

STATE OF ALABAMA)
COUNTY OF SHELBY)

COVENANTS TO RUN WITH LAND

WHEREAS, Brookchase Estates, L.L.C. (the "Owner") owns certain lots (the "Lots") located in Shelby County, Alabama, more particularly described on Exhibit A, attached hereto and made a part hereof; and

WHEREAS, the Shelby County Health Department has approved each Lot, subject to conditions set forth in the subdivision final report, for the construction of and use as a single family residence to be served by an on-site sewage disposal system; and

WHEREAS, all lots in Shelby County that are not served by a public sewer are subject to the requirements of the Shelby County Health Department that they cannot be used for residential purposes unless owners keep their on-site sewage systems in good repair and working condition; this includes, depending on the type of system, field lines, pumps and other equipment necessary to assure proper functioning.

NOW, THEREFORE, the Owner agrees and makes the Lots subject to the following restrictions and covenants:

1. At the time of construction of a house on any Lot, the owner of the Lot at that time is responsible to install and to maintain for the disposal of sewage an on-site sewage disposal system that is approved under the provisions of Chapter 420-3-1, On-Site Sewage Disposal, Alabama Administrative Code ("Approval System").

2. Owner acknowledges for itself and for its successor in title it will make no alteration, addition or major repair to the Approved System, unless and until the prior written approval has been obtained from the Shelby County Health Officer.

3. Owner further acknowledges that the Shelby County Health Department will not permit the continued use and occupancy of the houses constructed on the Lots unless the Approved System continues to function properly. This means that, in the future, should the Shelby County Health Department determine that (1) the Approved System is no longer functioning properly, and (2) continued occupancy of the residence is detrimental to the occupants' health or the health of occupants in the general area, then Owner agrees upon written notice from Shelby County Health Department to vacate the residences as directed in the notice.

Inst # 1997-23819

Cornerstone Properties
2232 Cahaba Valley Drive
B'ham AL 35242

07/30/1997-23819
09:41 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DO4 SNA 16.00

4. These covenants shall run with the land and be binding on all present and future owners and occupants of the residences constructed on each Lot.

Done this 29 day of July, 1997.

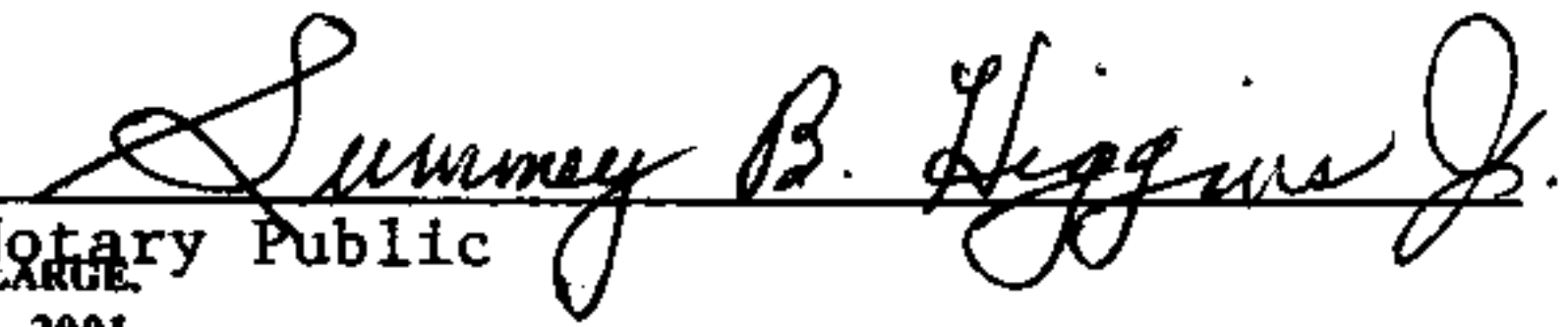
OWNER
BROOKCHASE ESTATES, L.L.C.

By: 
Donald M. Acton
as its Managing Member

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Donald M. Acton, whose name as Managing Member of Brookchase Estates, LLC an Alabama Limited Liability Company 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, in his capacity as such Member and with full authority, executed the same voluntarily on the day the same bears date.

Given under by hand and official seal this 29th day of July, 1997.


Notary Public
NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: Mar. 21, 2001.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

My commission expires: _____

A SUBDIVISION FOR SINGLE FAMILY RESIDENCES BROOK CHASE ESTATES PHASE II

INTUATED IN THE SOUTH 1/2 OF THE SE 1/4 OF SECTION 34, TOWNSHIP 19 NORTH, RANGE 1 WEST,
SHELBY COUNTY, ALABAMA

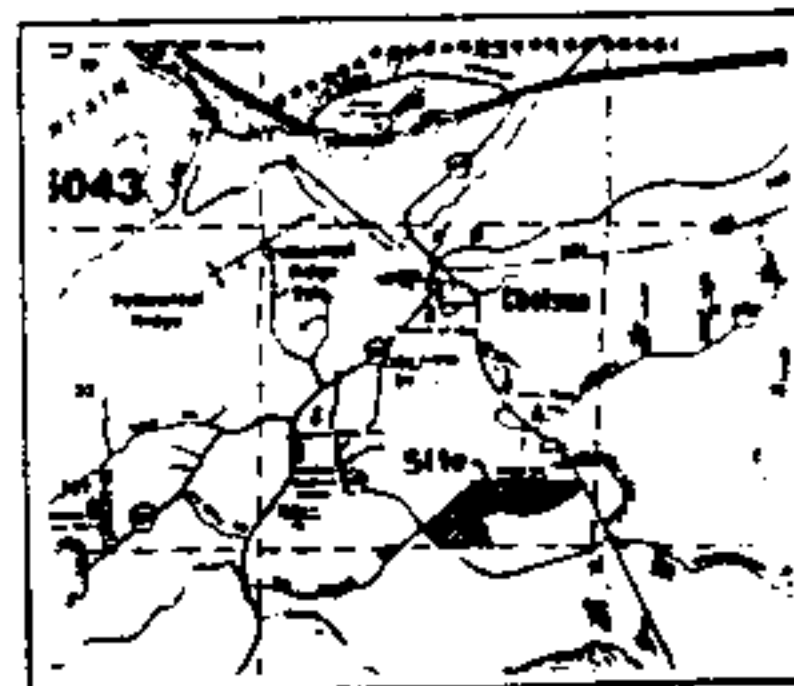
PREPARED BY:
K. B. WEYGAND & ASSOCIATES, P.C.
KENNETH B. WEYGAND, REG. ENGR. - L.S. #1178
CARL DANIEL MOORE, L.L. #1217
223 CANABA VALLEY DRIVE
BIRMINGHAM, ALABAMA 35204
TEL: (205) 944-4888

OWNER/DEVELOPER:
BROOK RIDGE ESTATES, L.L.C.
223 CANABA VALLEY DRIVE
BIRMINGHAM, ALABAMA 35204

WATER: POTABLE WATER
SEWERAGE: CHSELSEA, ALABAMA

MB 22
PG 47

JAMES L. TAYLOR, JEWELL V
TAYLOR
PO BOX 242
CHELSEA AL 35043

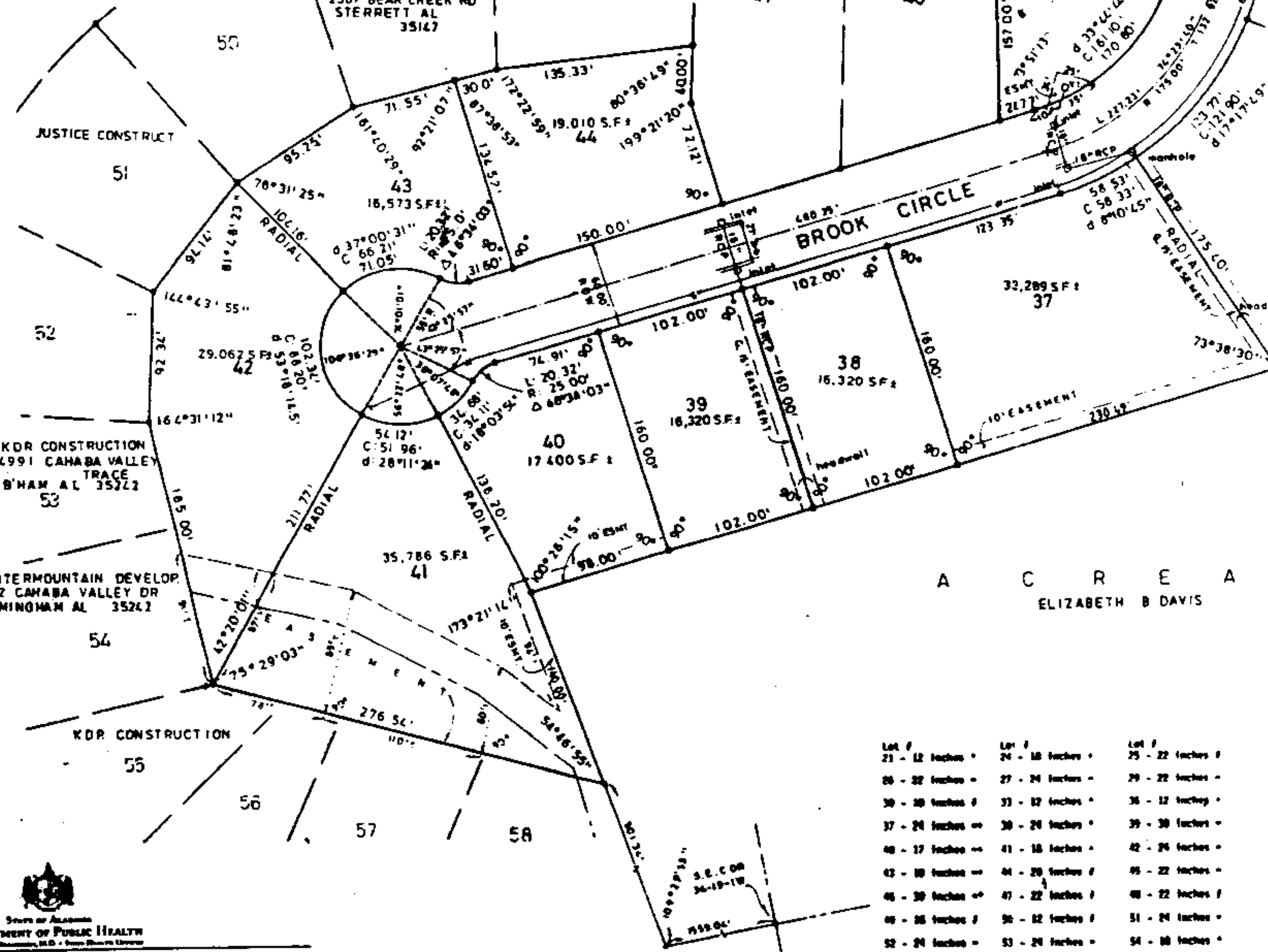


VICINITY MAP (N19)

SCALE: 1"=60'
GRAPHIC SCALE
DATE: 1-23-97

MORTGAGEE: 1ST COMMERCIAL BANK
2100 SOUTHERIDGE PARKWAY
BIRMINGHAM, ALABAMA 35209

NOTE: IN THE EVENT OF A DISPUTE, THE PARTY SHALL HAVE DIRECT ACCESS TO THE COURT OF THE STATE OF ALABAMA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PROPERTY OF THE ADJACENT PROPERTIES, ROADWAYS AND WATERWAYS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PROPERTY OF THE ADJACENT PROPERTIES, ROADWAYS AND WATERWAYS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PROPERTY OF THE ADJACENT PROPERTIES, ROADWAYS AND WATERWAYS.



A C R E A
ELIZABETH B DAVIS



SEAL OF ALABAMA
DEPARTMENT OF PUBLIC HEALTH
SHELBY COUNTY HEALTH DEPARTMENT
Environmental Division

FINAL CONDITIONS OF APPROVAL

NOTE OF SUBDIVISION: BROOK CHASE ESTATES

- No construction of a dwelling shall begin until a permit to install a septic tank has been issued by this office.
- A permit to install will be denied, or may be revoked if already issued, if conditions are found on any lot that could, in the opinion of the Health Department, cause the septic tank system to malfunction or which could restrict the proper operation of the system.
- Issuance of a septic tank permit may follow submission of a properly prepared plot plan in accordance with provisions of Rules of State Board of Health Chapter 406-3-1 Sanitary Sewer Disposal and Subdivision-Drain Systems, Water Supplies, and Solid Waste Management.
- Septic tanks and disposal fields may be installed only by persons holding a current permit to install septic tanks in Shelby County.
- Final Health Department approval to construct upon approval by the Shelby County Planning Commission.

5. The primary disposal site field line trenches as represented by perc test and soil bore locations shown on the Final Map for each lot is restricted to the maximum field line trench depths:

Lot 1 - 24 inches	Lot 2 - 14 inches	Lot 3 - 12 inches
Lot 4 - 22 inches	Lot 5 - 24 inches	Lot 6 - 24 inches
Lot 7 - 20 inches	Lot 8 - 26 inches	Lot 9 - 24 inches
Lot 10 - 24 inches	Lot 11 - 16 inches	Lot 12 - 22 inches
Lot 13 - 30 inches	Lot 14 - 16 inches	Lot 15 - 24 inches
Lot 16 - 30 inches	Lot 17 - 30 inches	Lot 18 - 34 inches

Lot 19 - 12 inches	Lot 20 - 16 inches	Lot 21 - 22 inches
Lot 22 - 22 inches	Lot 23 - 24 inches	Lot 24 - 22 inches
Lot 25 - 20 inches	Lot 26 - 12 inches	Lot 27 - 12 inches
Lot 28 - 24 inches	Lot 29 - 24 inches	Lot 30 - 30 inches
Lot 31 - 17 inches	Lot 32 - 16 inches	Lot 33 - 24 inches
Lot 34 - 16 inches	Lot 35 - 20 inches	Lot 36 - 22 inches
Lot 37 - 24 inches	Lot 38 - 24 inches	Lot 39 - 24 inches
Lot 40 - 24 inches	Lot 41 - 24 inches	Lot 42 - 24 inches
Lot 43 - 24 inches	Lot 44 - 24 inches	Lot 45 - 24 inches
Lot 46 - 24 inches	Lot 47 - 24 inches	Lot 48 - 24 inches
Lot 49 - 24 inches	Lot 50 - 24 inches	Lot 51 - 24 inches
Lot 52 - 24 inches	Lot 53 - 24 inches	Lot 54 - 24 inches
Lot 55 - 24 inches	Lot 56 - 24 inches	Lot 57 - 24 inches
Lot 58 - 24 inches	Lot 59 - 24 inches	Lot 60 - 24 inches

Note:
• denotes ground water observed in soil bore
• ground water indicators observed in soil bore
• due to depth of test
• restricted due to depth of perc test
• restricted due to certain clays, pans or freigns or others

Should the primary disposal location for any lot be relocated to another area of the lot such that the perc test and soil bore would not be within the boundary of the disposal field an additional soil bore and perc test will be required. The above trench depth restrictions could be changed to represent the limitations imposed at the time of the test.

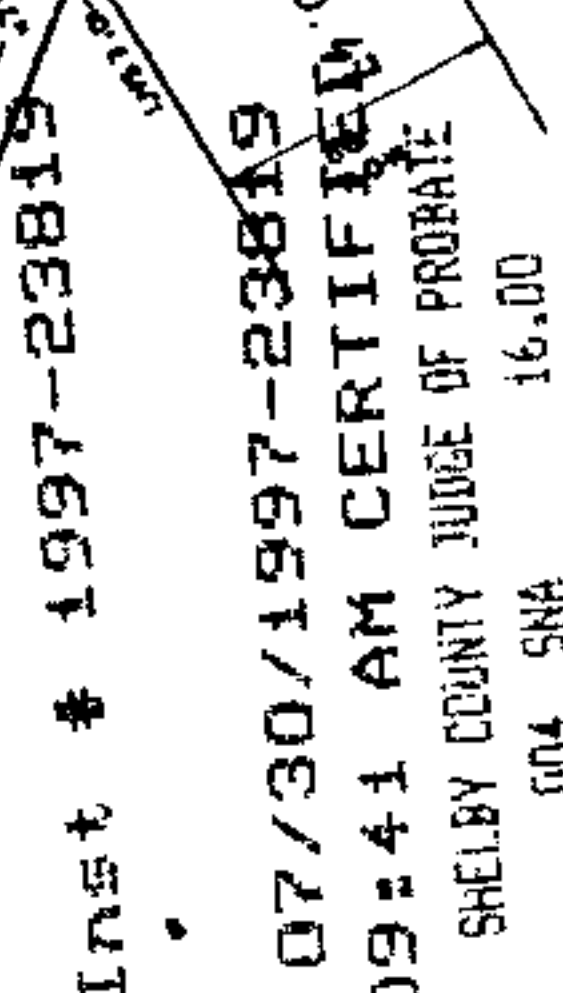
Lot 36 and 37 - Existing units to be filled prior to individual lot approval.

Lots 54, 55 and 57 - All field lines to be installed up slope from perc test and bore pit.

Lot 58 - The low ridge shown on this lot is an only place which appears suitable for conventional field lines. Due to its small size care should be taken to protect the ridge from construction damage.

LEON ARTHUR CHARLES O BLACKERBY
FRANCES B RAY
160 ROAD 338
CHELSEA AL 35043

03/04/1997-04350
0513 AM CERTIFIED
POLICE DEPT JAIL # 15.18
NOTED



The undersigned, L.E.C. Phelan, a registered Nurse-Licensed Nurse, in the State of Alabama, and Branch Hospital, L.E.C. Phelan, hereby certify that this plan or map was made pursuant to a survey made by me and my assistants, and that said survey and this plan or map was made at the instance of said owner; that this plan or map is a true and correct copy of the land shown therein and known or to be known as BRIDGE TRAIL ESTATE PHASE II, showing the subdivisions into which it is proposed to divide said lands, giving the length and bearings of the boundaries of each lot and its number, showing the streets, roads and public highways, giving the bearings, width, length and corner of each street, as well as the number of such lots and block, and showing the relation of the lands to Block-Church Street Phase I as recited in Map Sheet 21, on Page 60, in the office of the Judge of Probate, Shelby County, Alabama; and that from this plan or map were derived the plat or maps of said lands and that all of the same are true copies of this plan or map.

Said lands and dist. 8-1-2 yrs. exp. on addition 19-2-20 persons, more, with First Commercial Bank.

DATE: 2-4-77

BY: James B. Campbell, Jr. Sup. LA 011720

STANLEY STEINBERG, L.L.C. Owner

BY William F. Smith

NEW COMMERCIAL BANK, Montreal.

DT:

STATE OF ALABAMA
COUNTY OF TALLADEGA

1. the undersigned, as Henry Public in and for said County in said State, hereby certify that Edward S. Weigand, whose name is signed to the foregoing certificate as Eugene-Louis Burrows, who is known to me, acknowledged before me, on this date that, being informed of the contents of the above and foregoing certificate, he executed the same voluntarily, as an act of said Eugene-Louis Burrows, on the day the same were done.

Given under my hand and seal this 14 day of February, 1977

Henry Pollak
My commission expires: 12/31/2011

STATE OF ALABAMA
COUNTY OF TULSA

I, the undersigned, do hereby Publicly and for all to see and hear, do hereby certify that, while upon it signed in the foregoing certificate as William F. Sullivan of South River, New Jersey, U.S.F. (husband and who is known to me, personally and before me, on this date that, being informed of the contents of the above and foregoing certificate, he executed the same voluntarily, as such officer, on the day the same were then

James I. Catron
Notary Public
My commission expires 1-18-2011

STATE OF ALABAMA
COUNTY OF _____

I, the undersigned, as Mayor Publicly and for said Camp and Sang, do hereby certify that, when same is signed in the foregoing certificate as John M. Schmitt, of New Commercial Bank, Minneapolis and who is known to me, undersigned before me, on this date then, being informed of the contents of the above and foregoing affidavits, the same are true and correct as such officers and as the law and usage then.

5th February 1977

ST:
Henry Public

RESOLUTION: It is resolved by the Shelby County Commission, that the copies of this final report and the same hereto be given to the chairman of the streets, alleys and public grounds department, as well as to the Mayor of Chicago.

CHASE ESTATES PHASE II, which said plan or map is copyrighted, was made by the firm of J. Frankel, an Engineer-Surveyor at the Institute of Street, Highway and Waterways, L.L.C. of Chicago, and has been submitted to the commission, said plan or map being first approved by a reading of the approval of this commission, signed by the Commission, and the City of Chicago, and the State of Illinois.

DATE: _____

APPROVED: _____
JIM AT CONLEY JEWELL

APPROVED _____
Sgt. R. J. [illegible] 11 AUGUST 1968

APPROVED: Laurie W. Rusk DATE: 2-10-97
CHIEF OF COUNTY WILDLIFE DIVISION

APPROVED: Norman T. [Signature] DATE: 2-4-97

THIS SUBDIVISION MEETS THE APPROVAL OF THE WILSON COUNTY HEALTH DEPARTMENT
SUBJECT TO CERTAIN CONDITIONS OF APPROVAL AND/OR LOT SELECTIONS ON FILE WITH THE
LAND HEALTH DEPARTMENT WHICH CONDITIONS ARE MADE PART OF THIS APPROVAL AS IS SET
OUT HEREIN *

ALL ENCLOSURES ON THIS MAP ARE FOR PUBLIC UTILITIES, SANITARY SEWER, STORM SEWER, STORM SEWER, AND MAY BE USED FOR SUCH PURPOSES TO SERVE THE PROPERTY BOTH WITHIN AND WITHOUT THE SUBDIVISION, EXCEPT IN SUBDIVISIONS WITH DISCONTINUOUS WATER LINES & NEWER OWNER'S (OWNER'S) SANITARY SEWER IN WHICH CASE THESE SANITARY SEWER ENCLOSURES ARE EXCLUSIVE. ALL UTILITIES MUST CLEAR WITH THE UTILITY BEFORE INSTALLATION TO GUARANTEE THAT THERE IS NO ENCROACHMENT OF THE EXCLUSIVE ENCLOSURE OF THE UTILITY.

*CONTRACTOR AVOIDS OVERLAP AND RESPONSIBLE FOR PREPARING BUILDING SITES FOR
OR GRADE WORK ON *

NO FURTHER SUBDIVISION OF ANY PACEL SHOWN HEREON SHALL BE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE CITY OF CHICAGO PLANNING COMMISSION.

*STANLEY COUNTY IS NOT RESPONSIBLE FOR THE MAINTENANCE OF ANY EASEMENTS SHOWN ON THIS OR AT ANYTIME ON THE STATE OF SOUTH CAROLINA *

NO POINT SHALL HAVE A FINISHED FLOOR ELEVATION LESS THAN TWO (2) FEET ABOVE TOP OF LOW ADJACENT GRADE SURFACE

THIS PROPERTY IS SITUATED IN PLODGE BOMB "C" ACCORDING TO THE "FEDERAL INSURANCE RATE MAP" OF SHELBY COUNTY, ALABAMA, PANEL NUMBER 30000000, EFFECTIVE DATE 1-1-60.

☆ NO ACCESS TO SHELBY CO. HWY. NO. 47

MAP CHECKED GDM 1-24-97