

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.

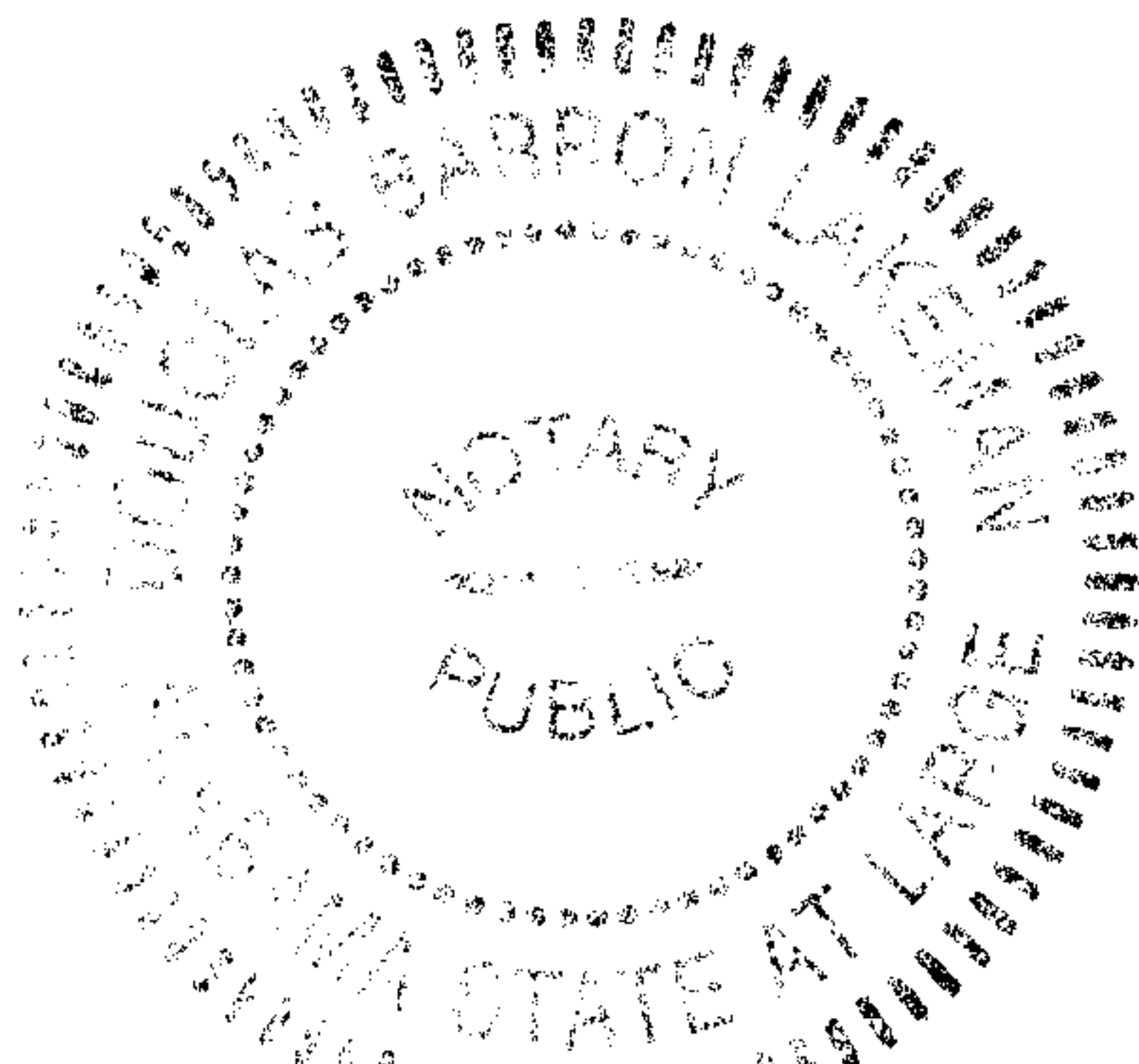
WE BOTH HAVE SEEN THE ATTACHED SURVEY DATED JANUARY 7, 2009 AND PREPARED BY LAURENCE D. WEYGAND ON LOT 55 EAGLE COVE RECORDED IN MAP BOOK 35 PAGE 121, IN THE OFFICE OF THE JUDGE OF PROBATE IN SHELBY COUNTY, ALABAMA AND WE ARE AWARE OF THE LOCATION OF THE DECK SHOWN ON THIS SURVEY. IT IS OUR JUDGMENT 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 13th DAY OF JANUARY, 2009.

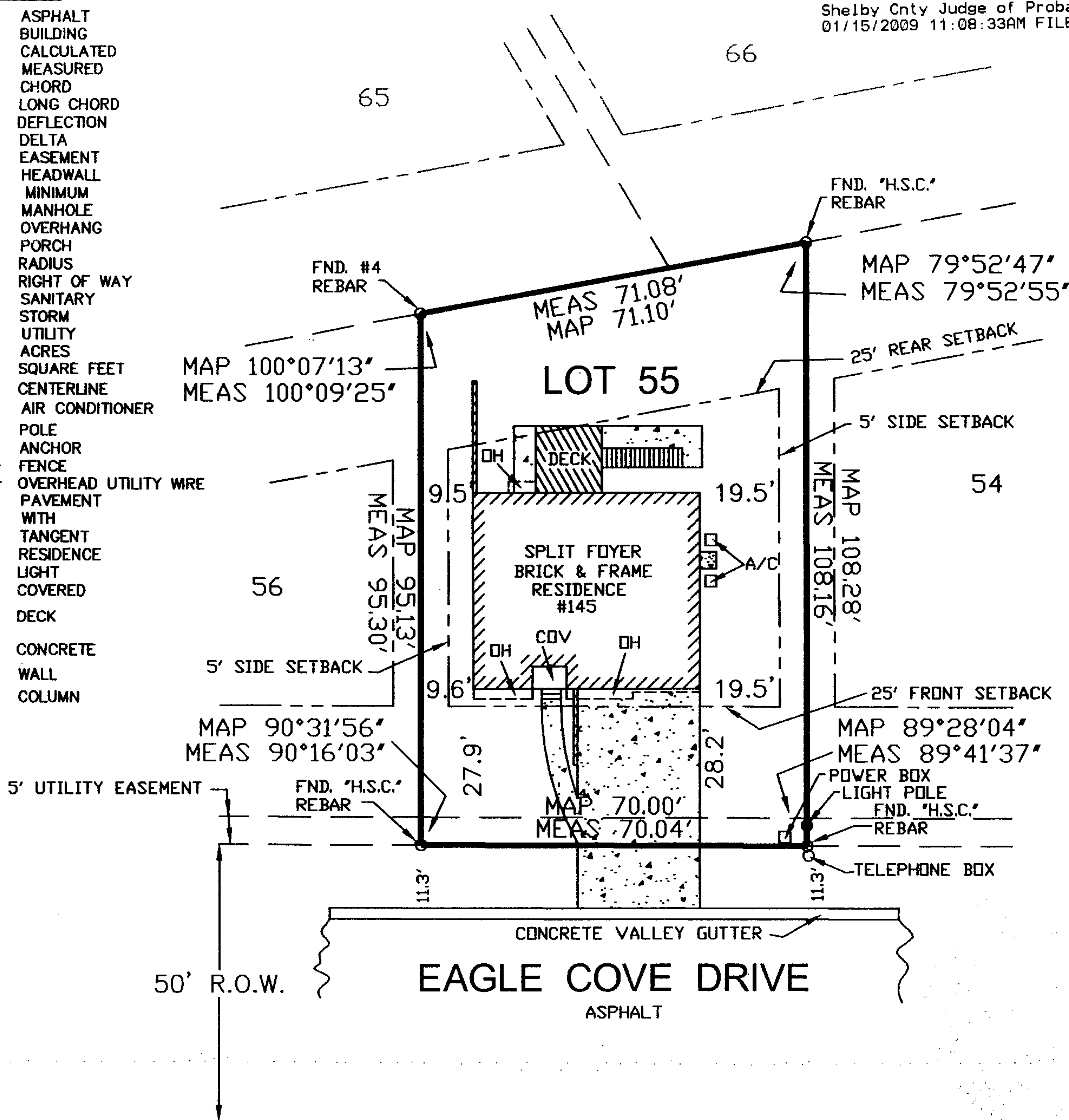
DOUGLAS BARRON LAKEMAN
COMMISSION EXPIRES 3/3/12

NOTARY PUBLIC

MY COMMISSION EXPIRES: 3/3/12

[illegible]

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
HW	HEADWALL
MIN	MINIMUM
MH	MANHOLE
OH	OVERHANG
POR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAN	SANITARY
STM	STORM
UTIL	UTILITY
AC	ACRES
S.F.	SQUARE FEET
CL	CENTERLINE
A/C	AIR CONDITIONER
●	POLE
—Y—	ANCHOR
—X—	FENCE
—//—	OVERHEAD UTILITY
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
oLGT	LIGHT
COV	COVERED
	DECK
	CONCRETE
	WALL
	COLUMN



'CLOSING SURVEY'

I, Laurence D. Weygand, a registered Engineer—Land Surveyor, or Ray Weygand, a Registered Land Surveyor, hereby certify that I have surveyed Lot 55, Block -, EAGLE COVE SUBDIVISION, as recorded in Map Volume 35, Page 121, in the Office of the Judge of Probate, Shelby County, Alabama; that there are no rights-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said premises except as shown; that there are no encroachments on said lot except as shown and that improvements are located as shown above. That I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is not located in "a special flood hazard area"; 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; according to my survey of JANUARY 7, 2009.
Survey invalid if not sealed in red.

Order No.: 12565
Purchaser: HUBBARD
Address: 145 EAGLE COVE DRIVE
Flood Zone "X" Map Number: 01117C 0216D

Laurence D. Weygand, Reg. P.E.-L.S. / #10373
Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road, Homewood, AL 35209
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Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are deed/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures were not located unless otherwise noted. We do not look for underground sewers or flip manhole covers. (d) The shown north arrow is based on deed/record map. This survey is not transferable. Easements not shown on record plat are not shown above.