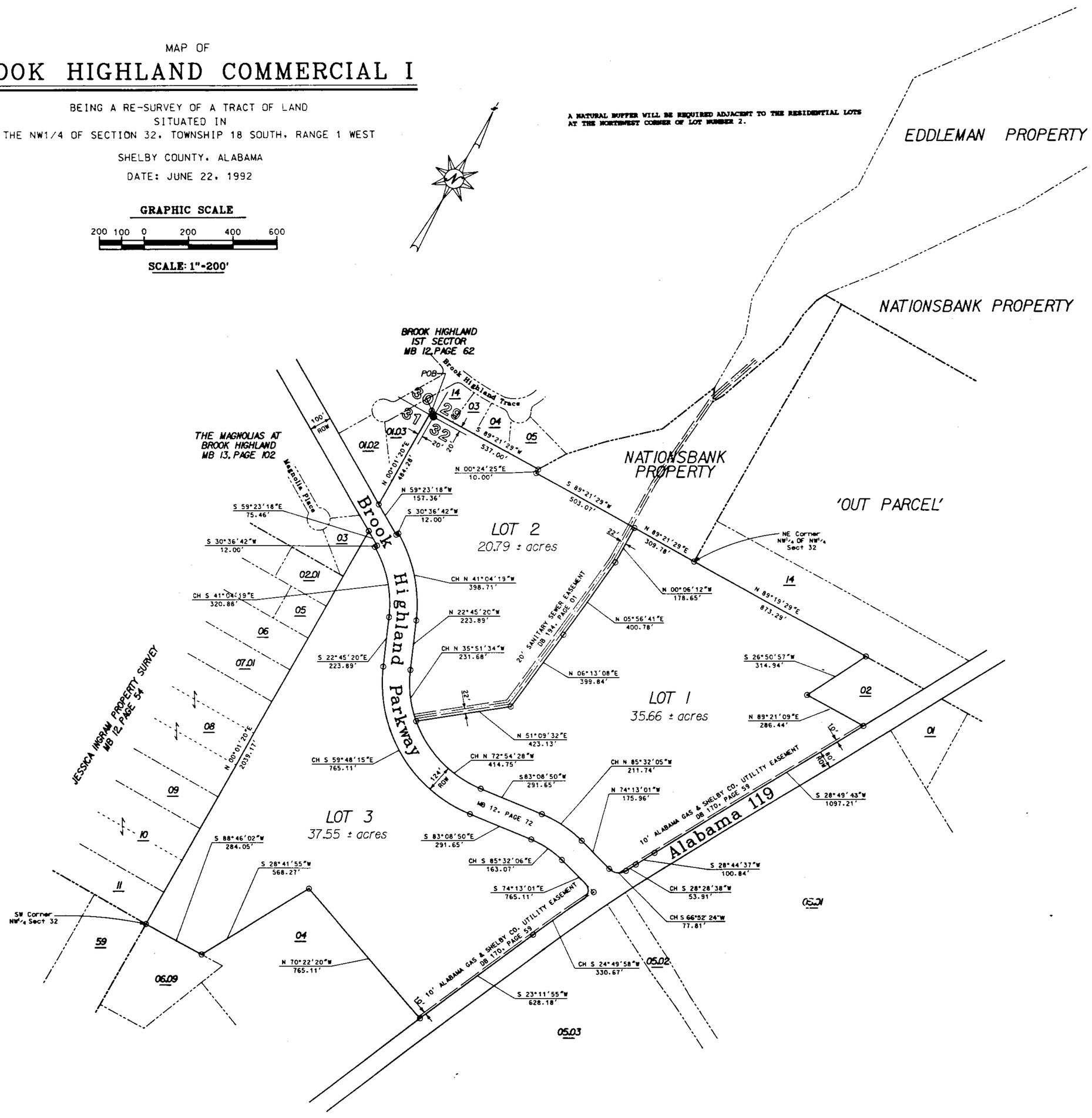
DATE: JUNE 22, 1992

GRAPHIC SCALE

200 100 0 200 400 600

SCALE: 1"=200'

A NATURAL BUFFER WILL BE REQUIRED ADJACENT TO THE RESIDENTIAL LOTS AT THE NORTHWEST CORNER OF LOT NUMBER 2.



STATE OF ALABAMA
SHELBY COUNTY

The undersigned, Bobby J. Kemp, Registered Engineer - Land Surveyor, State of Alabama and AmSouth Bank, N.A., as Ancillary Trustee for NationsBank, N.A. (Formerly NCNB, National Bank of North Carolina), as Trustee for the Ohio Public Employees Retirement System, Owner, hereby certify that this plat or map was made pursuant to a survey made by said Surveyor and from boundary surveys made by Lawrence D. Weygand titled "Contract Inc" dated December 29, 1986 and H. Kenneth White for "The Church at Brook Hills" dated April 14, 1992, and that said survey and this plat or map were made at the instance of said Owners that this plat or map of lands shown therein and know or to be known as BROOK HIGHLAND COMMERCIAL I, showing the subdivisions into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and it's number, showing the streets, alleys and public grounds, giving the bearings, length, width and name of each street, as well as the number of each lot and block and showing the relation of the lands to the government survey of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama; and that iron pins have been installed at all lot corners and curve points as shown and designated by small open circles on said plat or map. Said Owner also certifies that it is the Owner of said lands, and that the same is not subject to any mortgage. Said Owner dedicates streets, alleys and public grounds as shown by said plat or map. Said Owner agrees that the City of Birmingham may at any time change the natural or existing grade to the permanent grade without the payment of compensation or damages to the abutting owners; and this agreement shall be a covenant running with the lands. The undersigned appoints the City of Birmingham as agent for the purpose of filing said plat or map, together with this instrument, for record, and certify that we have full authority to execute this instrument and map.

DATED: June 22, 1992

Bobby J. Kemp, Reg. Engineer - Land Surveyor No. 6847

AMSOUTH BANK N.A., AS ANCILLARY TRUSTEE FOR
NationsBank, N.A.
(Formerly NCNB, NATIONAL BANK OF NORTH CAROLINA).
AS TRUSTEE FOR THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM.
OWNER

John A. Boetwick, Vice-President & Trust Officer

DEVELOPMENT PLAN NOTE FOR SUBDIVISIONS

COVENANT OF RESTRICTIONS:

In order to provide for public health, safety and welfare, to maintain the character of the surrounding neighborhood, to preserve the value of nearby property as well as the land included in this subdivision, and in conformity with Section 793, Title 37 of the 1940 Alabama Code, as amended, the undersigned owners and the Birmingham, Planning Commission hereby covenant and agree upon the use, height, area bulk and other restrictions governing the buildings and premises within this subdivision (not contravening zoning) according to the development plan in the office of said Commissions at City Hall, marked "Received, _____, Case #95-_____", or any subsequent amendment thereof approved by said Commission or its Subdivision Committee.

No grading, site improvements or other construction shall be initiated contrary to said plan. Such restrictions shall have the same sanctions and penalties as though set out as apart of the Zoning Ordinance or map of the City of Birmingham. These restrictions, established as an essential requirement of this subdivision approval, shall run with the land, binding all future heirs, assigns or transferees; and no alteration or release of any provisions shall be granted except by the aforesaid Planning Commission.

STATE OF ALABAMA
SHELBY COUNTY

I, Margarete Ruth Peters as Notary Public in and for said County and State, do hereby certify that Bobby J. Kemp, whose name is signed to the forgoing certificate as Engineer - Land Surveyor, and who is known to me, acknowledge before me, on this date, that after having been duly informed of the contents of said certificate, he executed same voluntarily as such individual with full authority therefor.

Given under my hand and seal this 22nd day of June, 1992.

Margarete Ruth Peters
Notary Public

STATE OF ALABAMA
SHELBY COUNTY

I, Margarete Ruth Peters as Notary Public in and for said County and State, do hereby certify that John A. Boetwick, whose name is signed to the forgoing certificate as Vice-President & Trust Officer, of AmSouth Bank N.A., as Ancillary Trustee for NationsBank, N.A.(Formerly NCNB, National Bank of North Carolina), As Trustee for the Ohio Public Employees Retirement System, Owner, who is known to me, acknowledge before me, on this date, that after having been duly informed of the contents of said certificate, he executed same voluntarily as such officer, in his representative capacity, with full authority therefor.

Given under my hand and seal this 23rd day of June, 1992.

Margarete Ruth Peters
Notary Public

APPROVED:
BIRMINGHAM PLANNING COMMISSION

BY: W. Lee Wegee 7/13/92

APPROVED:
CITY ENGINEER

BY: R.R. Riley, Jr. 7/13/92

NationsBank
OF
NORTH CAROLINA, N.A.

AS
TRUSTEE
FOR THE OHIO PUBLIC
EMPLOYEES RETIREMENT
SYSTEM

BAKK
ENGINEERS
RALEIGH - RICHMOND - COLUMBIA
BIRMINGHAM - JACKSONVILLE
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FAX (205) 969-3853

Inst # 1992-18044
07/13/1992-18044
04:16 PM
SHELBY COUNTY
MAP

1992071300018044 1/1 $.00
Shelby Cnty Judge of Pr
07/13/1992 04:16:51PM FILED/CERT

S-74-92

BUSINESS RECORDS CORPORATION