

VARIANCE ISSUED BY SUMMER PLACE LAND
DEVELOPERS, INC.

RE: Lot 1, Block 2, according to the Survey of Summer Place, First Sector, as recorded in Map Book 17, Page 57, in the Probate Office of Shelby County, Alabama.

WHEREAS, Summer Place Land Developers, Inc. (Hereinafter referred to as Summer Place) is the developer of the above described property.

WHEREAS, Summer Place established a Declaration of Protective Covenants for Summer Place, First Sector, which are recorded in Instrument # 1993-17264, in the Probate Office of Shelby County, Alabama (hereinafter referred to as the Declaration).

WHEREAS, Summer Place reserved for itself the right to grant a variance for any of the restrictions and limitations contained in the Declaration pursuant to paragraph 5.08 entitled "AMENDMENT OR CANCELLATION BY DEVELOPER" of Article V of the Declaration of Protective Covenants.

WHEREAS, Summer Place established minimum building set back lines for front, rear and sides of buildings located on each lot in paragraph 4.02 of Article IV. Larry W. Robinson and wife, Chrissa L. Robinson, the owners of Lot 1, Block 2, have requested a variance be given to the rear set back line requirement established by paragraph 4.02 of Article IV which states that "No building shall be located nearer than 50 feet to the rear lot line, unless a different rear building setback line is indicated on the recorded plat". Larry W. Robinson and Chrissa L. Robinson have requested a variance to change the rear building set back line to 45 feet instead of 50 feet and Summer Place is agreeable to changing the rear set back line for Lot 1, Block 2, Summer Place, First Sector, to 45 feet instead of 50 feet.

NOW THEREFORE, Summer Place pursuant to the powers contained in paragraph 5.08 of the Declaration hereby grants a variance to the rear building set back line of 50 feet as established by said Declaration for Lot 1, Block 2, Summer Place, First Sector, as recorded in Map Book 17, Page 57, in the Probate Office of Shelby County, Alabama as follows:

The rear building set back line for Lot 1, Block 2, Summer Place, First Sector, as recorded in Map Book 17, Page 57, in the Probate Office of Shelby County, Alabama is hereby amended and changed to state that "No building shall be located nearer than 45 feet to the rear lot line".

All other terms and conditions contained in said Declaration shall remain in full force and effect and are not otherwise amended.

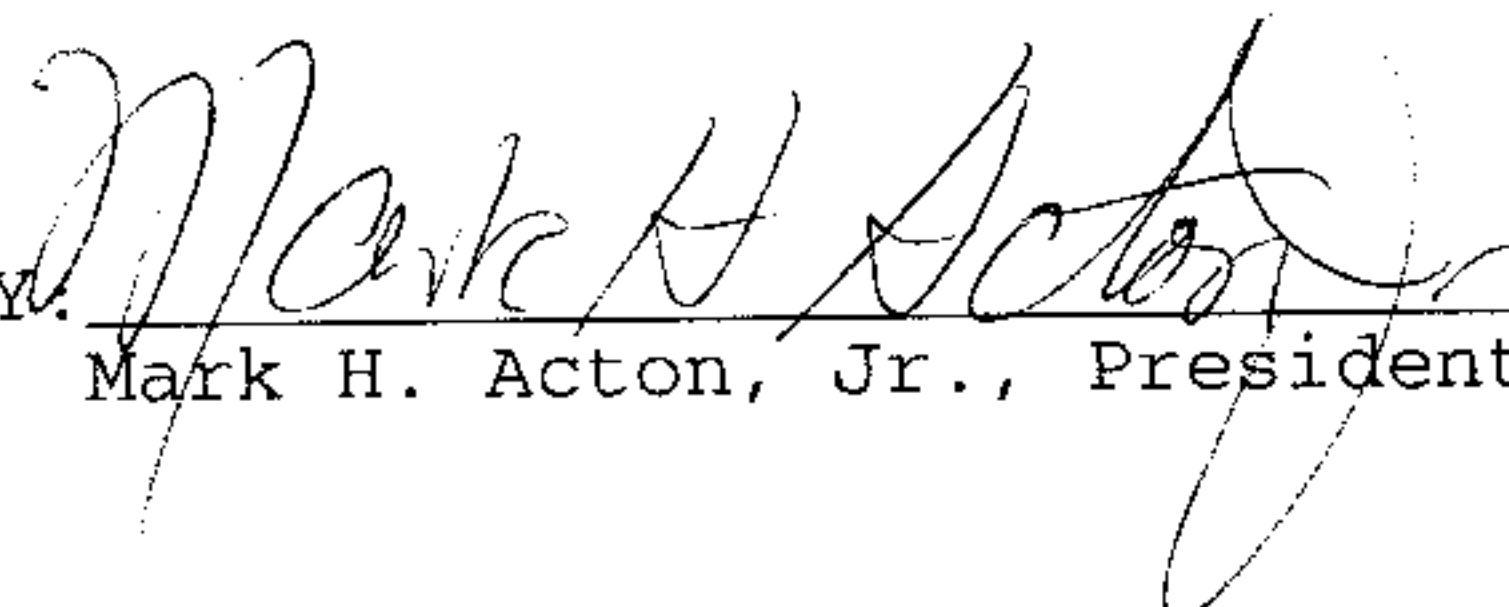
11/10/1994-33608
08:53 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00

Inst # 1994-33608

CLAYTON T. SWEENEY, ATTORNEY AT LAW

In Witness Whereof, the undersigned officer of Summer Place Land Developers, Inc., who being duly authorized has caused this variance to be executed this the 9th day of September, 1994.

Summer Place Land Developers, Inc.

BY: 
Mark H. Acton, Jr., President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that Mark H. Acton, Jr. whose name as President of Summer Place Land Developers, Inc., an Alabama 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 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 seal of office this the 9th day of September, 1994.


Notary Public

My Commission Expires: 5/29/95

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