

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, BILLY GOSSETT 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 OCTOBER 28, 2009 AND PREPARED BY BARTON F. CARR ON LOT 57 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 ARCHITECTURAL CONTROL COMMITTEE HAS THE POWER AND DOES 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.

EAGLE COVE ARCHITECTURAL CONTROL
COMMITTEE

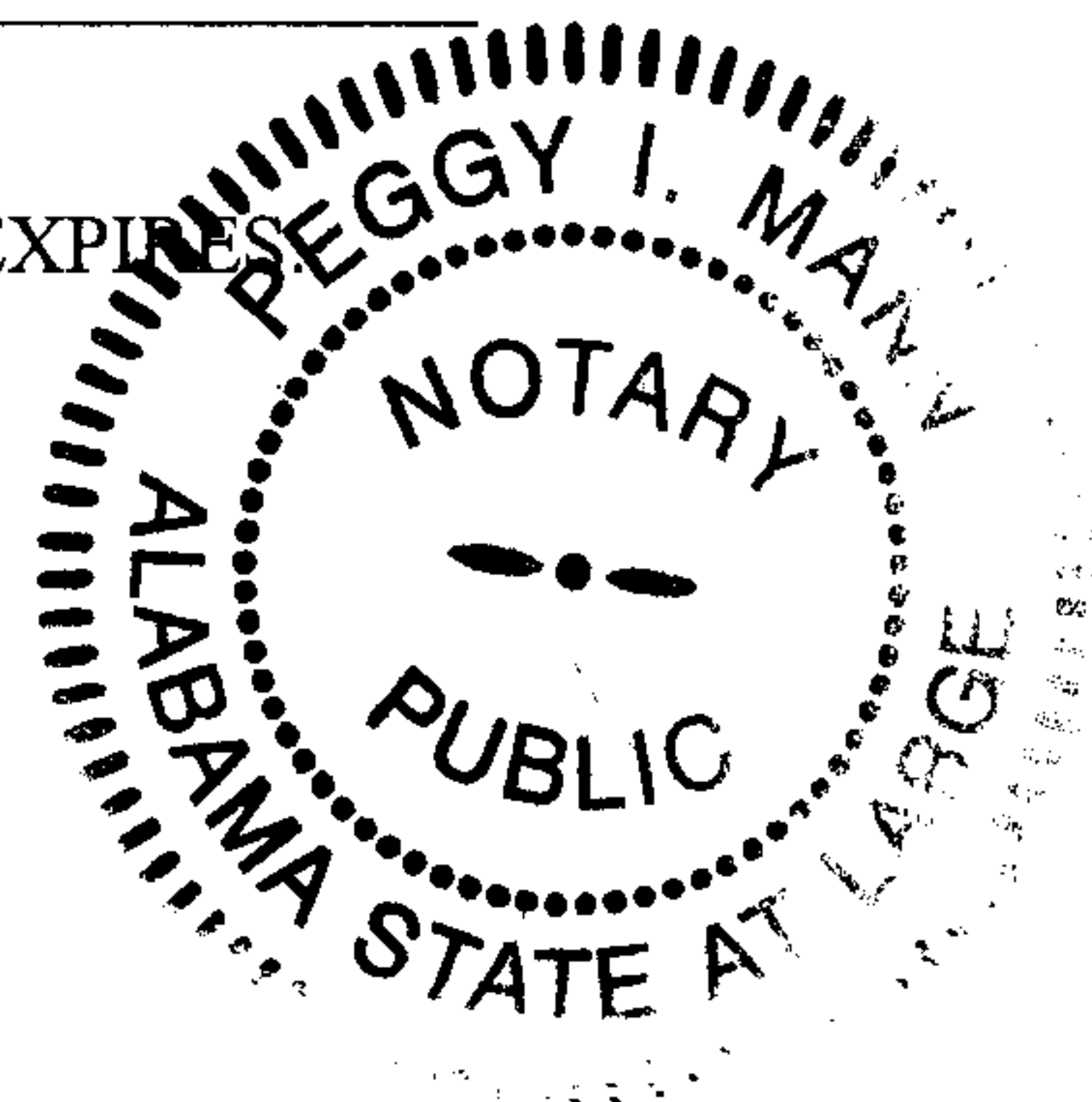

BILLY GOSSETT, MEMBER

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 29th DAY OF OCTOBER, 2009.

NOTARY PUBLIC
MY COMMISSION EXPIRES

PEGGY I. MANN
COMMISSION EXPIRES FEB 5, 2011

Shelby County, AL 11/02/2009
State of Alabama
Deed Tax : \$4.00





20091102000409100 2/2 \$14.00
Shelby Cnty Judge of Probate, AL
11/02/2009 02:32:58 PM FILED/CERT

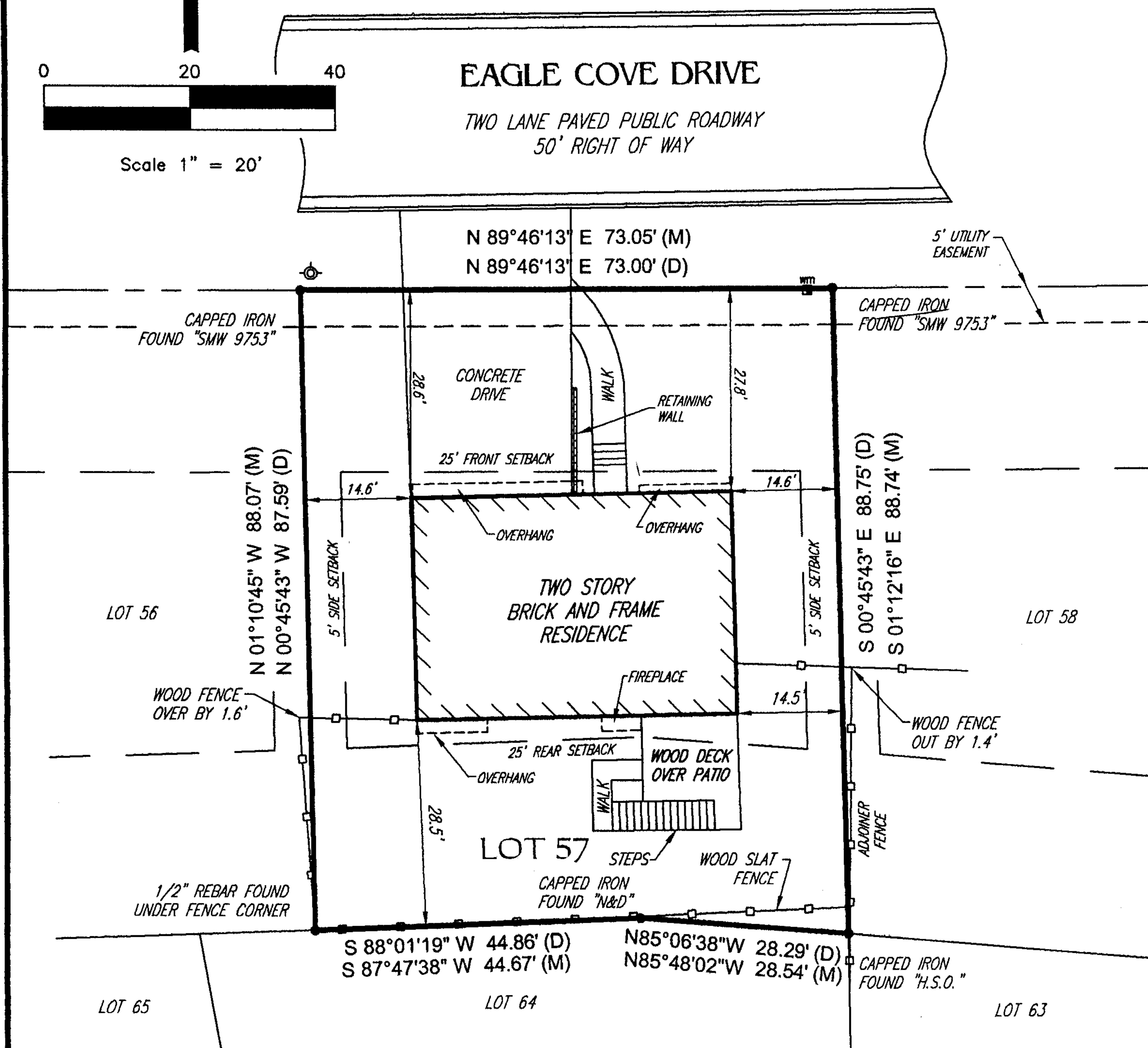
0 20 40



Scale 1" = 20'

EAGLE COVE DRIVE

TWO LANE PAVED PUBLIC ROADWAY
50' RIGHT OF WAY

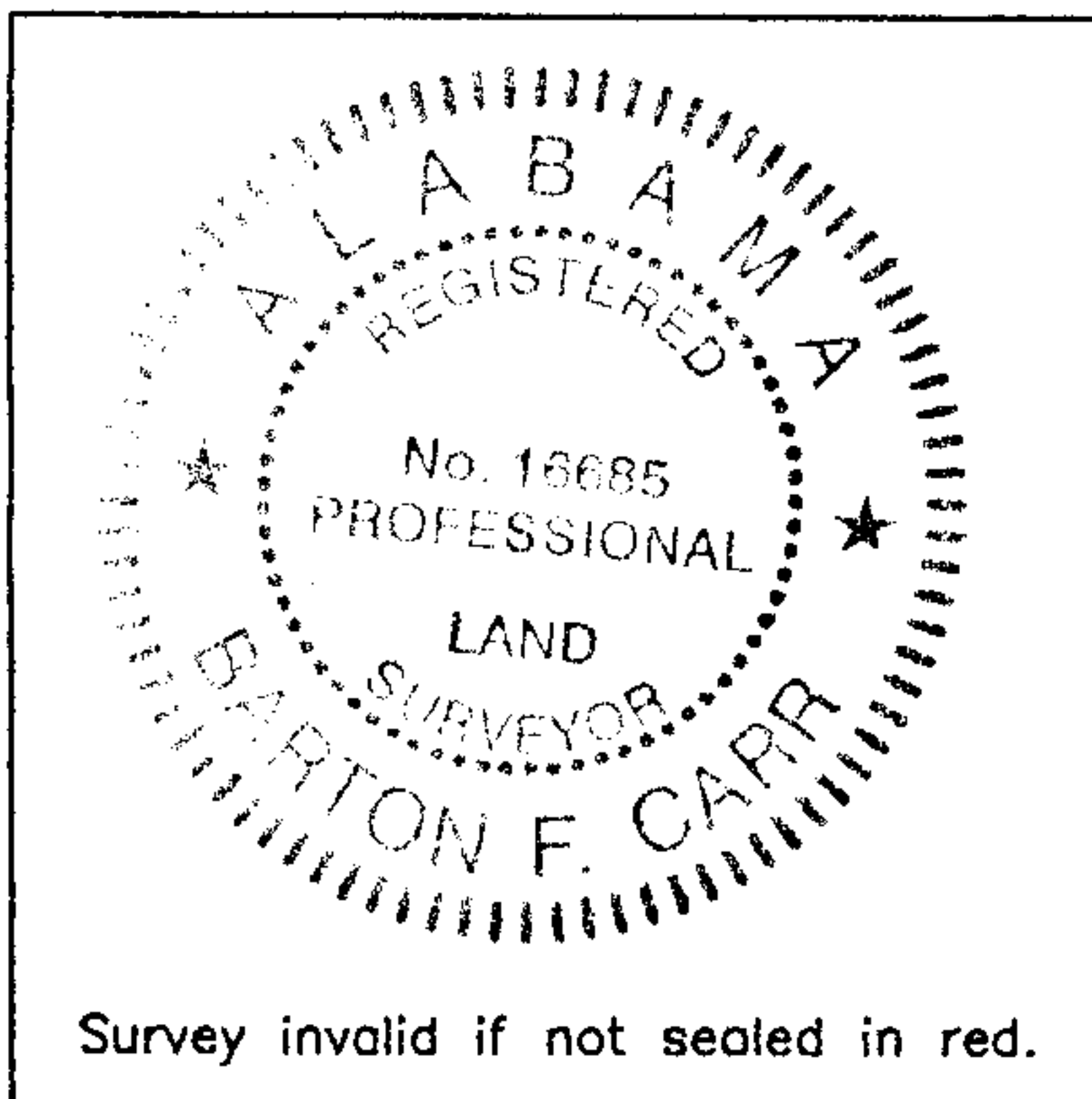


DESCRIPTION: Lot 57, EAGLE COVE SUBDIVISION, as shown on the map of plat thereof, recorded in Map Book 35, Page 121, in the Office of the Judge of Probate, Shelby County, Alabama.

SURVEYOR'S CERTIFICATE: I 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 Land Surveying in the State of Alabama to the best of my knowledge, information and belief.

SURVEYOR'S NOTES:

1. This survey is not intended to delineate the regulatory jurisdiction of any federal, state, regional, or local agency, board, commission, or other similar entity.
2. No underground utilities, underground encroachments, underground lines, or subsurface building foundations were located as a part of this survey.
3. This survey was conducted without the benefit of an abstract of title or title report. There may be matters of the public records unknown to this surveyor not depicted hereon.
4. This parcel is situated in Flood Zone "X" (Panel 010193 0216 D, Effective Date: September 29, 2006).



153 CAHABA VALLEY PARKWAY
PELHAM, ALABAMA 35124
PHONE (205) 664-8498 FAX (205) 664-9685

CARR & ASSOCIATES ENGINEERS, INC.

BARTON F. CARR
PLS No. 16685

Date

10/28/09

Type of Survey: CLOSING
Job No. 09.1007 Field Book/Page: 871/1
CADD: MAD Date of Map Preparation: 10/28/09
Date of Field Survey: 10/28/09
Street Address: 141 Eagle Cove Drive
Drawing Name: 09.1007 Lot 57 Eagle Cove