

STATE OF ALABAMA)

COUNTY OF Shelby)

COVENANTS TO RUN WITH LAND

WHEREAS, Paul Lutz

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

Inst # 1998-31128

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SHELBY COUNTY JUDGE OF PROBATE
005 CRH 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 12 day of Aug., 1998.

Paul Lutz
(Signature(s) of Owner(s))

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

By: W F Danks
(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 Paul Lutz

_____, whose name(s) is/are
(Name(s) of Owner(s))
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 12th day of August, 1998.

Shelia E. Stults
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

Donald E. Williamson, M.D.

said state, hereby certify that By: W. J. 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 the same bears date.

Given under my hand and official seal, this 11th day of August, 19 98.

Shelia D. Stutz
Notary Public

My 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.

see attached

STATE OF ALABAMA
SHELBY COUNTY.

I, E. Franklin Parker, Sr., a registered land surveyor, do hereby certify that the exhibit at right ad Parcel 1 and Parcel 2 is a true and correct map or plat of a survey made by me at the request of Mr. Paul Lutz.

I hereby certify that Parcel 1 is not in a special flood prone area according to Shelby County Panel 010191-0065 B dated Sept 16, 1982 and that the proposed house will be within the bounds of said Parcel 1, that there are no visible encroachments, except those shown, from adjoining properties and that there are no rights-of-way, easements, of joint driveways, over or across said land visible on the surface, except as shown; there are no visible electric or telephone wires (excluding wires which serve the premises only) or structures or supports, therefore including poles, anchors and guy wires, on or over said premises, except as shown.
Do not know correct address at this time.

Description of Parcel 1:

Commence at the southwest corner of Section 23, Township 20 South, Range 4 West; thence run east along the south section line on an azimuth of 90°33' a distance of 221.66 feet to a point on the easterly R.O.W. of Southern Railroad and the point of beginning; thence proceed along the previous course 120.84 feet to the westerly R.O.W. of Shelby County Highway # 93 and being on a segment of a curve to the right, said curve having a Central Angle of 33°09' and a Radius of 550.0 feet; thence NEly along the R.O.W. on an Arc of 318.2 feet to the P.T.; thence an azimuth of 44°33' NEly along straight R.O.W. 908.7 feet to the P.C. of a curve to the left, said curve having a Central Angle of 1°09' and a Radius of 19,323 feet; thence along the Arc 385.42 feet to a point on the east line of SW 1/4 of SW 1/4; thence an azimuth of 00°32'18" north along said east line 92.92 feet to the northeast corner of said 1/4-1/4; thence an azimuth of 270°00' west along the north line of said 1/4-1/4 line 287.51 feet to a point on the easterly R.O.W. of said Southern Railroad on a segment of a curve to the right, said curve having a Central Angle of 22°32'38" and a Radius of 1161.0 feet; thence SWly along said R.O.W. and Arc 456.8 feet to the P.T.; thence an azimuth of 216°12'40" SWly along the straight R.O.W. 1111.58 feet to the point of beginning, said Parcel 1 contains 4.3 acres more or less.

I hereby certify that all parts of this survey and drawing have been completed in accordance with the requirements of the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama.

Dated JULY 28, 1998

E. Franklin Parker, Sr.
Surveyor's Signature
Alabama Registration No. 9983

Description of Parcel 2:

Begin at the NW corner of the SE 1/4 of the SW 1/4 of Section 23, Township 20 South, Range 4 West; thence run east on an azimuth of 90°00' along the north line of said 1/4-1/4 a distance of 85.04 feet to a point on the westerly R.O.W. of Shelby County Hwy # 93; thence an azimuth of 222°45'20" SWly along the said R.O.W. 126.55 feet to a point on the west line of said 1/4-1/4; thence an azimuth of 00°32'18" north along the said west line a distance of 92.92 feet to the point of beginning, said Parcel # 2 contains 0.12 acres more or less.

Dated JULY 28, 1998

E. Franklin Parker, Sr.
Surveyor's Signature
Alabama Registration No. 9983

ADDRESS: 1974 LAKEMONT DRIVE HOOVER, AL 35244
PHONE # 485-9983

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