

STATE OF ALABAMA

COUNTY OF SHELBY)

COVENANTS TO RUN WITH LAND

WHEREAS, Mamie Albrighton Elmore ^{is} ~~are~~ the owners of certain real property situated in Alabaster, Alabama, described on Exhibit "A" hereto and incorporated herein fully, and

WHEREAS, upon said property the owners, _____ desire to construct a single family residence; and

WHEREAS, said residence shall become, subsequent to this construction, the property of various persons and entities; and

WHEREAS, the Shelby County Board of Health has approved the construction and use of the single family residence by the owner, and their successors in title; and

WHEREAS, the approval by the Shelby County Board of Health for the alternative sewage disposal system for the single family residence is granted upon the covenant by the owners and their successors in title that it or they will satisfy all requirements of the Shelby County Health Department and be responsible to correct, repair and replace any parts, equipment, apparatus, field lines, pumps, motors and other equipment necessary to properly assure the proper functioning of the alternative sewage disposal system.

NOW, THEREFORE, in consideration of the premises, the owners, Mamie Albritton Elmore, hereby grants and convey as encumbrances on land described as Exhibit "A" the following restrictions and covenants to run with the land as hereinafter described:

1. That the undersigned owners, Mamie Albritton Elmore, its successors, assigns and subsequent purchasers of a single family residence in Alabaster, Al. subdivision shall own the said residence subject to the continuing condition that the right to use the said residence and right to continue to occupy the said residence will be subject to the proper functioning of the alternative sewage disposal system which is being approved by the Shelby County Board of Health through

Inst # 1997-19859

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SHELBY COUNTY CLERK
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its Health Officer. In the event it is determined by the Health Officer that the alternative sewage disposal system is no longer functioning properly and that the continued occupancy of their residence is detrimental to their health or the health of other occupants or residences in the general area, then the owner or occupant agrees upon written notice from the said Health Officer to vacate said residence as directed in said notice.

2. The owners and his successors in title will install and maintain for the disposal of sewage an alternative sewage disposal system approved under the provisions of Chapter 420-3-1-.11, Alabama Administrative Code.

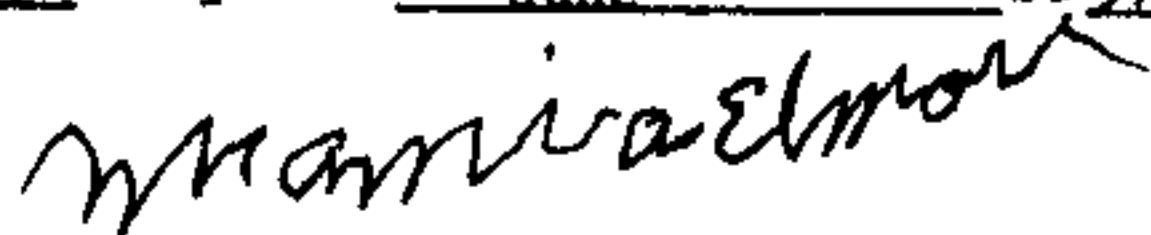
3. The owners and their successors in title shall install and maintain low water use type flush toilets, shower heads and other water saving fixtures, where applicable, whether new or replacement fixtures as determined to be acceptable by the Shelby County Health Officer.

4. That the whole of the land in Exhibit "A" shall not be subdivided until a public or private sanitary sewer system is available.

5. No repair, alteration or addition shall be made to the approved alternative sewage disposal system without the written approval of the Shelby County Health Officer.

6. That these covenants shall run with the land and be binding on all present owners and future owners or occupants of said residence and the lot on which it is situated until such time as the alternative sewage disposal system is no longer required by the Shelby County Board of Health through its Health Officer, the same being the occasion when the residence is connected to a public or private sanitary sewer system.

Dated this the 25 day of June 1997.



(Owner's Signature)



(Local Health Officer's Signature)

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned Notary Public in and for said County, in said state, hereby certify that W. E. Banks
(Local Health Officer's Name)
whose name is signed to the foregoing instrument, and who is known to me, acknowledges before me this day, that being informed of the contents thereof, has executed the same voluntarily on the day of the same bears date.

Given under my hand and official seal, this 29th day of April, 1997.

Shelia Diane Stutts
Notary Public

My Commission Expires 9/11/99

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned Notary Public in and for said County, in said state, hereby certify that Mamie Albritton Elmore whose name
(Owner's Name)
is signed to the foregoing instrument, and who is known to me, acknowledges before me this day, that being informed of the contents thereof, has executed the same voluntarily on the day of the same bears date.

Given under my hand and official seal, this 25 day of June, 1997.

Marta J. Wilder
Notary Public

My Commission Expires 10-6-2000

EXHIBIT "A"

All property in the survey of _____,
a map of which is recorded in Map Book _____, Page _____, in the
Probate Office of Shelby County, Alabama.

This Form Provided By

SEND TAX NOTICE TO:

SHELBY COUNTY ABSTRACT & TITLE CO., INC.

P. O. Box 752 - Columbiana, Alabama 35051
(205) 669-6204 (205) 669-6291 Fax(205) 669-3130

(Name) Ronnie Lee Keith

(Address) _____

This instrument was prepared by

(Name) Mike T. Atchison, Attorney

P.O. Box 822

(Address) Columbiana, Alabama 35051

Form 1-1-87 Rev. 1-46

WARRANTY DEED—Lawyers Title Insurance Corporation, Birmingham, Alabama

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS: . . .

That in consideration of Five Hundred and no/100 DOLLARS

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we,

Mamie Albritton Elmore, a widow

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto

Ronnie Lee Keith

(herein referred to as grantee, whether one or more), the following described real estate, situated in
Shelby County, Alabama, to-wit:

Commence at the NE corner of the NE 1/4 of the SW 1/4 of Section 36, Township 20 South, Range 3 West, and run in a Southwesterly direction 562 feet to the point of beginning; thence continue along last described course 210 feet; thence in a Westerly direction run 315 feet; thence in a Northeasterly direction run 210 feet; thence run Easterly 315.0 feet to the point of beginning. Containing 1.50 acres, more or less.

Situated in Shelby County, Alabama.

Subject to taxes for 1997 and subsequent years, easements, restrictions, rights of way, and permits of record.

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SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.00

TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hands(s) and seal(s), this 5th day of June, 1997.

(Seal)

Mamie Albritton Elmore

(Seal)

(Seal)

(Seal)

(Seal)

(Seal)

STATE OF ALABAMA

SHELBY COUNTY

General Acknowledgment

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Mamie Albritton Elmore, a widow, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 5th day of June, A. D., 1997.

Notary Public.