

STATE OF ALABAMA

COUNTY OF SHELBY

COVENANTS TO RUN WITH THE LAND

WHEREAS, Bettie Benson

hereinafter called the owner(s) of certain real property situated in SHELBY County, Alabama, described in Exhibit "A," attached hereto and incorporated 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 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

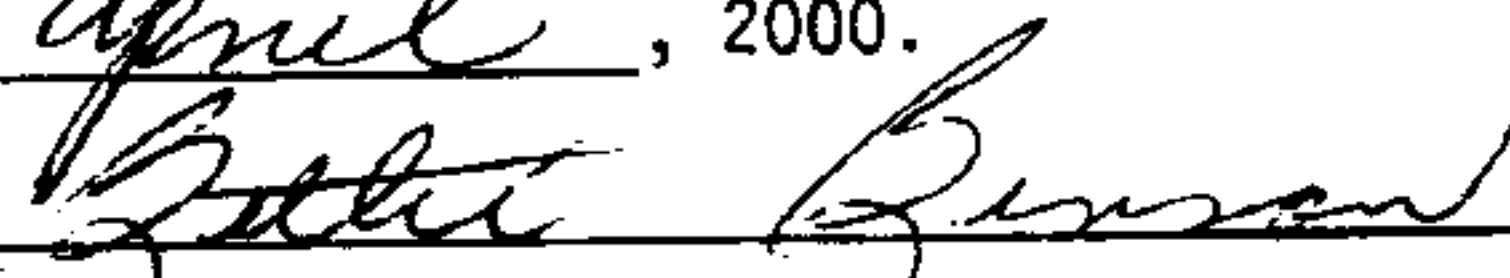
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SHELBY COUNTY JUDGE OF PROBATE
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Inst # 2000-13218

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 18th day of April, 2000.



(Signature(s) of Owner(s))

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

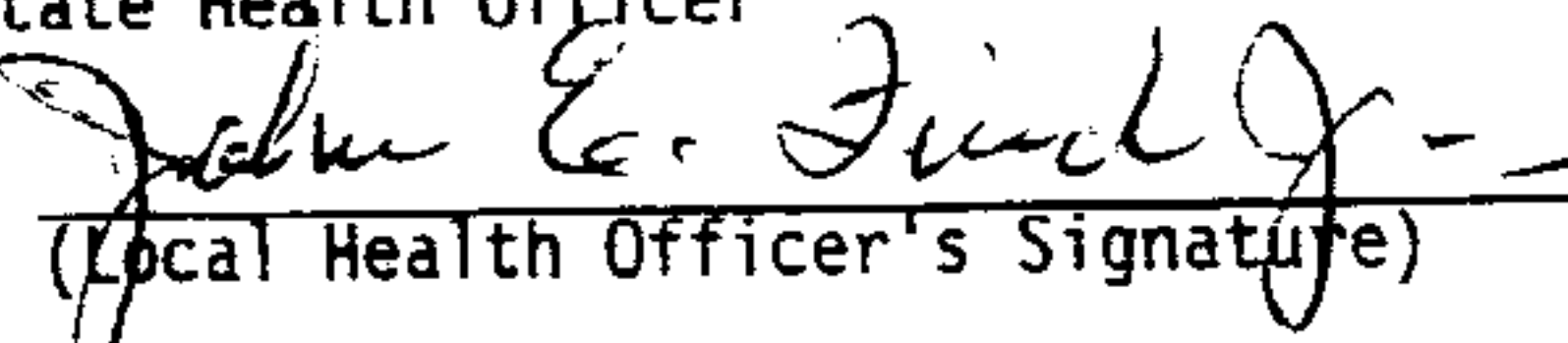
By: 
(Local Health Officer's Signature)

Exhibit "A"

All the property in the survey of FD Parcel 226140000029⁰⁰⁷, a map/deed of which is recorded in Map/Deed Book 235, page 452 or instrument # _____ in the Probate Office of Shelby County, Alabama. Or all property described in the attached legal description.

STATE OF ALABAMA

COUNTY OF SHELBY

I, The undersigned Notary Public in and for said County, in said State, hereby certify that Bettie Benson 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 18th day of April, 2000.

Lawson Notary
Notary Public

My commission Expires May 7 2001

STATE OF ALABAMA

COUNTY OF SHELBY

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

Donald E. Williamson, M. D.

certify that By: John E. Finch Jr.
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 hereof, has executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 23rd day of March, 2000

Shelia E. Cook
Notary Public

My Commission Expires 09/13/03

THIS INSTRUMENT PREPARED

475 Exhibit "A"

NAME Arnold Lefkovits
ADDRESS 1400 Colonial Bank Building, Birmingham, Alabama 35203
WARRANTY DEED (Without Survivorship) ALABAMA TITLE CO., INC.

State of Alabama }
Shelby COUNTY }

Know All Men By These Presents.

That in consideration of One Thousand (\$1,000.00) and other good and valuable consideration to the undersigned grantor, W. B. Stubbs, Jr.

in hand paid by Bettie Jane Benson

the receipt whereof is acknowledged I

the said W. B. Stubbs, Jr.

do grant, bargain, sell and convey unto the said interest in and to the following described real estate, situated in

Bettie Jane Benson an undivided one-half (1/2)

County, Alaba

Shelby

to-wit:

A part of the NW-1/4 of the SE-1/4 of Section 14, Township 21, Range 2 West, Shelby County, Alabama, more particularly described as follows: Begin at a point where the eastern boundary of the NW-1/4 of the SE-1/4 of said Section 14 is intersected by the Southwesterly right-of-way line of Shelby County Highway No. 26; thence run in a southerly direction along the eastern boundary of said 1/4-1/4 Section a distance of 210 feet to a point; thence turn to the right an angle of 90 deg. and run westerly a distance of 210 feet to a point; thence turn to the right an angle of 90 deg. and run Northerly parallel with the Eastern boundary of said 1/4-1/4 Section to a point on the southerly right of way line of Shelby County Highway No. 26; thence turn to the right and run easterly and southeasterly along the southern right-of-way line of said Shelby County Highway No. 26 to the point of beginning, containing 1 acre, more or less.

Subject to:

1. Current real estate taxes (due October 1, 1983); and
2. Any easements, rights-of-way and restrictions of record.

[The Grantor and Grantee are the devisees, in equal shares, of the above-described real estate under the Will of their father, William B. Stubbs, deceased, which has been duly probated in the Probate Court of Shelby County, Alabama on or about March 9, 1983. Ruth H. Hudspeth Stubbs, widow of said decedent and step-mother of Grantor and Grantee has disclaimed, renounced and waived all of her rights to said property by instrument filed in said Probate Court and with W. B. Stubbs, Jr., Executor of Estate of William B. Stubbs, Deceased.]

TO HAVE AND TO HOLD, to the said GRANTEE(S) his, her or their assigns forever.

And I her do, for myself ~~and~~ and for my ~~heirs~~ heirs, executors, and administrators covenant with the GRANTEES ~~their~~ heirs and assigns, that I am ~~legally~~ lawfully seized in fee simple of said premises: that they are free from encumbrances except as set forth above;

that I ~~own~~ have a good right to sell and convey the same as aforesaid; that I ~~own~~ will and my ~~heirs~~ 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 her have hereunto set my hand and seal, this 8th day of April 1983.

WITNESS: STATE OF ALA. SHELBY CO. I CERTIFY THIS INSTRUMENT WAS FILED

W. B. Stubbs, Jr.

1983 APR 11 PM 12:09
H24-509

State of Alabama JUDGE OF PROBATE General Acknowledgment
Jefferson COUNTY

I, the undersigned, W. B. Stubbs, Jr. is hereby certify that W. B. Stubbs, Jr. signed to the foregoing conveyance, and who whose name is W. B. Stubbs, Jr. is me on this day, that, being informed of the contents of the conveyance he on the day the same bears date.

Given under my hand and official seal this 8th day of April 1983.

a Notary Public in and for said County, in said know to me, acknowledged to executed the same with

Arnold Lefkovits A.D. 1983 Notary Public

BENROWITZ, LEFKOVITS, PATRICK, LEON, EDWARDS & KUSHNER

COLONIAL BANK BUILDING
BIRMINGHAM, ALABAMA 35203

Inst # 2000-13218

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SHELBY COUNTY JUDGE OF PROBATE
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