

VARIANCE ISSUED BY HIGHLAND LAKES DEVELOPMENT, LTD.  
AND  
HIGHLAND LAKES RESIDENTIAL ASSOCIATION, INC.

RE: Lot 3124, according to the Map of Highland Lakes, 3<sup>rd</sup> Sector, Phase I, as recorded in Map Book 21, Page 124, in the Probate Office of Shelby County, Alabama.

WHEREAS, Highland Lakes Development, Ltd. (Hereinafter referred to as Highland Lakes) is the developer of the above described property.

WHEREAS, Highland Lakes established a Declaration of Protective Covenants for Highland Lakes, which are recorded in Instrument # 1994-07111 and Highland Lakes Thirty Sector Phase I, in Instrument #1996-17544, in the Probate Office of Shelby County, Alabama (hereinafter referred to as the Declaration).

WHEREAS, Highland Lakes reserved for itself the right to modify, amend, revise, among other things utility systems, drainage systems, utility easements, drainage easements in the Declaration pursuant to paragraph 2.6 of the Subdivision Plat of the property, and Article II of the Declaration of Protective Covenants.

Further, WHEREAS, The Highland Lakes Residential Association, Inc. (hereinafter referred to as The Association), has pursuant to paragraph 6.32 entitled "Variances", the exclusive right to grant variances with respect to provisions of Articles V and VI with respect to any lot or dwelling

WHEREAS, Highland Lakes established a storm sewer easement on Lot 3124 according to the recorded plat. The residence constructed on said lot encroaches .4 feet into said easement.

NOW THEREFORE, Highland Lakes pursuant to the powers contained in paragraph 2.6 of the Declaration, and The Association pursuant to the powers contained in paragraph 6.32 of the Declaration, hereby grants a variance of the .4 foot encroachment into the storm sewer easement for Lot 3124, Highland Lakes, 3<sup>rd</sup> Sector, Phase I as recorded in Map Book 21, Page 124, in the Probate Office of Shelby County, Alabama as follows:

All other terms and conditions contained in said Declaration shall remain in full force and effect and are not otherwise amended.

In Witness Whereof, the undersigned officer of Highland Lakes Development, Ltd., by Eddleman Properties, Inc., its General Partner, and the undersigned officer of Highland Lakes Residential Association, Inc. who being duly authorized has caused this variance to be executed this the 24<sup>th</sup> day of April, 2000.

Highland Lakes Development, Ltd.  
By: Eddleman Properties, Inc.  
Its General Partner

BY:   
Douglas D. Eddleman, President

Highland Lakes Residential Association, Inc.

BY:   
Douglas D. Eddleman, President

Inst • 2000-13630

04/27/2000-13630  
08:06 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CJ1 13.50

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that Douglas D. Eddleman whose name as President of Eddleman Properties, Inc., General Partner of Highland Lakes Development, Ltd., an Alabama limited partnership, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal of office this the 24th day of April, 2000.

  
Notary Public

My Commission Expires: 6/5/03

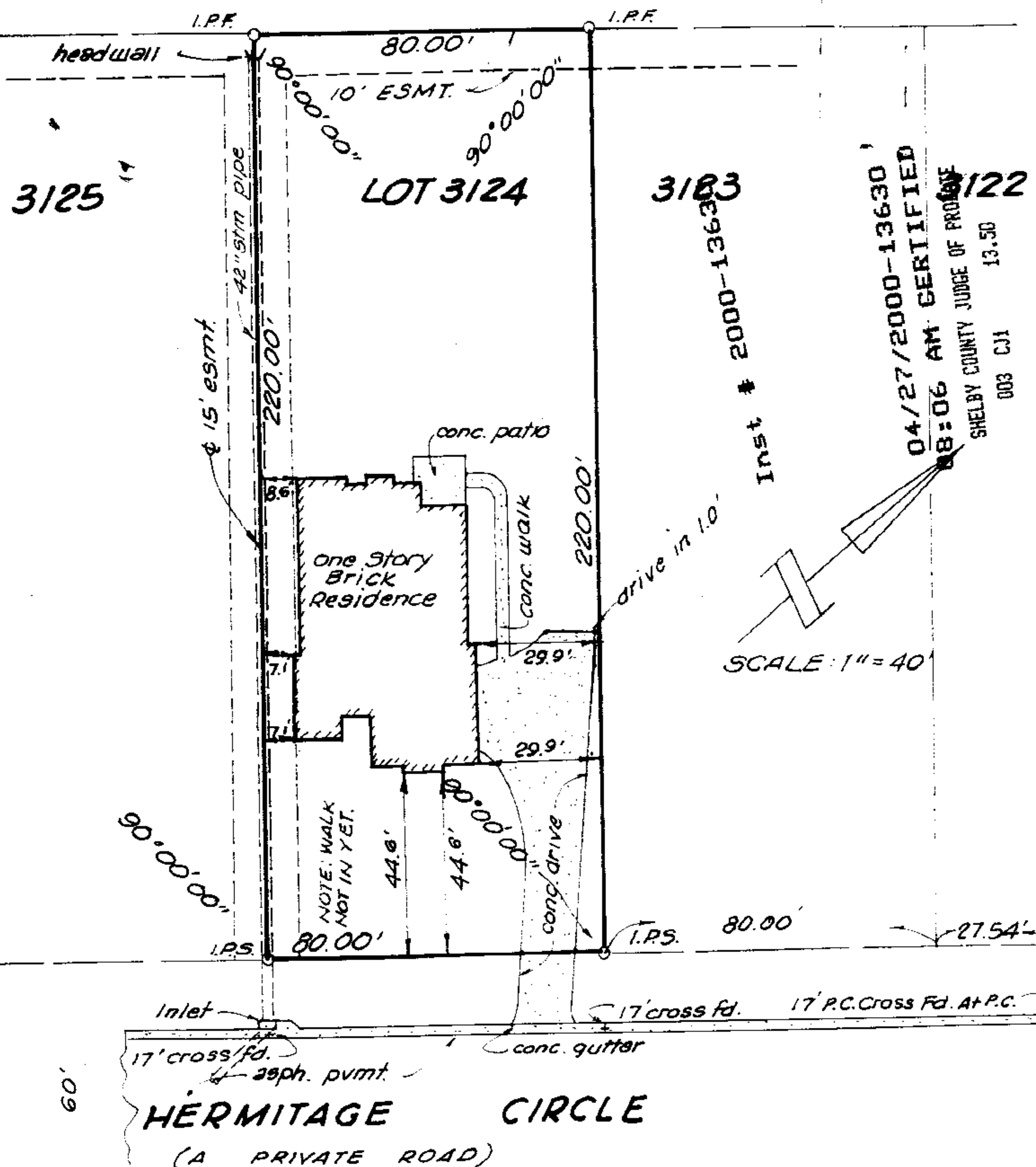
STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that Douglas D. Eddleman whose name as President of Highland Lakes Residential Association, Inc., an Alabama limited corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal of office this the 24th day of April, 2000.

  
Notary Public

ASPH = asphalt  
 BLDG. = building  
 CALC. = calculated  
 CAP = capped iron  
 C = covered  
 d = deflection  
 Δ = curve delta angle  
 E = East  
 ESMT. = easement  
 FC = fence  
 FD = found  
 I.P.F. = iron pin found  
 I.P.S. = iron pin set  
 MEAS. = measured  
 MIN = minimum  
 M.H. = manhole  
 N = North  
 O.H. = overhang  
 P = porch  
 P.C. = point of curve  
 P.T. = point of tangent  
 PVMT. = pavement  
 R = radius  
 REC = recorded  
 RES = residence  
 R-O-W = right-of-way  
 S = South  
 SAN. = sanitary  
 STM. = storm  
 SWR. = sewer  
 SYN. = synthetic  
 UTIL. = utility  
 U. = uncovered  
 W = West  
 ° = degrees  
 ' = minutes (in bearings or angles)  
 " = seconds (in bearings or angles)  
 ' = feet (in distances)  
 " = inches (in distances)  
 AC = acres  
 ± = more or less (or plus or minus)



STATE OF ALABAMA  
COUNTY OF SHELBY

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed Lot 3124 Block - AMENDED MAP  
OF HIGHLAND LAKES 3RD SECTOR, PHASE I, An Eddleman Community, recorded in Map Volume 21,  
 on Page 124, in the Office of the Judge of Probate SHELBY County, Alabama; that  
 this survey meets or exceeds the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama; that I have  
 consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is located in zone  
"C" according to F.I.R.M. community panel #010191-0050, SHELBY COUNTY, AL. dated  
9-16-82; that the correct address is as follows: #1037 HERMITAGE CIRCLE  
 according to my survey of: AUG. 29, 1997. Survey is not  
 valid unless it is sealed with embossed seal or stamped in red.

K. B. WEYGAND & ASSOCIATES, P.C.  
 2233 Cahaba Valley Drive, Birmingham, AL. 35242-2602  
 Tel: (205) 991-8965 - Fax: (205) 991-6032

Order No. 19514  
 Purchaser: MYTHEN  
 Type Survey: MORTGAGE  
LOAN CLOSING

Carl Daniel Moore  
 Carl Daniel Moore, Reg. L. S. #12159