

COVENANT

WHEREAS, Long Branch, LLC  
hereinafter called the owner(s) of certain real property situated in SHELBY COUNTY,  
Alabama, described in Exhibit "A", attached hereto and incorporated fully;

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 18<sup>th</sup> day of January, 2005

Long Branch LLC  
By: [Signature] It's Managing Member  
Signature(s) of Owner(s)

I, the undersigned Notary Public in and for said County, in said State, hereby  
certify that J. Scott Johnson, 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 18<sup>th</sup> day of January,  
2005.

Jamya Mettenbunb  
Notary Public  
My commission expires: \_\_\_\_\_

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Dec 17, 2007  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Exhibit "A"

All the property in the survey of Long Branch Estates Phase I  
a map/deed of which is recorded in Map/Deed Book 34, page 66 or instrument #  
\_\_\_\_\_ in the Probate Office of Shelby County, Alabama; or all property described  
in the attached legal description.