20050426000198190 1/5 $23.00
Shelby Cnty Judge of Probate,AL
04/26/2005 08:37:29AM FILED/CERT

AFFIDAVIT RE:

SETBACK VARIANCE

The Setback Variance on the following described property:

Lot 28, FALLISTON Ridge Second Sector Map Book 31, Page 87 in the Probate Office of Shelby County, Alabama.

Has been approved by the City of Helena as shown in the letter from the City of Helena attached hereto and incorporated herein by referenced. A variance has also been granted by Mobley Development, Inc., the developer attached hereto and incorporated herein by referenced.

Denman Builders, Inc.

Rodney B. Denman, President

Sworn to and subscribed before me
this the 22 April, 2005.

Notary Public

PEGGY I. MANN
NOTARY
PUBLIC
ALABAMA STATE AT LARGE

PEGGY I. MANN
COMMISSION EXPIRES FEB. 20, 2007

20050426000198190 2/5 $23.00
Shelby Cnty Judge of Probate,AL
04/26/2005 08:37:29AM FILED/CERT

VARIANCE OF SET-BACK LINE

I, THE UNDERSIGNED DEVELOPER UNDER THE DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS OF FALLISTON RIDGE, SECOND SECTOR, RECORDED IN 20030604000346210 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, UNDER SAID COVENANTS THE DEVELOPER HAS THE AUTHORITY TO AMEND SET-BACK LINES IN SAID SUBDIVISION.

I HAVE SEEN THE ATTACHED SURVEY DATED APRIL 18, 2005, AND PREPARED BY WALTER W. WICKSTROM, JR. ON LOT 28 FALLISTON RIDGE SECOND SECTOR, AS RECORDED IN MAP BOOK 31 PAGE 87 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. UNDER THE TERMS OF THE COVENANTS THE DEVELOPER HAS THE AUTHORITY AND DOES HEREBY GRANT A VARIANCE FROM COVERED PORCH IN THE SET-BACK LINE SO AS TO PERMIT THE IMPROVEMENTS ON SAID LOT TO BE LOCATED AS SHOWN IN THE ATTACHED SURVEY.

MOBLEY DEVELOPMENT, INC.

BY: J. Stan Mobley

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 22nd DAY OF APRIL, 2005.

Linda H. Roberts
NOTARY PUBLIC

MY COMMISSION EXPIRES: 3-29-09

20050426000198190 3/5 $23.00
Shelby Cnty Judge of Probate,AL
04/26/2005 08:37:29AM FILED/CERT

HELENA BOARD OF ADJUSTMENTS
NOVEMBER 9, 2004

The Helena Board of Adjustments met in a called meeting on Tuesday, November 9, 2004 at 10:00 A.M. in the Council Chambers of the Helena Municipal Building, regular place for holding said meetings.

Present: ---------- Dennis Yawn, Chairman
Members: ---------- Jerry Owensby, Bill Winford, Chris Williams (newly appointed)
Absent: ---------- None
Visitors: ---------- Rodney Denman, Gary Thompson, George Pickle, Chad Campbell

The meeting was called to order and opened for business at 10:01 A.M.

Motion was made by Jerry Owensby and seconded by Bill Winford to accept the minutes as written from the last meeting (9-21-04) and an unanimous voice vote was recorded..

The first item on the agenda was a variance request from Denman Builders, Inc. for Lot 28 Falliston Ridge, Second Sector to change the minimum front set back line from 40' to 35' due to the topography of the lot.

There were no objections from adjoining property owners, except from Mr. Wilson on Lot 53 , and he asked that they not remove any more trees. Mr. Denman stated that he has a purchaser and the gentleman wants to keep all the trees he can.

Motion was made by Bill Winford and seconded by Chris Williams to grant the request to change the minimum front set back line from 40' to 35' for Lot 28 Falliston Ridge, Second Sector and an unanimous voice vote was recorded.

The next item was Laurel Lakes, LLC asking for a 10' variance on the front set back due to the flood plain location. Mr. Thompson stated that he has a purchaser for this lot and he has a certain house plan that he wants built.

Mr. Pickle stated that they will have to have a flood certificate for this lot.
He also asked that if they granted this request that they address landscaping in the front area to help offset the appearance of the house (the road is straight through this area).

Motion was made by Chris Williams and seconded by Bill Winford to grant the variance of 10' on the front set back with the stipulation that they do landscaping as requested by the building official for lot 213 Laurel Lakes - Phase 1, Sector 2 and the following votes were cast:

20050426000198190 4/5 $23.00
Shelby Cnty Judge of Probate,AL
04/26/2005 08:37:29AM FILED/CERT

HELENA BOARD OF ADJUSTMENTS
NOVEMBER 9, 2004 (Con't. Pg 2)

AYE: BILL WINFORD
AYE: CHRIS WILLIAMS
AYE: DENNIS YAWN
NAY: JERRY OWENSBY

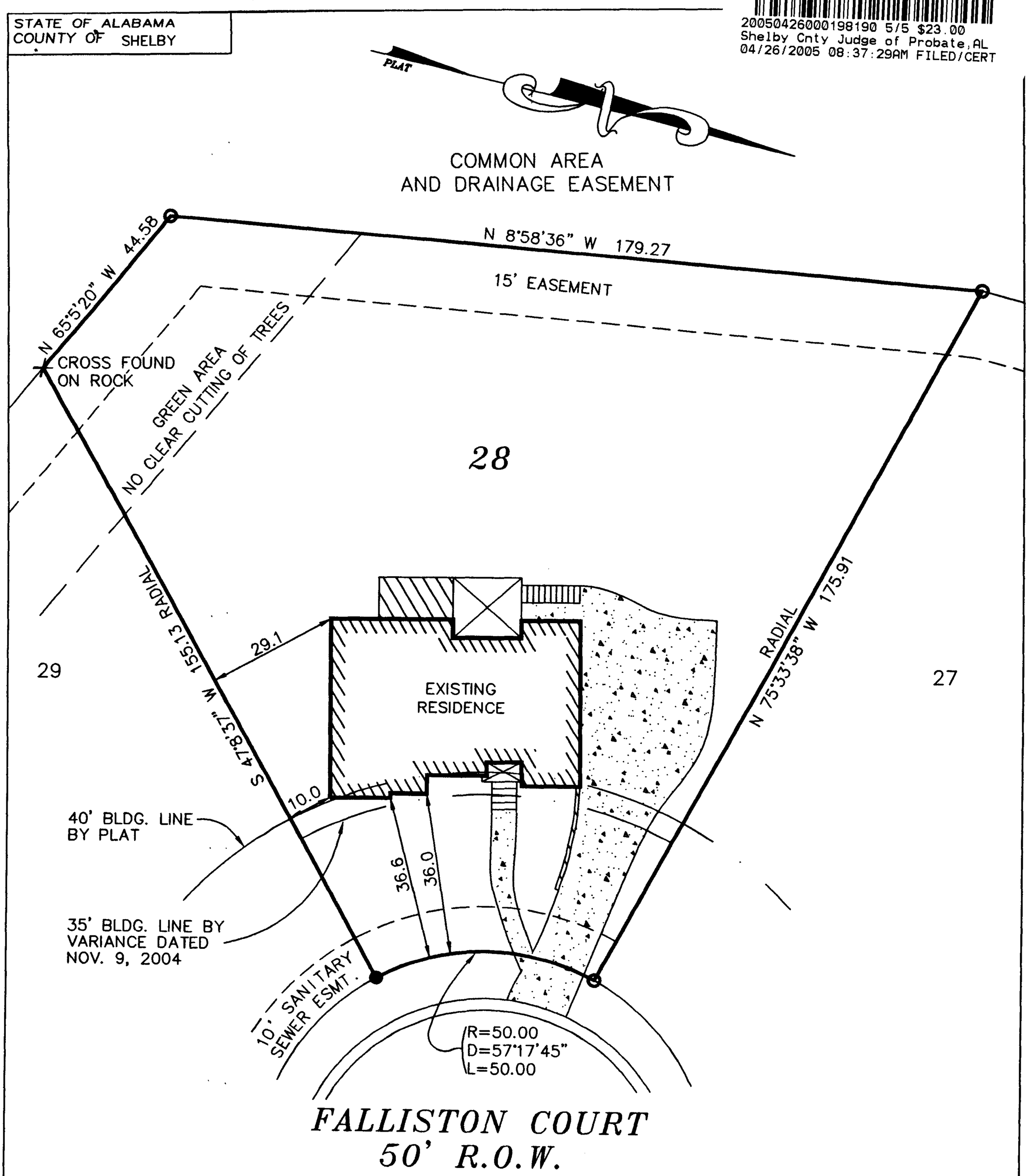
There being no further business, Chairman Yawn adjourned the meeting at 10:15 A.M.

Minutes taken by Sherry Oglesby.

Chairman: George D Yawn
George D Yawn

STATE OF ALABAMA
COUNTY OF SHELBY

20050426000198190 5/5 $23.00
Shelby Cnty Judge of Probate, AL
04/26/2005 08:37:29AM FILED/CERT



Survey of Lot 28, Block _____ according to FALLISTON RIDGE SECOND SECTOR, as recorded in the Office of the Judge of Probate of afore-said County in Plat Book 31, Page 87: The address based on reliable information and sources of said Lot is 324 FALLISTON COURT, Alabama and is INSIDE the corporate limits of the CITY OF HELENA: That said lot lies in Zone 'C', according to F.I.R.M. Community-Panel Number 010294 0003 B Dated JAN. 6, 1982

SURVEY FOR: DOANE

REQUESTED BY: DEBBIE HUTCHINS

TYPE OF SURVEY: MORTGAGE SURVEY

DATE OF FIELD SURVEY: 4/18/05

LEGEND

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

SCALE: 1" = 30'

BASIS OF BEARING USED: PLAT

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

JOB # 9793

DATE: 4/22/05

DRAWN: SDM

CHECKED: WWW

SHEET NO 1 of 1

PREPARED BY:
R. C. FARMER and ASSOCIATES, INC.
246 YEAGER PARKWAY
PELHAM, ALABAMA
35124
TEL-205-664-2566
FAX-205-664-2616

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 Jr.

ALABAMA LICENSED UNLESS SEALED WITH EMBOSSED SEAL OR STAMPED WITH RED INK SEAL. NO. 18959 WALTER W. WICKSTROM JR. LAND SURVEYOR

SERVED: