

AFFIDAVIT AT TO MODIFIED FRONT SET BACK LINE

I, the undersigned builder, acknowledge that the house constructed on Lot 122 Final Plat of Nottingham, Phase 3 in the Probate Office of Shelby County, Alabama, and also known as 140 Robin Street, Calera Alabama, 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 Lot 122 Final Plat of Nottingham, Phase 3 on to be located on the site as shown in the survey prepared by R.C. Farmer dated 4/12/06.

Creed Construction, LLC

Delton Lane Clayton, Member

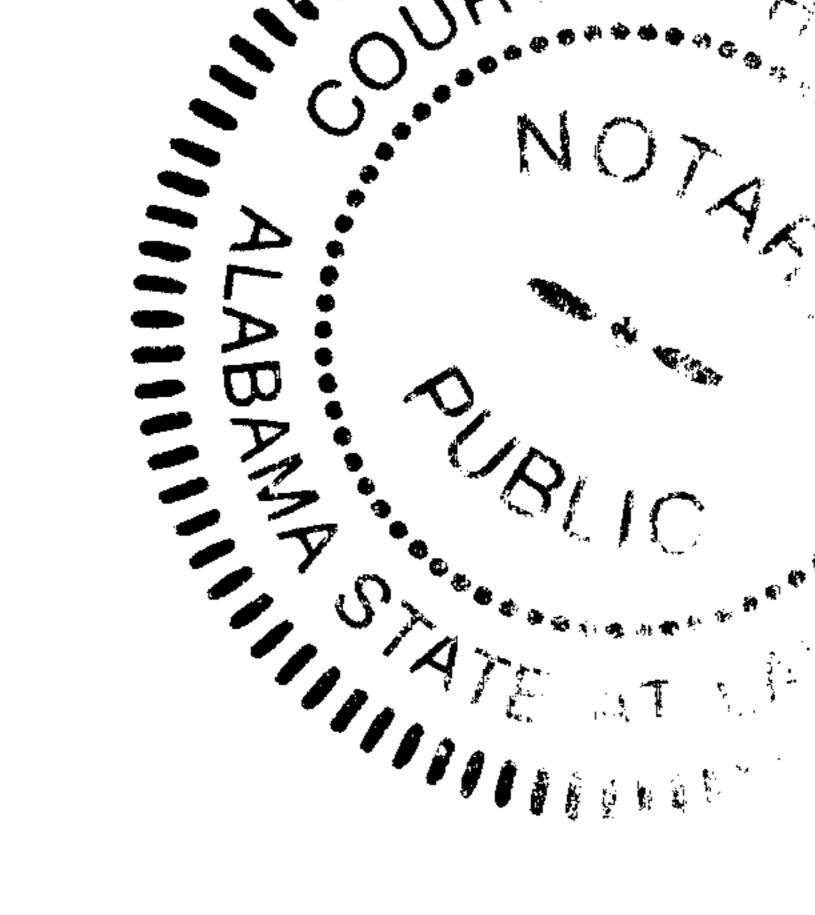
Sworn to and subscribed before me this 14th day of April, 2006.

3.0

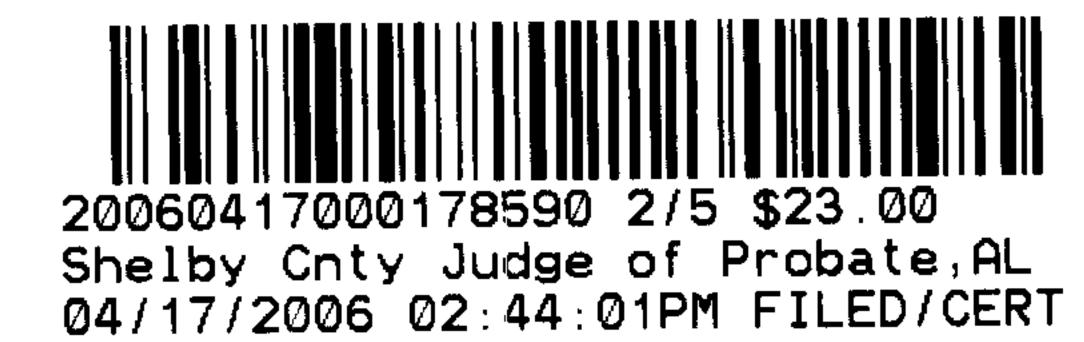
Notary Public

My Commission expires:

COMMISSION EXPIRES MARCH 5, 2007



C. Muson



VARIANCE OF SET-BACK LINE

I, THE UNDERSIGNED, AM DEVELOPER UNDER THE DECLARATION OF PROTECTIVE COVENANTS, & RESTRICTIONS OF FINAL PLAT OF NOTTINGHAM, RECORDED IN INSTRUMENT #20040325000153270 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 4/13/06 AND PREPARED BY DANIEL ROBINSON ON LOT 122, FINAL PLAT OF NOTTINGHAM, PHASE 3, AS RECORDED IN MAP BOOK 33, PAGE 32 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

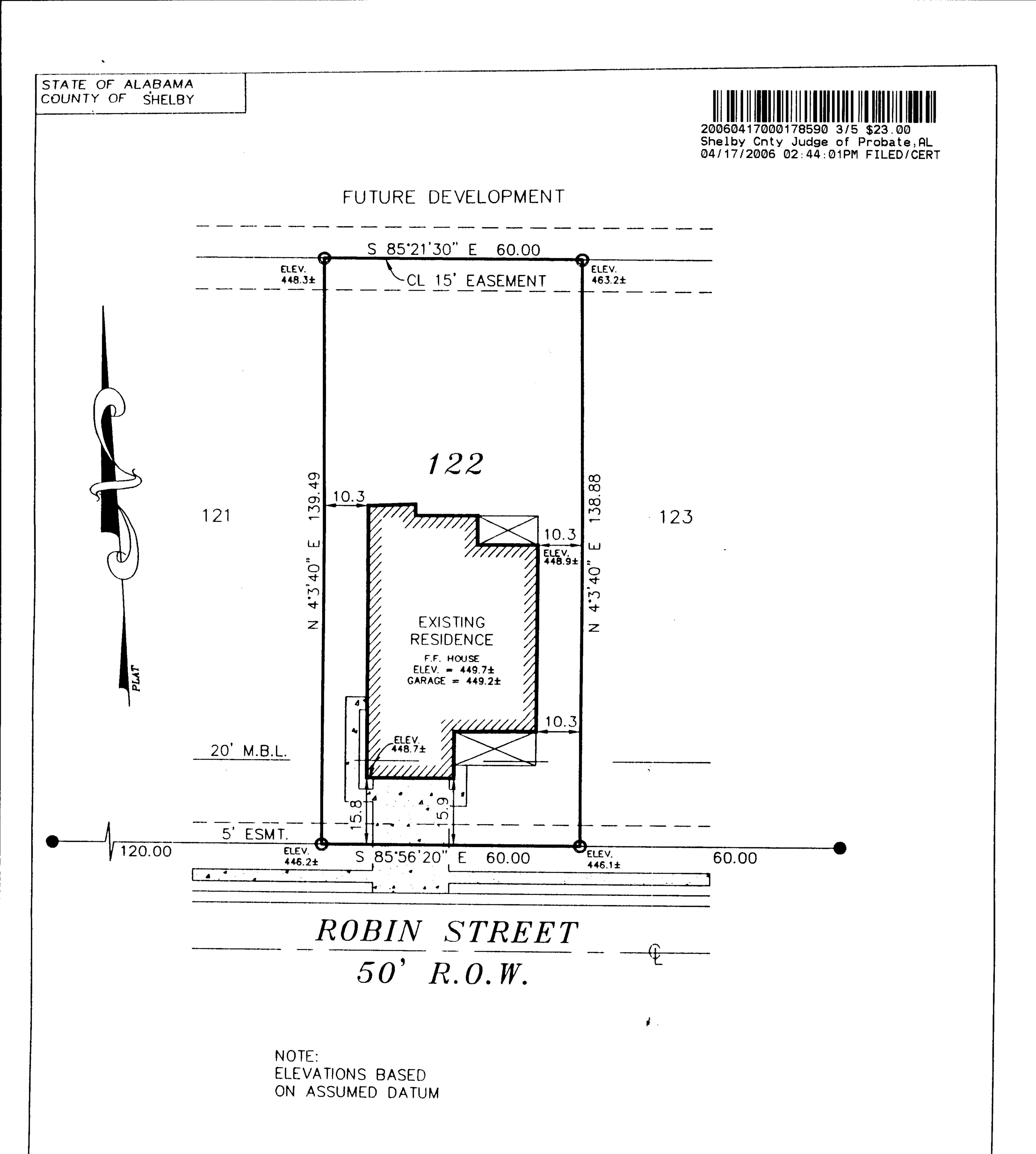
DELTON LANE CLAYTON, AS ITS MANAGER

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE

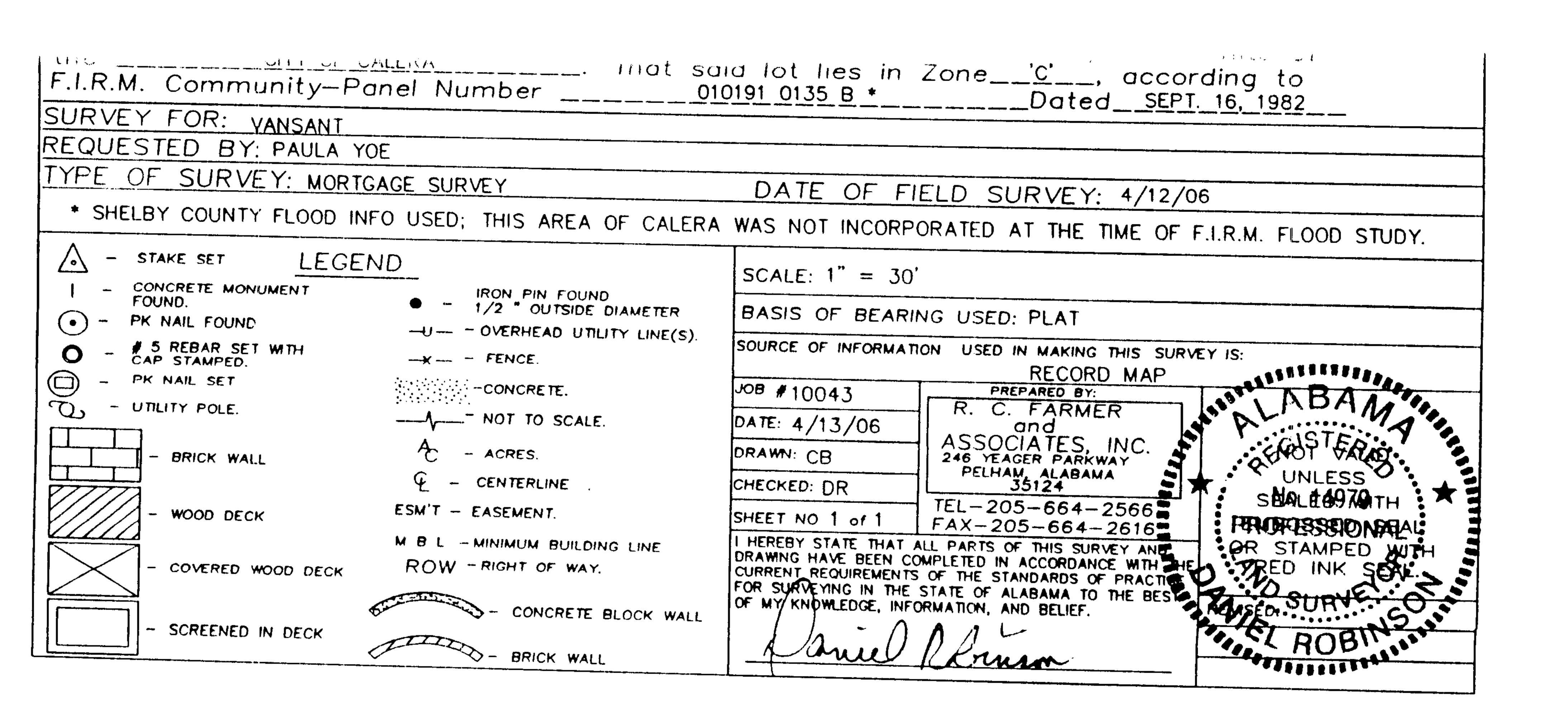
DAY OF APRIL, 2006.

NOTARY PÚBLIC

MY COMMISSION EXPIRES: 3/5/8/7



122 , Block monording to SMAI PLAT OF NOTTING



City of Calera

GEORGE W. ROY
Mayor

LINDA STEELE
City Clerk

JIM FINN
Police Chief

DAVID L. JONES
Public Works Director

MICHAEL WOOD

Building Official

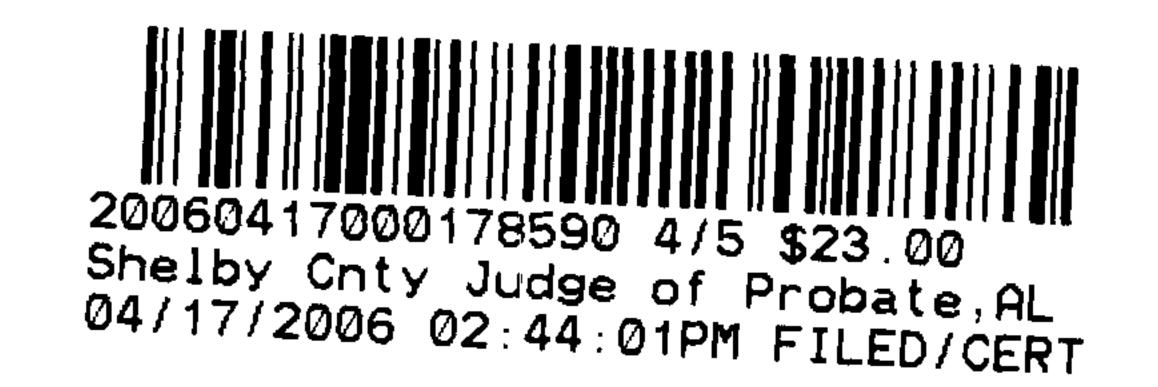
MIKE KENT
Zoning Official

TOMMY MOON
Fire Chief



COUNCIL MEMBERS:
DAVID BRADSHAW

JERRY DAVIS
BOBBY PHILLIPS
ERNEST MONTGOMERY
MIKE ROBERSON



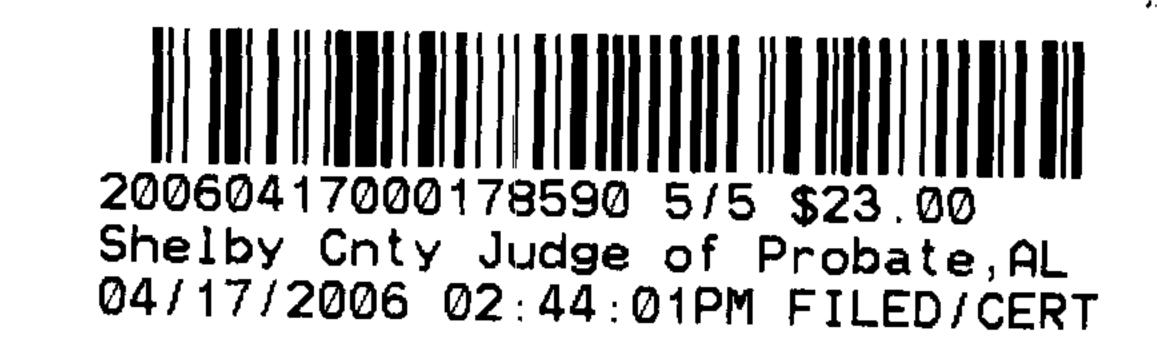
April 14, 2006

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 122 in the Nottingham Subdivision. If you need further assistance please feel free to contact me at the number provided.

Mike Wood
Building Official
City of Calera

MW/ki



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]

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 dewelling, office, institutional, industrial or public building may be located upon a lot or tract of land, but such dewellings shall not encroach upon the front, side or rear yards required by the district regulations.
- C. In certan 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.