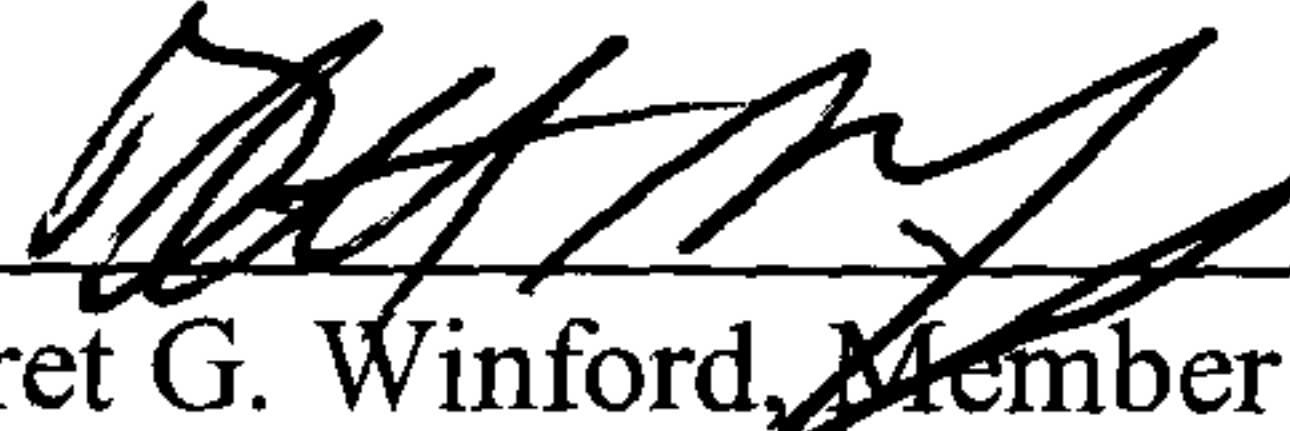


AFFIDAVIT AT TO MODIFIED FRONT SET BACK LINE

I, the undersigned builder acknowledges that the house constructed on Lot 2 Final Plat of Nottingham Townhomes, Map Book 33 Page 111 in the Probate Office of Shelby County, Alabama, and is also known as 104 Little John Circle, complies with the City of Calera Article VII Supplemental Regulations Section 1.00 zoning regulations attached and confirmed with Mr. Mike Wood with the City of Calera.

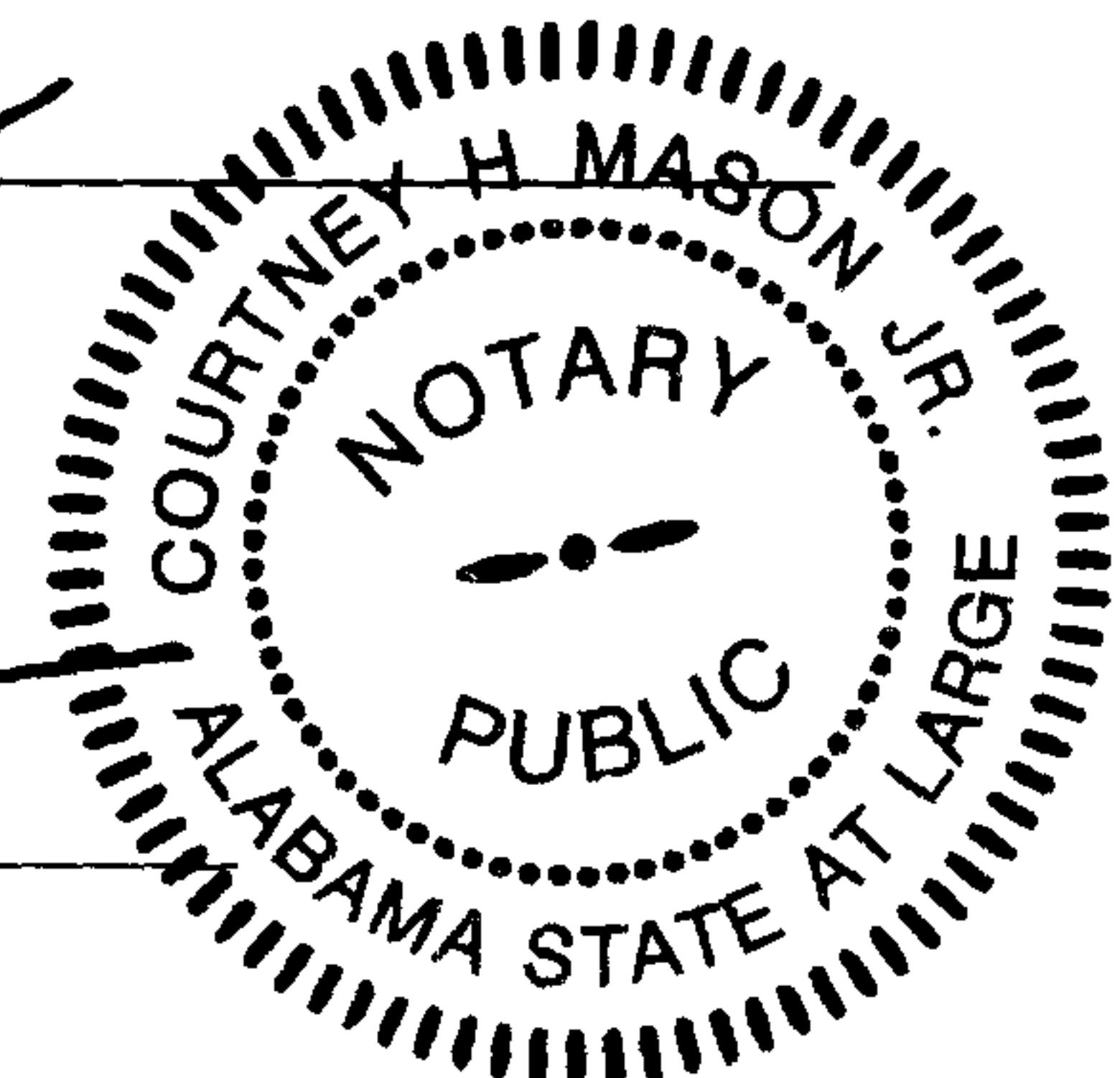
The Architectural Review Committee has also granted a variance for the set back line to allow the house located on Lot 2 Final Plat of Nottingham Townhomes to be located on the site as shown in the survey prepared by Walter W. Wickstrom, Jr. dated 2/15/05.

Authentic Building Company, LLC


Bret G. Winford, Member

Sworn to and subscribed before me this 23rd day of February, 2005.


Notary Public
My Commission expires:



COURTNEY H. MASON, JR.
COMMISSION EXPIRES MARCH 5, 2007

City of Calera

GEORGE W. ROY
Mayor

LINDA STEELE
City Clerk

JIM FIJIN
Police Chief

DAVID L. JONES
Public Works Director

MICHAEL WOOD
Building Official

MIKE KENT
Zoning Official

TOMMY MOON
Fire Chief



COUNCIL MEMBERS

DAVID BRADSHAW

JERRY DAVIS

BOBBY PHILLIPS

ERNEST MONTGOMERY

MIKE ROBERSON

February 23, 2005

To Whom It May Concern:

In accordance with Article VII section 1.00 of the City of Calera Zoning Ordinance (attached) the setbacks have been modified for Lot 2 Nottingham Townhomes. If you need further assistance, please feel free to contact me.

Mike Wood
Building Official

POST OFFICE BOX 187 • CALERA, ALABAMA 35040

OFFICE (205) 668-3638 • MAYOR (205) 668-3500 • FAX (205) 668-3821 • Email www.cityofcalera.org

"Large enough to be progressively aware, yet small enough to still care"

VARIANCE OF SET-BACK LINE

I, THE UNDERSIGNED, AM DEVELOPER UNDER THE DECLARATION OF PROTECTIVE COVENANTS, & RESTRICTIONS OF FINAL PLAT OF NOTTINGHAM TOWNHOMES, RECORDED IN INSTRUMENT #2002-11100 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. UNDER SAID COVENANTS I HAVE THE POWER TO AMEND SET-BACK LINES AND RESTRICTIVE COVENANTS IN SAID SUBDIVISION.

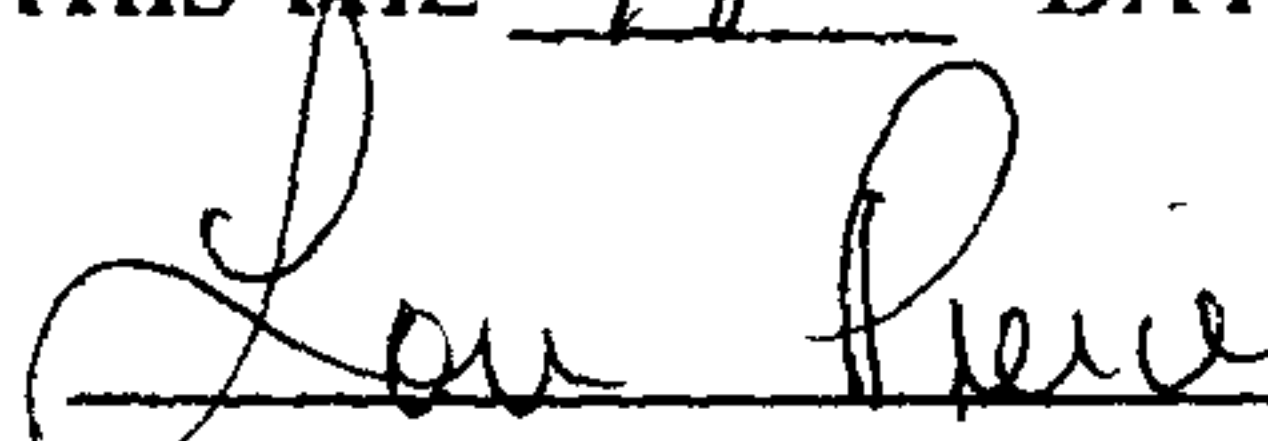
I HAVE SEEN THE ATTACHED SURVEY DATED 2/15/05 AND PREPARED BY WALTER W. WICKSTROM, JR. ON LOT 2, FINAL PLAT OF NOTTINGHAM TOWNHOMES, AS RECORDED IN MAP BOOK 33 PAGE 111 IN THE OFFICE OF THE JUDGE OF PROBATE IN SHELBY COUNTY, ALABAMA. UNDER THE TERMS OF THE COVENANTS, THE DEVELOPER HAS THE POWER AND DOES HEREBY GRANT A VARIANCE FROM THE SET-BACK LINE TO PERMIT THE IMPROVEMENTS ON SAID LOT TO BE LOCATED AS SHOWN IN THE ATTACHED SURVEY.

NOTTINGHAM, LLC
DEVELOPER



DELTON LANE CLAYTON, AS ITS MANAGER

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 18th DAY OF FEBRUARY, 2005.



NOTARY PUBLIC
MY COMMISSION EXPIRES:
11-3-2008

ARTICLE VII

SUPPLEMENTAL REGULATIONS

Section 1.00 Area Modification for Lots of Record

The Calera Zoning Board of Adjustment shall approve all proposed development involving non-conforming lots of record. [See Article V, General Regulations, Section 2.00 and subsection 2.01]

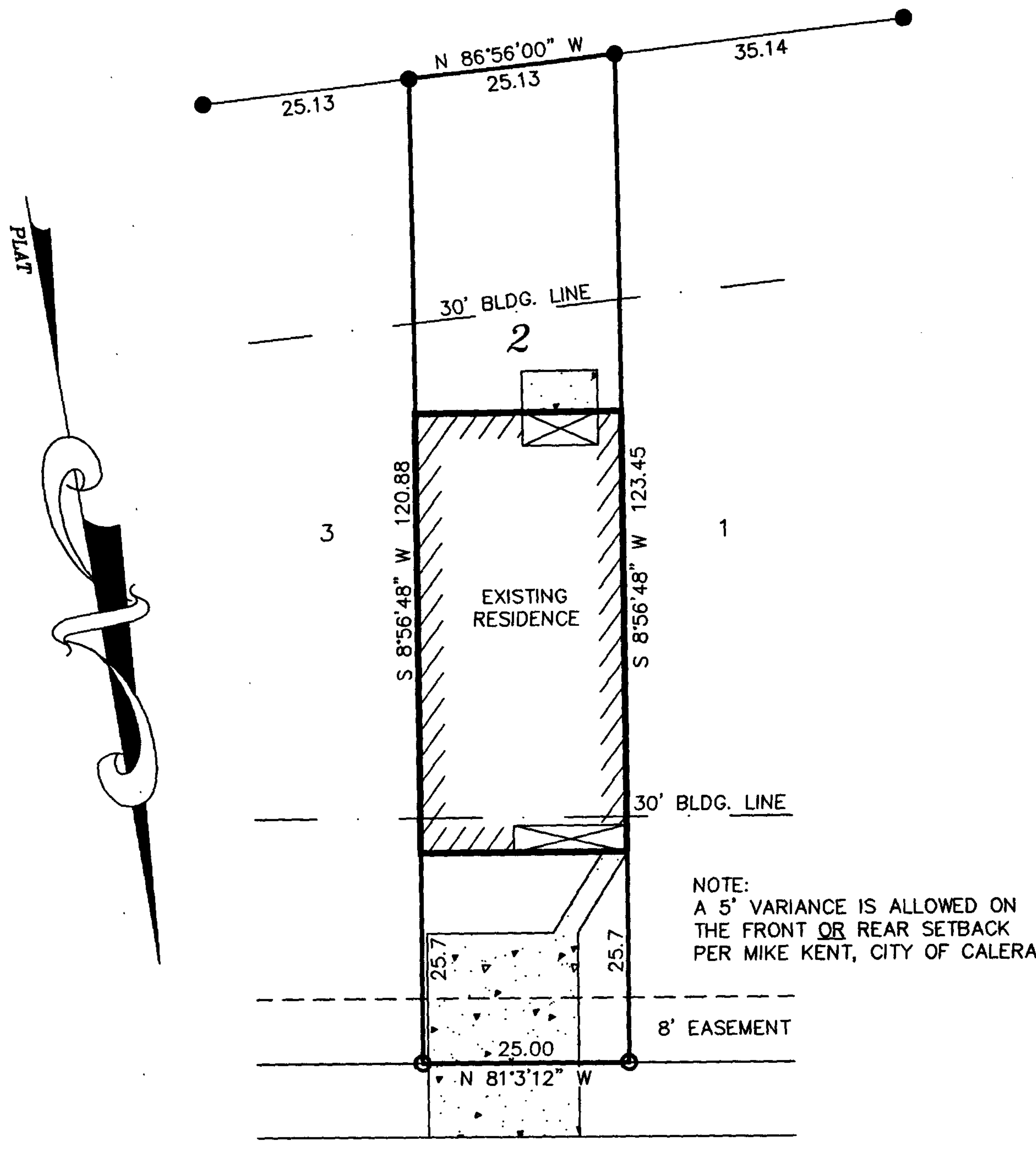
Section 2.00 General Yard Requirements

- A. Every part of a required yard shall be open to the sky, unobstructed by any structure or part thereof, and, unoccupied for storage, servicing or similar uses, except as provided for herein.
- B. More than one (1) multiple dwelling, office, institutional, industrial or public building may be located upon a lot or tract of land, but such dwellings shall not encroach upon the front, side or rear yards required by the district regulations.
- C. In certain cases the Building Official can modify the front and the rear yard requirements to a point of no more than (5) five feet, in any district. A distance over this will have to go to the Board of Adjustments and Appeals for a variance approval, but the side yards must meet the requirements for the district in question.

2.01 Front Yard Modifications

- A. Where forty percent (40%) or more of the frontage on the same side of the street between two (2) intersecting streets is presently developed or may hereafter be developed with buildings that have (with a variation of five feet (5') or less) a front yard greater or lesser in depth than herein required, new buildings shall not be erected closer to the street than the average front yard so established by the existing dwelling.
- B. Where forty percent (40%) or more of the frontage on one (1) side of a street between two (2) intersecting streets is presently developed or may hereafter be developed with buildings that do not have a front yard as described below. The following shall apply:
 - 1. Where a building is to be erected on a parcel of land that is within one hundred feet (100') of existing buildings on both sides, the minimum front yard shall be a line drawn between the closest front corners of the adjacent buildings
 - 2. Where a building is to be erected on a parcel of land that is within one hundred feet (100') of an existing building on one (1) side only, such building may be erected as close to the street as the existing building
- C. Through lots shall provide the required front yard on both sides.
- D. Corner lots shall provide a front yard on each street.

STATE OF ALABAMA
COUNTY OF SHELBY



LITTLE JOHN CIRCLE
50' R.O.W.

Survey of Lot 2, Block _____ according to FINAL PLAT OF NOTTINGHAM
TOWNHOMES, as recorded in the Office of the Judge of
Probate of afore-said County in Plat Book 33, Page 111: The address based on
reliable information and sources of said Lot is 104 LITTLE JOHN CIRCLE
_____, Alabama and is INSIDE the corporate limits of
the CITY OF CALERA: That said lot lies in Zone 'C', according to
F.I.R.M. Community-Panel Number 010191 0135 B * Dated SEPT. 16, 1982

SURVEY FOR: FOWLER

REQUESTED BY: CAROL COLLINS

TYPE OF SURVEY: MORTGAGE SURVEY

DATE OF FIELD SURVEY: 2/15/05

* SHELBY COUNTY FLOOD INFO USED; THIS AREA OF CALERA WAS NOT INCORPORATED AT THE TIME OF F.I.R.M. FLOOD STUDY.

LEGEND

△ - STAKE SET	● - IRON PIN FOUND
I - CONCRETE MONUMENT FOUND.	1/2" - 1/2" OUTSIDE DIAMETER
○ - PK NAIL FOUND	-U- - OVERHEAD UTILITY LINE(S).
○ - # 5 REBAR SET WITH CAP STAMPED.	-X- - FENCE.
□ - PK NAIL SET	▨ - CONCRETE.
○ - UTILITY POLE.	~ - NOT TO SCALE.
▨ - BRICK WALL	AC - ACRES.
▨ - WOOD DECK	CL - CENTERLINE
▨ - COVERED WOOD DECK	ESM'T - EASEMENT.
▨ - SCREENED IN DECK	M B L - MINIMUM BUILDING LINE
	ROW - RIGHT OF WAY.
	▨ - CONCRETE BLOCK WALL
	▨ - BRICK WALL

SCALE: 1" = 20'

BASIS OF BEARING USED: PLAT

SOURCE OF INFORMATION USED IN MAKING THIS SURVEY IS:
RECORD MAP

JOB # 9579	PREPARED BY: R. C. FARMER and ASSOCIATES, INC. 246 YEAGER PARKWAY PELHAM, ALABAMA 35124
DATE: 2/16/05	TEL-205-664-2566
DRAWN: SDM	FAX-205-664-2616
CHECKED: WWW	
SHEET NO 1 of 1	

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Walter W. Wickstrom

ALABAMA
LICENSED SURVEYOR
UNLESS
SEALED WITH
IMPOSED SEAL
OR STAMPED WITH
RED INK
W. WICKSTROM