

STATE OF ALABAMA

COUNTY OF SHELBY

COVENANT

WHEREAS, David Garcia

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,

"The public is hereby put on notice that the property described herein is the subject of a restricted onsite sewage disposal permit issued by the Shelby County Health Department. Subsequent purchasers are notified that there may be continuing responsibilities placed on such purchaser and they are directed to inquire at the Shelby County Health Department".

Dated this, the 31st day of July, 2000 2002

David Garcia
(Signature(s) of Owner(s))

Exhibit "A"

All the property in the survey of * See Attached *
a map/deed of which is recorded in Map/Deed Book____, page____ 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 David Garcia 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 31st day of July, 2002.

James Lucas
Notary Public

My commission Expires _____
MY COMMISSION EXPIRES SEPTEMBER 1, 2004

THIS INSTRUMENT WAS PREPARED BY

HAT 0488

20020801000357210 Pg 3/3 17.00
Shelby Cnty Judge of Probate, AL
08/01/2002 09:30:00 FILED/CERTIFIED

Douglas W. Ingram, Attorney
(NAME)

DEED OF TRUST

623 Red Lane Road, Suite 204
(STREET)

Birmingham, Alabama, 35215
(CITY, STATE, ZIP)

Account No. _____

THIS DEED OF TRUST, made this the 13th day of JUNE, 2002 by and

David M. Garcia, an unmarried man

first party, and Kevin T. Clayton, Trustee, second party, and Vanderbilt Mortgage Finance, Inc.

WITNESSETH: For and in consideration of One Dollar (\$1.00) in hand paid, the receipt of which is hereby acknowledged, and other consideration hereinafter mentioned, said first party has bargained and sold and does hereby bargain, sell, and confirm unto Kevin T. Clayton Trustee, second party, his successors and assigns, forever, the following property situated in Shelby County, State of Alabama, and more particularly described as follows; to wit:

From the SE Corner of the NE ¼ of the NW ¼ of Section 5, Township 20 South, Range 1 East, run northerly along the east line of said section a distance of 238.74 feet to the point of beginning; thence right 25°- 50'- 50" a distance of 366.87 feet; thence left 85°-05'-34" a distance of 859.95 feet; thence left 119°-37'-31" a distance of 530.00 feet; thence left 68°-58'-32" a distance of 636.50 feet to the point of beginning. Said parcel contains 7.22 acres more or less.

TO HAVE AND TO HOLD said property hereby conveyed to the second party, and its successors, together with all improvements and appurtenances, and all fixtures now or hereafter attached to the property, thereon or to be placed thereon or thereunto in any wise belonging.