

This instrument prepared by:

A. Frazier Christy
3621 Kings Hill Road
Birmingham, Alabama 35223

STATE OF ALABAMA)
SHELBY COUNTY)

Inst # 1995-19889

RESTRICTIVE COVENANTS

FOR

4506 CAYCE LANE

07/26/1995-19889
04:10 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DO3 RCD 13.50

26th THIS RESTRICTIVE COVENANT (hereinafter referred to as the "DECLARATION") is made as of this day of June, 1995, by and among A. Frazier Christy and Lowell K. Christy (hereinafter referred to as "Owner's") and the Sandpiper Trail Homeowners Association (hereinafter collectively referred to as "Homeowners"), which declare that the real property hereinafter described is and shall be held, transferred, sold, conveyed and occupied subject to the covenants and restrictions hereinafter set forth.

WHEREAS, the Owners are presently the owners of all of the real property described on Exhibit "A" ("the Property") hereof; and

* WHEREAS the Homeowners own and reside on residential parcels known as Sandpiper Trail Subdivision Sector I as recorded at Map Book 12, Page 43, in the Office of the Probate Judge of Shelby County, Alabama, Sandpiper Trail Subdivision Sector II as recorded at Map Book 12, Pages 44-47, in the Office of the Probate Judge of Shelby County, Alabama, Sandpiper Trail Subdivision Sector as recorded at Map Book 11, Page 121, in the Office of the Probate Judge of Shelby County, Alabama, as recorded at Map Book 16, Page 61, in the Office of the Probate Judge of Shelby County, Alabama and Massengill Subdivision as recorded at Map Book 16, Page 61, in the Office of the Probate Judge of Shelby County, Alabama, which are located in the immediate vicinity of the Property; and

WHEREAS, the Owners and Homeowners have reached an agreement pursuant to which the Homeowners will not object to the Owners' proposed rezoning of the Property from R-1 Residential to A-1 Agricultural as defined in the Hoover City Code APPENDIX I - ZONING -ARTICLE VI. ZONING DISTRICTS in return for the Owners subjecting the Property to certain covenants described herein; and

WHEREAS, Owners desire to develop the Property, as long as it remains zoned A-1 Agricultural, by the construction of one (1) Single Family Residence, one (1) Guest Cottage, and one (1) Barn and Farm Equipment Storage Building for no more than twelve (12) horses, in general compliance with the plan described by the Owners to the Homeowners; and

WHEREAS, the Homeowners will have the right to review, approve, and disallow any changes of substantial non-compliance with the use described above as long as the Property remains zoned A-1 Agricultural; and

WHEREAS, the provisions of this Declaration may be enforced by any of the parties by appropriate action in courts of law in equity.

NOW THEREFORE, in consideration of the promises, TEN DOLLARS and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, it is agreed by and among the parties that the Property is and shall be held, transferred, sold, conveyed, and occupied subject to this Declaration, all of which shall be construed as and deemed to be covenants running with the Property and shall be binding on inure to the benefit of the Property, the Homeowners Lots, and all parties having a right, title, or interest in the Property or the Homeowners Lots.

EXECUTED by each of the undersigned effective this the same date as first hereinabove written.

A. Frazier Christy
A. Frazier Christy, Owner

Lowell K. Christy
Lowell K. Christy, Owner

Bernice Selph
Bernice Selph, President
Sandpiper Trail Homeowners
Association

ATTEST: Karen York
Karen York, Secretary
Sandpiper Trail Homeowners
Association

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned hereby certify that A. Frazier Christy and Lowell K. Christy, whose names are signed to the foregoing Declaration as Owners, and who are known to me, acknowledged before me on this day that, being duly informed of the contents of the Declaration, they executed the same voluntarily on the day the same bears date.

Given under my hand this 26th day of June, 1995.

Shuley B. Hanvey
Notary Public



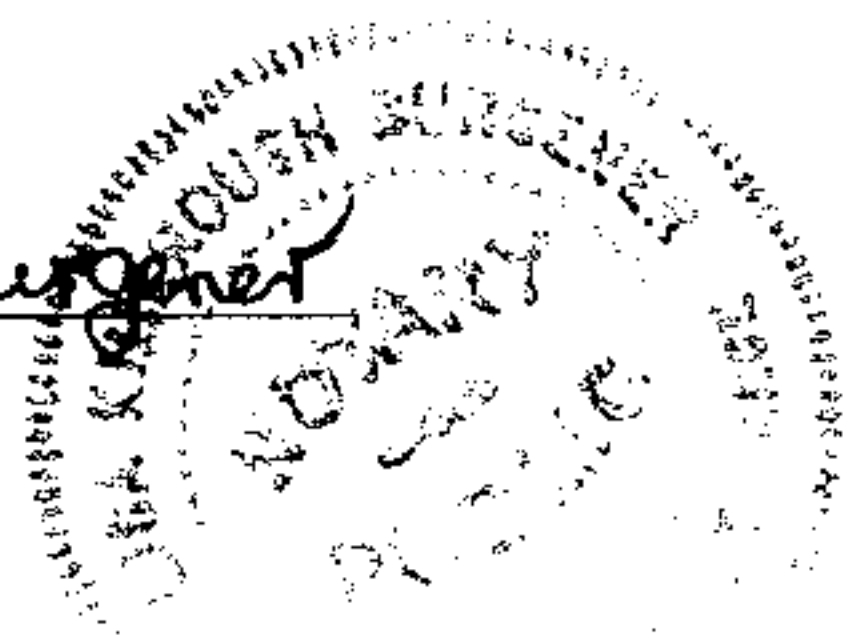
My Commission Expires: 10/22/95

STATE OF ALLBAMA)
SHELBY COUNTY)

I, the undersigned hereby certify that Bernice Selph, whose name is signed to the foregoing Declaration as President, Sandpiper Homeowners Association, and who is known to me, acknowledged before me on this day that, being duly informed of the contents of this Declaration, executed the same voluntarily on the day the same bears date.

Given under my hand this 30th day of June, 1995.

Lisa Kimbrough Burger
Notary Public



My Commission Expires: Notary Public, Alabama State-at-Large
My Commission Expires June 15, 1996

EXHIBIT "A"

STATE OF ALABAMA
SHELBY COUNTY

ALL that part, approximately 4.4 acres, of the following described property lying within the corporate limits of the City of Hoover, Alabama:

Commence at the Northwest corner of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 17, Township 19 South, Range 2 West; thence run South along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 127.59 feet to a point; thence turn $122^{\circ}30'$ to the left and run in a Northeasterly direction a distance of 255.00 feet to the POINT OF BEGINNING, said point also being the Northwest corner of Lot 60 Sandpiper Trail Subdivision Sector II as being recorded in Map Book 12, Pages 44-47, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn $18^{\circ}04'04''$ to the right and run in a Northeasterly direction a distance of 224.04 feet to the Northeast corner of Lot 59 of said Sandpiper Trail Subdivision Sector II; thence turn $75^{\circ}14'32''$ to the left and run in a Northwesterly direction a distance of 140.00 feet to a point; thence turn $8^{\circ}42'52''$ to the right and run in a Northeasterly direction a distance of 95.19 feet to a point; thence turn $75^{\circ}05'23''$ to the right and run in an Easterly direction a distance of 111.64 feet to a point on the Easterly right-of-way line of Cayce lane, said point also being on a curve to the right having a radius of 50.00 feet and a central angle of $94^{\circ}41'13''$; thence run in a Northeasterly direction along arc of said curve a distance of 82.63 feet; thence turn left from tangent of said curve an angle of $167^{\circ}54'05''$ and run in a Westerly direction a distance of 130.30 feet to a point; thence turn $53^{\circ}56'50''$ to the right and run in a Northwesterly direction a distance of 58.50 feet to a point; thence turn $9^{\circ}57'26''$ to the right and run in a Northwesterly direction a distance of 506.57 feet to the centerline of the Cahaba River; thence turn $105^{\circ}07'01''$ to the left and run in a Southwesterly direction along said centerline a distance of 15.54 feet to a point; thence turn $74^{\circ}52'59''$ to the left and run in a Southeasterly direction and leaving said centerline a distance of 39.36 feet to a point; thence turn $74^{\circ}52'59''$ to the right and run in a Southwesterly direction a distance of 122.68 feet to a point; thence turn $39^{\circ}04'20''$ to the right and run in a Westerly direction a distance of 187.02 feet to a point; thence turn $1^{\circ}57'13''$ to the right and run in a Westerly direction a distance of 192.52 feet to a point; thence turn $28^{\circ}18'28''$ to the right and run in a Northwesterly direction a distance of 90.45 feet to a point; thence turn $4^{\circ}15'08''$ to the right and run in a Northwesterly direction a distance of 398.30 feet to a point; thence turn $35^{\circ}48'10''$ to the left and run in a Westerly direction a distance of 64.38 feet to a point; thence turn $35^{\circ}08'06''$ to the left and run in a Southwesterly direction a distance of 380.45 feet to a point; thence turn $108^{\circ}07'53''$ to the left and run in a Southeasterly direction a distance of 842.66 feet to a point; thence turn $47^{\circ}28'31''$ to the left and run in a Southeasterly direction a distance of 164.42 feet to a point; thence turn $66^{\circ}32'28''$ to the right and run Southeasterly direction a distance of 64.02 feet to a point; thence turn $15^{\circ}43'40''$ to the left and run Southeasterly direction a distance of 418.79 feet to the POINT OF BEGINNING; said parcel containing 15.84 acres, more or less, with .

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