

DECLARATION OF COVENANTS

FOR
STORM WATER DETENTION FACILITY
Indian Gate Subdivision
Map Book 32, Page 40
Shelby County, Alabama

As set forth in the Town of Indian Springs Village Subdivision Regulations Article V, Section 5, Drainage and Inundation.

The pond is located in the Northwestern most corner of the Indian Gate subdivision.

The maintenance shall include but not be limited to the following:

- (1) Vegetation control: Mowing, cutting, herbicide spraying, etc. The growth of the vegetation shall be kept in a neat, clean, orderly manner. It shall be inspected regularly and maintained as a part of the regular site maintenance schedule.
- (2) Trash/Debris removal: Either by hand or mechanical means, the ponds shall be kept free from trash and or debris as required to keep the appearance of the ponds aesthetically pleasing. Trash/Debris shall not be allowed to accumulate, which may affect the performance of any storm water structure which is located within the detention facility.
- (3) Repairs of storm water structures: The storm water structures should be maintained or repaired or replaced if the structure does not perform as originally designed.
- (4) Access: A pad lock (key) will be provided to the Town of Indian Springs Village to inspect the ponds as they deem necessary. A key will also be held at the management company responsible for implementation of the maintenance.
- (5) Fencing: The pond shall remain fenced. Damaged or repairs necessary to keep the pond enclosed (fenced) shall be a part of the maintenance requirements.

It is the intent of this covenant to allow the ponds to perform as designed by Paragon Engineering, Inc.

IN WITNESS WHEREOF, the undersigned, John T. Powell, President of Powell Builders, Inc., has hereunto set his hand and seal on this the 14th day of October, 2003.

POWELL BUILDERS, INC.

BY: John T. Powell
JOHN T. POWELL, PRESIDENT

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that John T. Powell whose name as President of Powell Builders, Inc. a corporation, is signed to the foregoing Restrictions, and who is known to me, acknowledge before me on this day that, being informed of the contents of the Restrictions, 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 official seal, this the 14th day of October, 2003.

Shelby M. Shumey
NOTARY PUBLIC

My commission expires: 1/8/07

Powell Builders