

STATE OF ALABAMA)

COUNTY OF Shelby)COVENANTS TO RUN WITH LAND

WHEREAS, Pierce Hardy Limited Partnership
 hereinafter called the owner(s) of certain real property
 situated in Shelby County, Alabama, described in
 Exhibit "A," attached hereto and incorporated herein fully;
 and

WHEREAS, upon said property the owner(s) desire(s) to
 construct an alternative onsite sewage disposal system,
 hereinafter called the system, to service the facility/
 dwelling on said property; and

WHEREAS, the approval of the system by the Shelby
 County Health Department, hereinafter called the local health
 department, is conditioned upon the covenant by the owner(s)
 and his/her/their successors in title and his/her/their
 assigns that he/she/they will satisfy all of the requirements
 of the local health department and assure the proper
 functioning of the system.

NOW, THEREFORE, in consideration of the premises, the
 owner(s) hereby declare the following covenants to run with
 the land described in Exhibit "A":

1. The owner(s) and his/her/their successors in title and
 assigns shall comply with the Rules of the State Board of

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 SHELBY COUNTY JUDGE OF PROBATE
 005 MCD 18.50

Health governing onsite sewage disposal (Chapter 420-3-1, Alabama Administrative Code), and with the terms and conditions of the permit issued by the local health department for the system, with respect to construction, installation, operation, maintenance, and repair of the system.

2. The owner(s) hereby give his/her/their assurance that the system shall be installed, and that the completed installation shall be certified by an engineer. The owner(s) and his/her/their successors in title and assigns hereby give his/her/their assurance that he/she/they will provide adequate maintenance for the system and that the system shall not receive hazardous waste, nonbiodegradable waste, or any waste which may contain high levels of metals, or chemicals from industrial, agricultural, or chemical establishments. The system shall receive only domestic liquid waste containing animal or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution from water closets, urinals, lavatories, bathtubs, showers, laundry tubs or devices, floor drains, drinking fountains, or other sanitary fixtures.
3. These covenants shall run with the land and be binding on all present and future owners or occupants of said

facility/dwelling and the property on which it is situated until such time as the system is no longer required by the Administrative Code, the same being the case when the facility/dwelling is connected to a public or private sanitary sewer system.

Dated this, the 2nd day of April, 1998.

Pierce Hardy Limited Partnership
By: The Magerko Corporation

Cheri B. Bomar Asst V.P.
(Signature(s) of Owner(s))

Donald E. Williamson, M.D.
State Health Officer

By: [Signature]
(Local Health Officer's Signature)

Commonwealth of Pennsylvania
~~STATE OF ALABAMA~~

COUNTY OF Washington
Shelby

I, the undersigned Notary Public in and for said County, in said State, hereby certify that Cheri B. Bomar Asst V.P. OF
The Magerko Corporation General Partner OF Pierce Hardy Limited Partnership
(Name(s) of Owner(s)) whose name(s) is/are
signed to the foregoing instrument, and who is/are known to me, acknowledge(s) before me this day that, being informed of the contents thereof, he/she/they has/have executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 2nd day of
April, 1998.

Nina Denise Bobrowski
Notary Public

My Commission Expires

Notarial Seal
Nina Denise Bobrowski, Notary Public
~~Peters Twp.~~ Washington County
My Commission Expires June 19, 2000
Member, Pennsylvania Association of Notaries

STATE OF ALABAMA

COUNTY OF shelby

I, the undersigned Notary Public in and for said County, in

Donald E. Williamson, M.D.

said state, hereby certify that By: W A [Signature]
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 the same bears date.

Given under my hand and official seal, this 20th day of April 20, 1998.Shelia D. Stutz
Notary PublicMy Commission Expires 9/11/99

EXHIBIT "A"

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

EXHIBIT "A"

LEGAL DESCRIPTION FOR GENERAL WARRANTY DEED

**Martin M. Muller as Trustee of the Martin M. Muller Charitable Remainder Trust
dated March 26, 1997, Grantor, to**

Pierce Hardy Limited Partnership, a Pennsylvania limited partnership, Grantee

A tract of land located in the Southeast quarter of the Southwest Quarter of Section 29 Township 19 South Range 1 East Shelby County, Alabama being more particularly described as follows: Commence at the Southwest Corner of the Southeast Quarter of the Southwest Quarter of Section 29 Township 19 South Range 1 East thence run north along the west Boundary line of said Quarter - Quarter section for 831.88 feet to the point of beginning; thence continue along last said course for a distance of 370.88 feet to the South Right of Way Line of the CSX Railroad; thence turn an angle of 83 degrees 53 minutes 41 seconds to the right and run easterly along said railroad right of way line for a distance of 787.22 feet; thence turn an angle of 94 degrees 17 minutes 05 seconds to the right and run a distance of 140.98 feet; thence turn an angle of 94 degrees 20 minutes 21 seconds to the left and run a distance of 131.84 feet; thence turn an angle of 79 degrees 29 minutes 50 seconds to the right and run a distance of 132.24 feet; thence turn an angle of 97 degrees 57 minutes 47 seconds to the left and run a distance of 147.07 feet to the West Right of Way Line of Shelby County Road No. 51 and the point of curvature of a tangent curve concave to the East having a radius of 1455.06 feet, a central angle of 8 degrees 32 minutes 41 seconds and a chord of 216.80 feet bearing South 17 degrees 18 minutes 28 seconds East; thence South along said curve a distance of 217.00 feet; thence South 20 degrees 12 minutes 54 seconds East along said road right of way line for a distance of 87.00 feet; thence turn an angle of 112 degrees 31 minutes 28 seconds to the right for a distance of 1188.62 feet to the Point Of Beginning.

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