

VARIANCE OF SET-BACK LINE

THE UNDERSIGNED, IS A REPRESENTATIVE OF THE DEVELOPER OF EAGLE COVE UNDER THE DECLARATION OF PROTECTIVE COVENANTS, & RESTRICTIONS OF EAGLE COVE, RECORDED INSTRUMENT #20050920000488820 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. ALSO, ROGER WILKINS IS A REPRESENTATIVE OF THE ARCHITECTURAL CONTROL COMMITTEE IN THE EAGLE COVE SUBDIVISION. UNDER SAID COVENANTS EITHER THE DEVELOPER OR THE ARCHITECTURAL CONTROL COMMITTEE HAS THE POWER TO AMEND SET-BACK LINES AND RESTRICTIVE COVENANTS IN SAID SUBDIVISION INCLUDING THE POWER TO GRANT VARIANCES FROM SET BACK VIOLATIONS AS SET OUT IN PARAGRAPH 6 OF THE RESTRICTIVE COVENANTS.

WE BOTH HAVE SEEN THE ATTACHED SURVEY DATED JUNE 27, 2007 AND PREPARED BY HILL SURVEYING ON LOT 65 EAGLE COVE RECORDED IN MAP BOOK 35 PAGE 121, IN THE OFFICE OF THE JUDGE OF PROBATE IN SHELBY COUNTY, ALABAMA AND WE ARE AWARE OF THE LOCATION OF THE DECK SHOWN ON THIS SURVEY. IT IS OUR JUDGMENT THAT THE DECK DOES NOT ENCROACH INTO THE REAR BUILDING SET BACK LINE BECAUSE SUCH IS SPECIFICALLY EXCLUDED IN PARAGRAPH 6.04 (b). HOWEVER, TO THE EXTENT THAT ANYONE SHOULD CHALLENGE THIS DECISION, THE DEVELOPER AND THE ARCHITECTURAL CONTROL COMMITTEE HAVE THE POWER AND DO HEREBY GRANT A VARIANCE FROM THE REAR SET-BACK LINE TO PERMIT THE IMPROVEMENTS ON SAID LOT TO BE LOCATED AS SHOWN IN THE ATTACHED SURVEY.

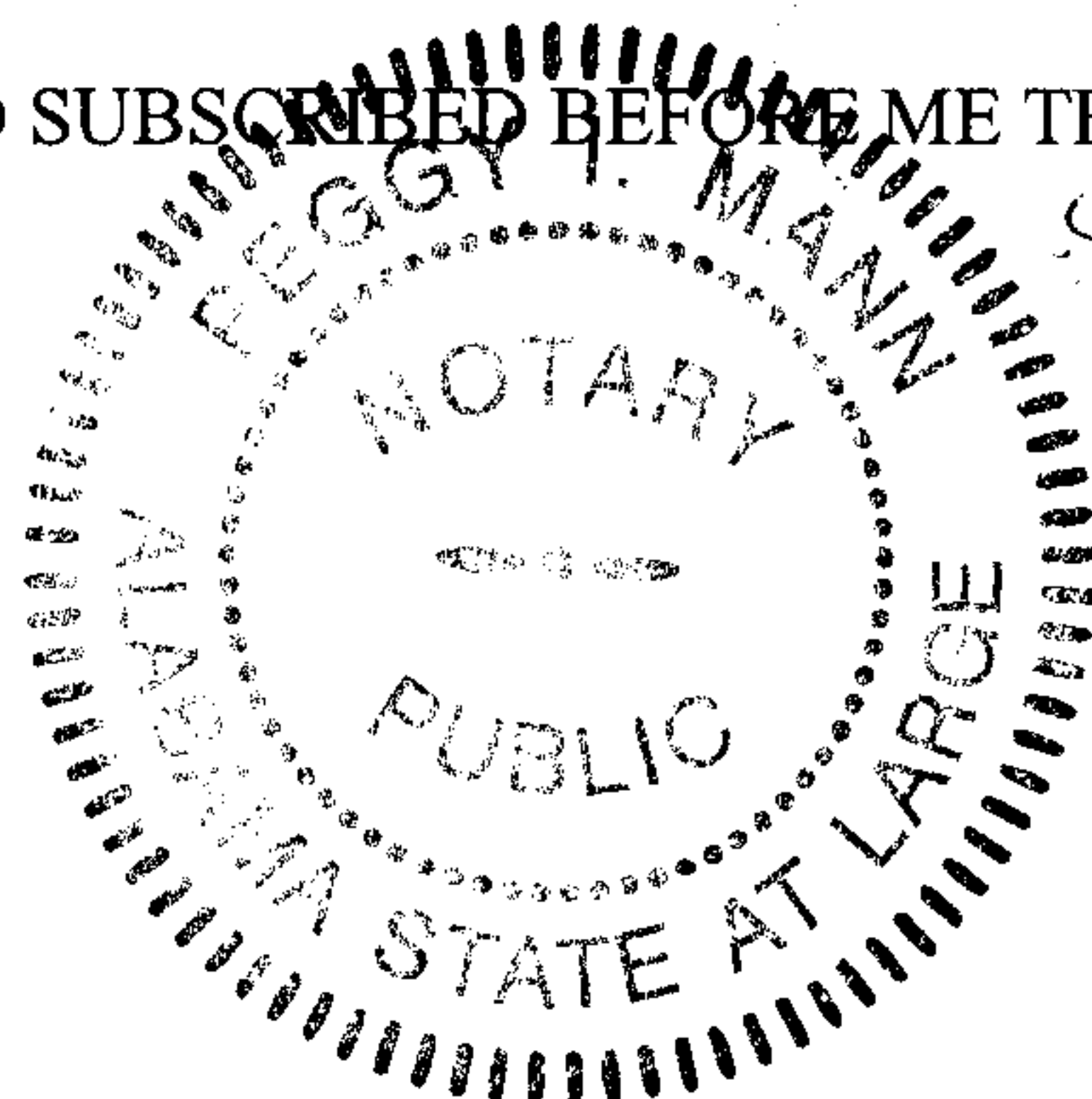
CARTER MASON INVESTMENTS, LLC

COURTNEY H. MASON, JR., MEMBER

EAGLE COVE ARCHITECTURAL CONTROL
COMMITTEE

ROGER WILKINS, MEMBER

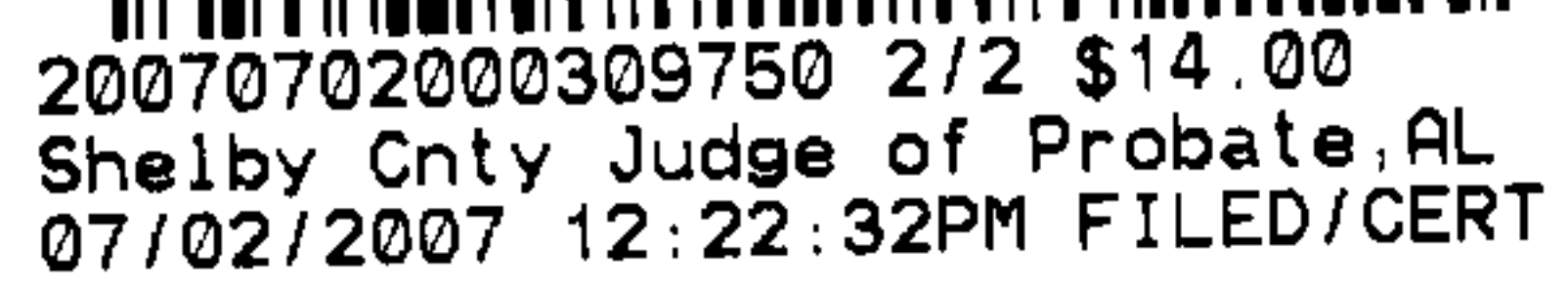
SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 29TH DAY OF JUNE, 2007



NOTARY PUBLIC

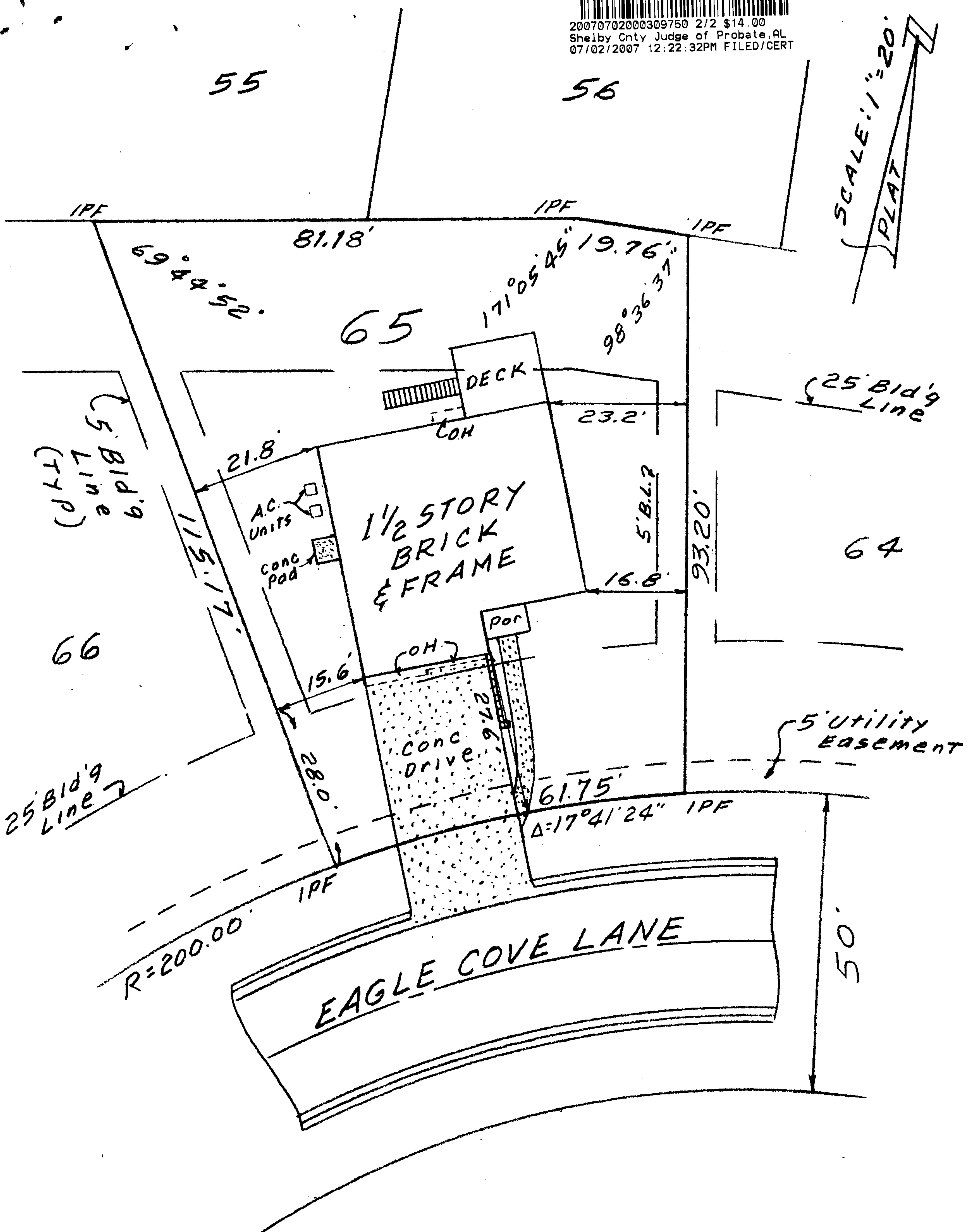
MY COMMISSION EXPIRES: 2-5-11

PEGGY I. MANN
COMMISSION EXPIRES FEB 5, 2011



SCALE: 1" = 20'

PLAT



SHELBY
LE COV
7
CLOSING
JOSEPH D. HENNESSY
County, Alabama
REGISTERED
No. 3641
LAND SURVEYOR
JOSEPH D. HENNESSY
Alabama Reg. No. 3641
Invoice No. 0729

Note: Unless otherwise indicated by (P) – record plat dimension, (D) – deed call, or (M) – measured dimension by survey, all bearings, angles and distances shown hereon are actual. Furthermore this survey was performed without the benefit of an abstract of title. There may be other matters of public or private record not depicted on this survey. In addition, underground utilities or subsurface features were not measured or located as a part of this survey unless otherwise shown. (IPF) – Iron Pin Found, (IPS) – Iron Pin Set.