

STATE OF ALABAMA  
COUNTY OF SHELBY

20070109000012160 1/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
01/09/2007 11:49:16AM FILED/CERT

Columbian  
7L HWY 70  
Court House  
Probate Second Room  
Got notarized and recorded  
return with 2 copies  
1) Shelby Co. Clerk  
1) Files

COVENANT

WHEREAS, TOM GARDNER  
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 9 day of 20, 07.

Tom Gardner

Signature(s) of Owner(s)

I, the undersigned Notary Public in and for said County, in said State, hereby  
certify that TOM GARDNER, 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 9<sup>th</sup> day of January,  
2007.

Kelly B Mullin

Notary Public

My commission expires: 6/28/09

Exhibit "A"

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

20060208000063970



**THIS INSTRUMENT PREPARED BY:**

James J. Odom, Jr.

P. O. Box 11244

Birmingham, AL 35202-1244

**SEND TAX NOTICE TO:**

Tom Gardner

5241 Roy Drive

Helena, AL 35040

STATE OF ALABAMA )

COUNTY OF SHELBY )

EXHIBIT A

**WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS THAT** in consideration of Six Thousand and No/100 Dollars (\$6,000.00) and other good and valuable consideration, to the undersigned grantor, Darlene C. Cook Calfee, one and the same as Darlene C. Cook, a married woman, in hand paid by Tom Gardner, the receipt whereof is hereby acknowledged, Darlene C. Cook Calfee, one and the same as Darlene C. Cook ("Grantor"), does by these presents, grant, bargain, sell and convey unto Tom Gardner ("Grantee"), the following described real estate, situated in Shelby County, Alabama, to-wit:

A part of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 22, Township 20 South, Range 3 West and also being a portion of Block 5 of the Boundary Survey of Frank E. "Buck" Cox Property as recorded in Map Book 8 Page 21 in the Probate Office of Shelby County, Alabama being more particularly described as follows:

Begin at the Southwest corner of Block 6 of Frank E. Cox Property, a Map of which is recorded in Map Book 8 Page 21 in the Office of the Judge of Probate of Shelby County, Alabama; thence run Southwesterly along the South line of Block 5 for 130.00 feet; thence 90 deg. 00 min. right run 132.00 feet; thence 90 deg. 00 min. right run 130.00 feet; thence 90 deg. 00 min. right run 132.00 feet to the point of beginning in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

**SUBJECT TO:** (1) Current taxes; (2) 30' for ingress, egress and utilities on the Easterly and Southerly part of Block 5, as shown on Map Book 8, Page 21, in the Probate Office; (3) Easement to Plantation Pipe Line as shown by instrument recorded in Deed Book 112, at Page 314, and Deed Book 180, at Page 423, in the Probate Office; (4) Transmission Line Permit to Alabama Power Company as shown by instrument recorded in Deed Book 184, at Page 408, in the Probate Office; (5) Easement(s) to Keith Esbon Cox as shown by instrument recorded in Inst. No. 1994-34688 with maintenance agreement thereto by Inst. No. 1994-34689 in the Probate Office; (6) Rights of others to use the easement(s) as shown on Map Book 8, at Page 21, in the Probate Office.

This property does not constitute the homestead of the Grantor herein.

**TO HAVE AND TO HOLD** to the Grantee, his heirs and assigns, forever.

And said Grantor does for herself, her heirs and assigns, covenant with said Grantee, his heirs and assigns, that she is lawfully seized in fee simple of said premises; that the premises are free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid; that Grantor will, and her heirs and assigns shall, warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims of all persons.