

VARIANCE OF SET-BACK LINE

20070731000354870 1/3 \$17.00
Shelby Cnty Judge of Probate, AL
07/31/2007 09:15:23AM FILED/CERT

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, EXHIBIT A, DATED JULY 23, 2007 PREPARED BY HILL SURVEYING ON LOT 60 EAGLE COVE RECORDED IN MAP BOOK 35 PAGE 121, IN THE OFFICE OF THE JUDGE OF PROBATE IN SHELBY COUNTY, ALABAMA, ALSO KNOWN AS 100 EAGLE COVE DRIVE, AND WE ARE AWARE THE LOCATION OF THE HOUSE VIOLATES THE 35 FOOT BUILDING LINE SHOWN ON THIS SURVEY. THE DEVELOPER AND THE ARCHITECTURAL CONTROL COMMITTEE HAVE THE POWER AND DO HEREBY GRANT A VARIANCE FROM THE SAID BUILDING LINE TO PERMIT THE IMPROVEMENTS ON SAID LOT TO BE LOCATED AS SHOWN IN THE ATTACHED SURVEY.

WE ACKNOWLEDGE THAT THE LOCATION OF THE HOUSE WAS APPROVED BY A VARIANCE FROM THE CITY OF PELHAM ZONING BOARD OF ADJUSTMENT, A COPY OF SAID VARIANCE ATTACHED AS EXHIBIT B.

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 27TH DAY OF JULY, 2007

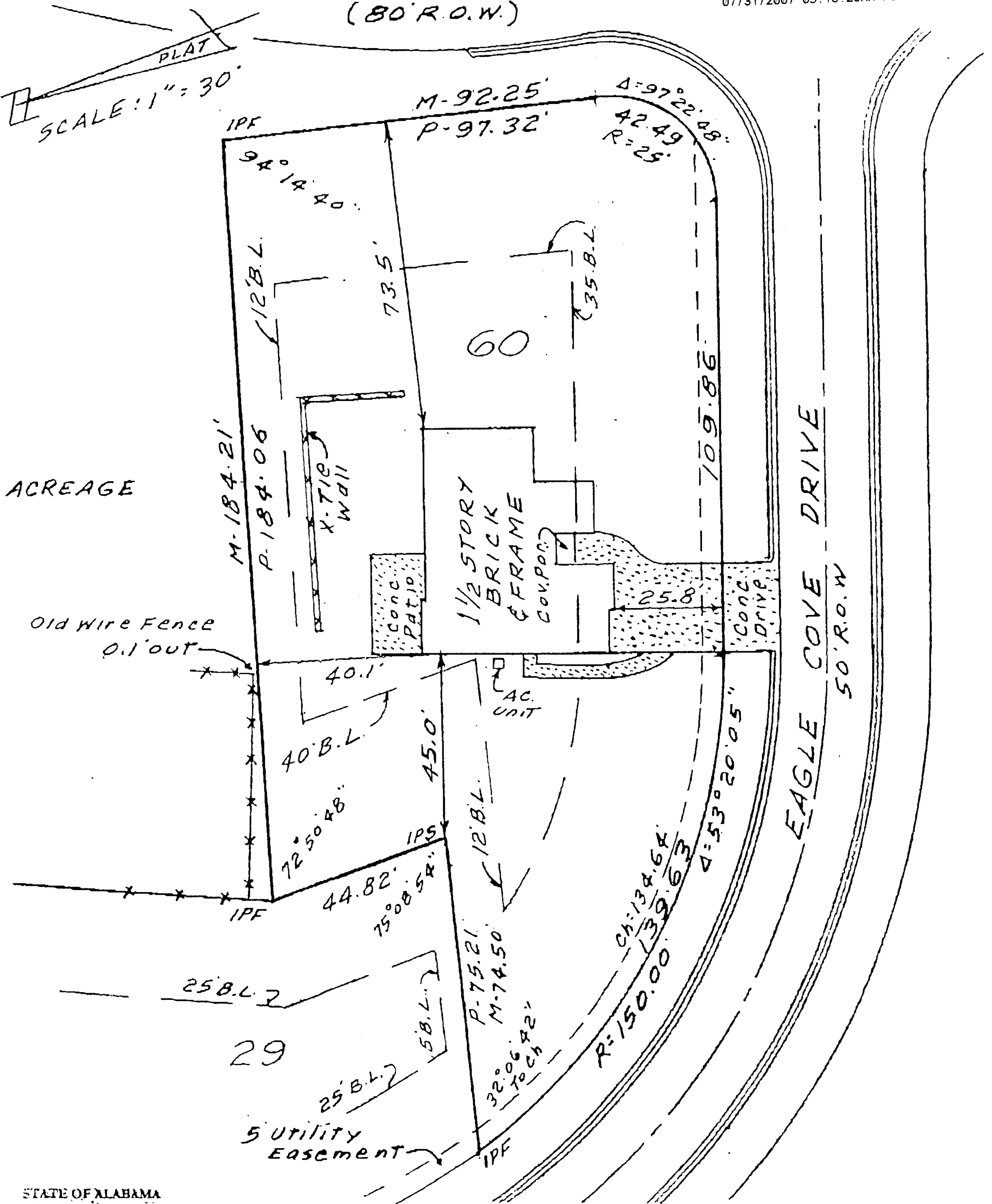

NOTARY PUBLIC

MY COMMISSION EXPIRES: 5/4/07

EXHIBIT A

SHELBY COUNTY HWY 35
(80' R.O.W.)

20070731000354870 2/3 \$17.00
Shelby Cnty Judge of Probate, AL
07/31/2007 09:15:23AM FILED/CERT



STATE OF ALABAMA
JEFFERSON COUNTY

I, Joseph D. Hennessey, a Professional Engineer and Registered Land Surveyor in Birmingham, Alabama, hereby certify 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 and that this is a true and correct map of:

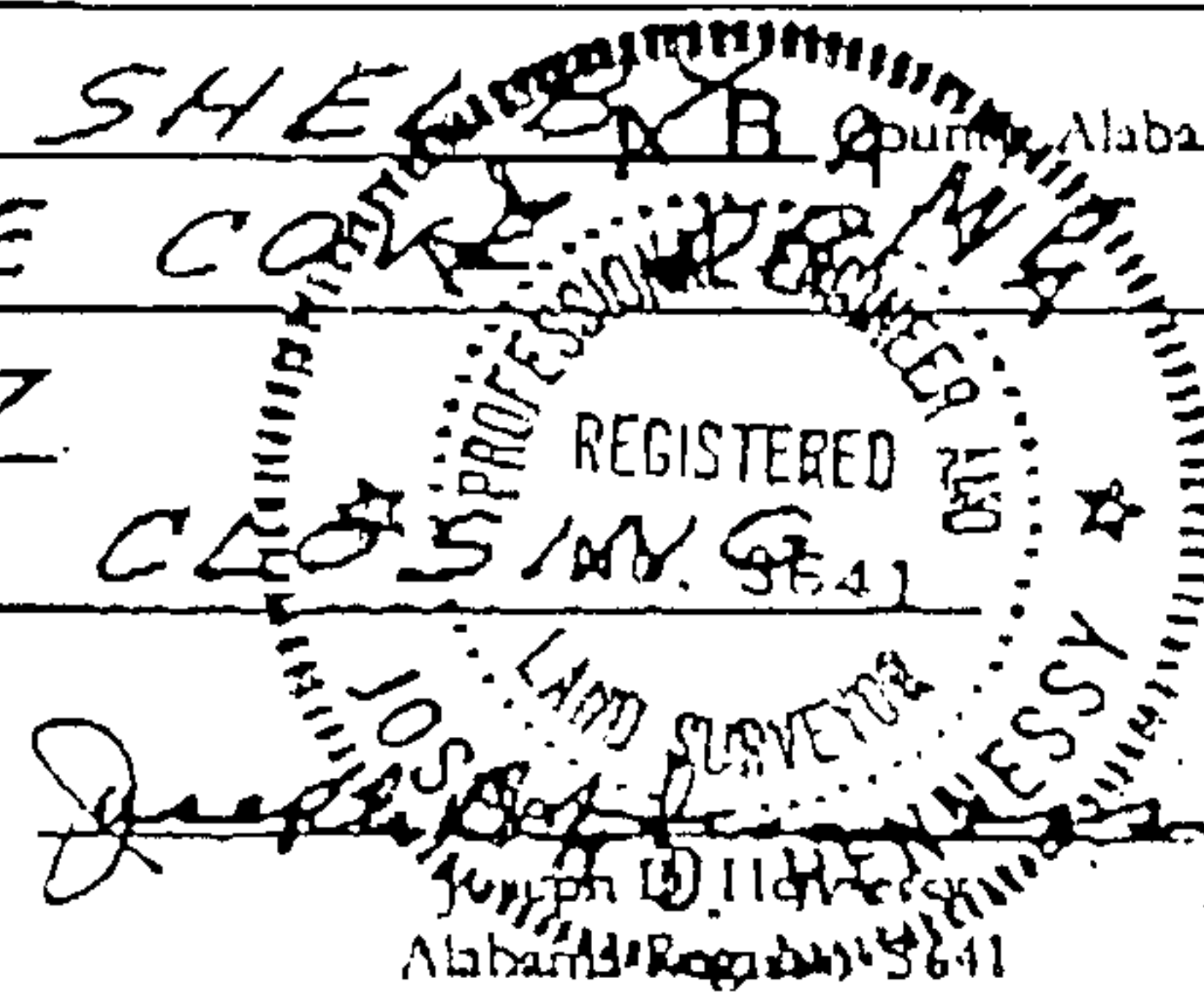
Lot 60 Block - EAGLE COVE SUBDIVISION

as recorded in Map Book 35 Page 121 in the Probate Office of SHELBY COUNTY, ALABAMA

The correct street address according to the mailbox is 100 EAGLE COVE DRIVE
according to my survey this the 23RD day of JULY 2007

Purchaser: DUCKETT Survey Type: CLOSING

HILL SURVEYING COMPANY
POST OFFICE BOX 36426
HOOVER, ALABAMA 35236
205-426-3651
FLOOD ZONE
UNSHADED ZONE "X"
01117C0216D
9-29-06



Invoice No. 07321

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 prepared 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, well surface features were not measured or located as part of this survey unless otherwise shown. (IPF) - Iron Pin Found, (IPS) - Iron Pin Set

EXHIBIT B



20070731000354870 3/3 \$17.00
Shelby Cnty Judge of Probate, AL
07/31/2007 09:15:23AM FILED/CERT

Council Members

Rosemary Metcalf
Mike Dickens
Willard Payne
Bob Sullivan
Karyl Rice

Mayor

Bobby Hayes

City Clerk

Donna Treslar

BOARD OF ADJUSTMENT MEETING
March 23, 2007

The Zoning Board of Adjustment for the City of Pelham held a public hearing at 8:00 A.M. Friday, **March 23, 2007**, at Pelham City Hall to consider a request from the terms of the Zoning Ordinance. Variance request: To reduce the required front building setback line from 35 feet to 25 feet. Property located at **Lot 60, Eagle Cove Drive, Eagle Cove Subdivision**, as recorded in Map Book 35, Page 121, in the Probate Office of Shelby County, Alabama. Applicant: Savannah Building Company (Roger Wilkins).

Meeting called to order at 8:00 A.M. by Chairman Leonard Glynn. Members present were Leonard Glynn, Mike Morgan, Joe O'Brien, and Trace McNeeley. Jesse Jowers, City Engineer, and Bob Miller, Building Official, were present also.

Mr. Wilkins stated he was requesting the variance in order that this house would be in line consistent with other houses in this development and would face Eagle Cove Drive and not face the decel lane. Also, this request for would allow for construction of a larger house. Joe O'Brien moved to grant variance as requested. Trace McNeeley seconded the motion and all approved.

Meeting adjourned at 8:10 A.M.

READ AND APPROVED

Bob Miller
Building Official

RECORDER'S MEMORANDUM
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction.