



PLANNING
DEPARTMENT

CITY OF PRATTVILLE

JIM BYARD, JR.
MAYOR

CITY COUNCIL

DEAN R. ARGO
PRESIDENT
DISTRICT 3

TOM MILLER
PRESIDENT PRO TEMPORE
DISTRICT 4

BILL GILLESPIE, JR.
DISTRICT 1

WILLIE WOOD, JR.
DISTRICT 2

MIKE RENEGAR
DISTRICT 5

RAY C. BOLES
DISTRICT 6

NATHAN D. FANK
DISTRICT 7

City of Prattville Planning Commission

The minutes of the June 17, 2010 meeting of the
City of Prattville Planning Commission were
approved.



7/15/10

Reuben Gardner, Chairman

Date



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DISTRICT 7

CITY OF PRATTVILLE PLANNING COMMISSION

AGENDA
June 17, 2010
3:00pm

Call to Order:

Roll Call:

Mayor Byard, Councilman Miller, Chairman Gardner, Vice-Chairman McAuley, Chief Brown, Mrs. Carpenter, Mr. Hall, Mr. Nelson, and Mr. Smith.

Minutes:

April 15, 2010; and May 20, 2010

Old Business:

None

New Business:

1. **Zoning: R-3 (Single Family Residential)**
Moses Road
Kevin Smith/AllSouth Corporation, Petitioner *Public Hearing
Police Jurisdiction*
2. **Preliminary Plat: Prattville Business Park, Plat 5**
Located on Business Park Drive *Public Hearing
District 3*
Owner/Developer: P.I.P. Enterprises (Powell & Walthall)
Representative: Larry Jarvis, Jarvis & Associates
3. **Final Plat: Prattville Business Park, Plat 5** *District 3*
Located on Business Park Drive
Owner/Developer: P.I.P. Enterprises (Powell & Walthall)
Representative: Larry Jarvis, Jarvis & Associates
4. **Preliminary Plat: Oaks of Buena Vista, Plat 2A** *Public Hearing
District 7*
Located on Old Mill Way
Owner/Developer: Will Parker, Oaks of Buena Vista, LLC
Representative: Greg Gillian, Larry Speaks & Associates, Inc.
5. **Final Plat: Oaks of Buena Vista, Plat 2A** *District 7*
Located on Old Mill Way
Owner/Developer: Will Parker, Oaks of Buena Vista, LLC
Representative: Greg Gillian, Larry Speaks & Associates, Inc.

Miscellaneous:

Adjourn:

**CITY OF PRATTVILLE PLANNING COMMISSION
MINUTES
June 17, 2010**

Call to order:

The meeting of the Prattville Planning Commission was held on June 17, 2010. Chairman Reuben Gardner called the meeting to order at 3:00 p.m.

Roll Call:

The secretary called the roll. Present: Chairman Reuben Gardner, Vice-Chairman Roy McAuley, Chief Terry Brown, Mrs. Paula Carpenter, Mr. Gene Hall, Mr. Bobby Nelson and Mr. Tim Smith. Absent: Mayor Jim Byard and Councilman Tom Miller.

(Quorum present)

Staff present: Mr. George Stathopoulos, Senior Planner; and Ms. Alisa Morgan, Secretary.

Minutes:

Mr. Nelson moved to approve the minutes of the April 15, 2010 and May 20, 2010 meetings. Chief Brown seconded the motion. The motion passed unanimously.

Old Business:

None

New Business:

**1. Zoning: R-3 (Single Family Residential)
Old Ridge Road
Garden Park, LLC, Petitioner**

John Brown, petitioner representative, introduced the request for zoning of the property on Old Ridge Road. He stated that the property had received sketch plan approval at the previous Planning Commission meeting (5/20/10). Also present was Joe Turner of AllSouth Corporation representing the seller of the property.

Chairman Gardner opened the public hearing. There was none to speak. The public hearing was closed.

Mr. Nelson introduced a resolution recommending approval of the zoning of property located on Old Ridge Road to R-2 and moved for its approval. Mrs. Carpenter seconded the motion.

Mr. Stathopoulos stated that the sketch plan of the proposed property on Old Ridge Road received approval from the commission at the May meeting. He stated that the second access had been addressed satisfactorily. The proposed zoning is consistent with the city's comprehensive plan. He recommended approval.

The motion to approve passed unanimously.

2. Preliminary Plat: Prattville Business Park, Plat 5
Located on Business Park Drive
Owner/Developer: P.I.P. Enterprises (Powell & Walthall)
Representative: Larry Jarvis, Jarvis & Associates

Larry Jarvis of Jarvis & Associates, petitioner representative, introduced the preliminary plat of Prattville Business Park Plat 5. He stated that the four acre parcel is located north of the Econo Lodge hotel. There is no pending development; preparing plat for possible sell.

Chairman Gardner opened the public hearing. There was none to speak. The public hearing was closed.

Mr. Stathopoulos stated that this plat is a continuation of Business Park Subdivision. He stated that infrastructure is in place. He recommended approval.

Mr. Hall introduced a resolution recommending approval of the preliminary plat of Prattville Business Park, Plat 5 and moved for its approval. Chief Brown seconded the motion.

The motion to approve passed unanimously.

3. Final Plat: Prattville Business Park, Plat 5
Located on Business Park Drive
Owner/Developer: P.I.P. Enterprises (Powell & Walthall)
Representative: Larry Jarvis, Jarvis & Associates

Mr. Stathopoulos recommended approval of the final plat of Prattville Business Park, Plat 5.

Chief Brown introduced a resolution recommending approval of the final plat of Prattville Business Park, Plat 5 and moved for its approval. Mr. Nelson seconded the motion.

The motion to approve passed unanimously.

4. Preliminary Plat: Oaks of Buena Vista, Plat 2A
Located on Old Mill Way
Owner/Developer: Will Parker, Oaks of Buena Vista, LLC
Representative: Greg Gillian, Larry Speaks & Associates, Inc.

Greg Gillian of Larry Speaks & Associates, petitioner representative, presented the preliminary plat of Oaks of Buena Vista, Plat 2A. He stated that the 7 lots are the remaining portion of Plat 2.

Mr. Stathopoulos stated that the design standards of the proposed plat have been addressed satisfactorily. He recommended approval of the preliminary plat.

Chairman Gardner opened the public hearing. There was none to speak. The public hearing was closed.

Mr. McAuley introduced a resolution recommending approval of the preliminary plat of Oaks of Buena Vista, Plat 2A and moved for its approval. Mrs. Carpenter seconded the motion.

The motion to approve passed unanimously.

- 5. Final Plat: Oaks of Buena Vista, Plat 2A
Located on Old Mill Way
Owner/Developer: Will Parker, Oaks of Buena Vista, LLC
Representative: Greg Gillian, Larry Speaks & Associates, Inc.**

Mrs. Carpenter introduced a resolution recommending approval of the final plat of Oaks of Buena Vista, Plat 2A and moved for its approval. Mr. Hall seconded the motion.

Mr. Stathopoulos recommended approval.

The motion to approve passed unanimously.

Miscellaneous:

Adjourn:

The meeting was adjourned at 3:23 p.m.

Respectfully submitted,



Alisa Morgan, Secretary
Planning Commission

Prattville Planning Commission

Sign-In Sheet

6/17/10 6/17/10

3:00 p.m.

Name	Address
1. John Brown	1618 Clear Creek Prattville 36067
2. Joe Turner	511 Mossy Oak Ridge
3. LARRY JARVIS	1832 Glycerol Dr
4. Thomas W. Powers	
5. Greg Gilliam	221-1212
6.	
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PLANNING
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NATHAN D. FANK
DISTRICT 7

MEMORANDUM

DATE: June 7, 2010

TO: Prattville Planning Commission

FROM: Joel T. Duke, AICP
City Planner 

RE: June 17, 2010 Commission Meeting

Enclosed is the agenda for the June 17, 2010 Commission meeting. Listed below are the staff recommendations for each item. Location maps and copies of each plat are enclosed for reference.

1. **Dawson's Mill Subdivision/Smith Property (Moses Road) – Rezoning** – At your May 20, 2010 meeting, the Commission heard a request for approval of a sketch plan for Dawson's Mill Subdivision (a copy of the staff report is attached for your reference). The Commission approved the submitted sketch plan with the provision that an emergency access be provided to Moses Road. A copy of the modified sketch plan is attached. The Dawson's Mill Subdivision property is currently located outside, but adjacent the city limits. The owner has petitioned for annexation pending approval of the zoning and subdivision plan. The request before you on June 17, 2010 is a request to zone the subdivision R-3, Single-family Residential if it is annexed into the city limits. The requested zoning district is consistent with Commission's sketch plan approval and the city's Comprehensive Plan. Planning staff recommends approval.
2. **Prattville Business Park, Plat 5 – Preliminary Plat/Final Plat** – PIP Enterprises and Interstate Partners request approval to plat a single 4.08 acre lot at the intersection of Business Park Drive and Boardroom Drive. The plat is a continuation of Prattville Business Park subdivision which includes the Cracker Barrel restaurant and several hotels. A copy of the plat and a location map are attached. Infrastructure has been previously run to the proposed lot, which will allow for the preliminary and final plats to be addressed in the same meeting. Planning staff recommends approval of the preliminary and final plats.

3. **Oaks of Buena Vista, Plat 2A – Preliminary Plat/Final Plat** – When the final plat for The Oaks at Buena Vista, Plat 2 was approved by the Commission on January 17, 2008, seven lots at the end of Old Mill Way that were a part the approved preliminary plat were omitted. They were omitted to allow the developer and city to determine whether a permanent or temporary cul-de-sac would be required since the street was originally intended to connect to the adjacent undeveloped property. The Oaks at Buena Vista, LLC is requesting approval to finish the street in a cul-de-sac and to allow the platting of the seven lots. The proposed cul-de-sac will touch the adjacent property line at a width of 50', allowing connection to the adjacent property in the future. A copy of the proposed plat and a location map are attached. While the seven lots were approved under the preliminary plat for The Oaks at Buena Vista, Plat 2, the one year time limit on the approval has lapsed. The Commission must approve new preliminary and final plats to meet the requirements of the city subdivision regulations. Planning staff recommends approval of the preliminary and final plats.

If you have any questions concerning the agenda items, please do not hesitate to call, e-mail or drop by the office.

RESOLUTION

Zoning Request (R-3)

Moses Road

Kevin Smith, Petitioner

June 17, 2010

Whereas, Kevin Smith is the owner of the property described in Attachment A; and shown in Attachment B; and

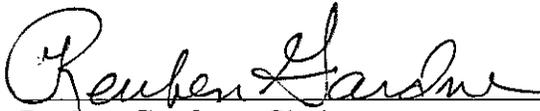
Whereas, the property to be zoned is located on Moses Road; west of Martin Luther King Drive; and

Whereas, the subject property is currently outside the city limits and is un-zoned and the petitioner wishes to zone the property to R-3, Single Family Residential; and

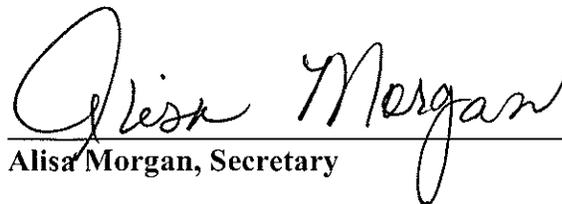
Whereas, a public hearing on the proposed zoning was held by the Prattville Planning Commission on June 17, 2010.

Now, Therefore, Be it Resolved, that the City of Prattville Planning Commission hereby recommends the zoning of said property to R-3.

APPROVED:



Reuben Gardner, Chairman



Alisa Morgan, Secretary

The motion to approve passed unanimously.
6/17/10

Smith Property
Moses Road
Zoning (R-3)

Attachment A
Legal Description

Commence at the Southeast Corner of the Kingston Oaks Subdivision, Plat 1 (Plat Book 5 Page 247), situated at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 33, Township 18 North, Range 16 East, Autauga County, Alabama, from which a disturbed 5/8" rebar & cap (Sheffield) bears S89°22'20"W 0.13 feet; thence N00°37'40"W along the east line of the said Kingston Subdivision a distance of 1338.66 feet to a 4" concrete monument set at the True Point of Beginning of the following described parcel; Thence continuing, N00°37'40"W a distance of 300.01 feet to a set 5/8" rebar and cap; thence leaving said subdivision, N88°49'03"E a distance of 731.69 feet to a set 5/8" rebar and cap; thence N00°56'58"W a distance 916.93 feet to a 5/8" rebar and cap set on the south boundary of the property described in Deed Book 172 Page 757; thence along the south and east boundary of said deed reference the following two (2) courses, (1) S88°38'13"E a distance of 191.66 feet to a found 5/8" rebar and cap (Speaks & Assoc.); (2) N03°57'15"E a distance of 133.48 feet to a 5/8" rebar and cap (Marvin Allen) found on point of curvature with the south margin of Moses Road (Prescriptive), from which a radial line bears N04°35'15"E; thence along said curve to the left having a delta angle of 01°50'14" and a radius of 5820.18 feet subtended by a chord of S86°19'52"E with a distance of 186.61 feet to a 5/8" rebar and cap set at a point of tangency; thence continuing, S87°14'59"E a distance of 211.51 feet to a 4" concrete monument set on the west boundary of Powell Properties, LLC; thence along the west boundary of the Powell Property, S00°56'58"E a distance of 1224.67 feet to a 4" concrete monument set on a point of curvature with the west right of way of Martin Luther King Drive (80' ROW), from which a radial line bears N79°01'53"W; thence along said curve to the right having a delta angle of 00°53'33" and a radius of 5684.39 feet subtended by a chord of S11°24'54"W with a distance of 88.54 feet to a 4" concrete monument set on the north boundary of the aforementioned Powell Property; thence along the north boundary of the Powell Property, S88°49'03"W a distance of 1314.42 feet to the True Point of Beginning.

CITY OF PRATTVILLE
Planning Commission

Planning Department Staff Report



SKETCH PLAN Smith Property – Moses Road/Martin Luther King Drive
DATE May 17, 2010

PROPOSED DEVELOPMENT

Petitioner: Dawson's Mill, Inc.
Property Owner: Kevin Smith
Agent: Southeastern Land Surveying
Location: Moses Road – south side – west of Martin Luther King Drive intersection. Martin Luther King Drive – west side - south of Moses Road (see attached location map)

Development Status and History

Submission Status: Second sketch plan for site. Initial subdivision sketch plan for 21 lots on 18.7 acres was considered and approved for Doyle Builders on September 17, 2009. Doyle Builder decided not to purchase the property.

Previous Approvals: Sketch plan approval by Commission – September 17, 2009

Conditions of Previous Approvals: Initial sketch presented by Doyle Builders was modified to create a loop street pattern rather than dead-end cul-de-sacs. Annexation required permitting connection to sewer. Current developer has presented annexation petition and rezoning applications for R-3, zoning.

Property Configuration

Acreage: 22.77 acres

Proposed Number of Lots and Configuration: 95 lots – 89 located in a new subdivision accessing from Martin Luther King Drive, 6 lots fronting Moses Road.

The 89 lots have an average dimension of 60' x 125' or 7,500 square feet. They are configured around four new 50' right-of-way streets connecting to Martin Luther King Drive approximately 1,300' south of Moses Road. The layout shows two north/south 900' long streets approximately 300' apart. They are connected at the north

and south ends by two east/west streets. The northern street ends in a stub to the west after connecting the two, but the southern street extends westward to 950' then ending in a northward stub.

The 6 lots fronting Moses Road are also at 7,500 square feet, but the dimensions vary on each. The lots are designed to have individual driveways accessing Moses Road.

Stormwater detention facilities adequate for the entire Smith parcel are proposed for the southwestern corner of the site.

Proposed Use: Single-family residential

Current Zoning: Located outside Prattville city limits – property is currently un-zoned. Developer has indicated desire to have property annexed. With annexation petition, the Planning Commission will recommend an appropriate district.

Required Zoning: If annexed, the proposed sketch plan will require designation as an R-3 or R-4 district. The adopted Future Land Use plan calls for the area to develop as low density residential. R-3 zoning is one of the low density zoning designations.

Surrounding Developments and Uses: The proposed 22.7 acre sketch is part of a larger 37.8 parcel containing single family residential structures fronting Upper Kingston Road and Moses Road near the intersection of the two streets and mobile homes on Moses Road frontage near the Martin Luther King Drive intersection.

North of the proposed development are 10 single-family residential structures fronting Moses Road on the north and south side of the street. These lots have areas of between .15 and .20 acres. These structures date from the early 1980's or earlier. Further north of Moses Road and fronting Upper Kingston Road is the Gallagher Property currently being divided into 8 single-family residential lots. The Gallagher Property does not direct access to Upper Kingston Road and shares a single common access on Moses Road.

West of the proposed development and the remainder of the 37.8 parcel is the Kingston Oaks subdivision completed in 2004. Kingston Oaks contains single family

residential structures on approximately .25 acre lots.

South and east of the proposed development is undeveloped forest or farmland in active cultivation. These approximately 480 acres are controlled by a single owner-Powell Properties, LLC.

Street Extensions or New Streets:

The proposed sketch plan contains four new streets branching from an intersection with Martin Luther King Drive

Water and Sewer:

Potable water service is available from the Prattville Water Works Board from mains on Moses Road and Martin Luther King Drive. Sufficient capacity and flow exist to serve the proposed 95 lots.

An 8" sanitary sewer main owned by the City of Prattville is located within the Moses Road right-of-way on the north side. Sufficient capacity exists to serve the proposed 95 lots. Sketch plan indicates the existing and accessible sanitary sewer main may be located lower than the majority of the subdivision. Applicant has provided a plan for obtaining an easement and connecting to the gravity line in Kingston Oaks Subdivision located to the west of the subject property.

Unique Features:

Proposed 22.7 acre sketch is part of a larger 37.8 parcel. The parcel has approximately 1250' of frontage on Moses Road, 110' of frontage on Upper Kingston Road and 50' of frontage on Martin Luther King Drive.

PLANNING STAFF EVALUATION

Reviewed by: Joel T. Duke, AICP
George Stathopoulos

Site Visits Conducted: May 17, 2010

Recommendation: Approval with condition that 6 lots fronting Moses Road are removed and revised plan is submitted addressing staff comments and possible extensions of streets on remainder of Smith Property.

Planning Staff Comments:

- The developer and current owner have requested annexation into the Prattville city limits. The annexation request is also accompanied by an application of initial zoning to R-3, Single-family residential. The zoning request will appear on the June 17, 2010 Commission agenda. Annexation of the property will permit the subdivision to be connected to public sewer without Council approval.
- While the potential buyer/developer is only considering 22.7 acres out of the total 37.8 acres, decisions made concerning street alignment, lot layout and detention for the 18.7 acres will have an impact on the development of the remaining 19.1 acres. In addition, the access from Martin Luther King Drive might be the sole access for the entire 37.8 acres and one of the access points for the Powell parcel to the south. Therefore, we request submission of potential lot and street layout for the entire 37.8 acres parcel.
- The presented sketch plan builds on the final sketch approved for Doyle Builders in September 2009 by providing a interconnected streets and a grid that can be extended into the remainder of the Smith Property and the undeveloped Powell property to the south. Staff recommends the following modifications to the street layout:
 1. Shift proposed southward stub street west to allow for better integration with future development of the Powell property.
 2. Add stub street on the north side of east/west street in preparation for development of remainder of Smith property. Approximate location is between lots 76 and 77. Suggest locating aligning relocated southern stub with new street.
- Lots 1 – 6 facing Moses Road should be removed from the sketch plan and incorporated into other lots. Current and future traffic volumes and patterns on Moses Road will negatively impact the proposed lots. Lots and home values are expected to decrease significantly faster than comparable properties soon after construction. In addition, the proposed lots will add to existing and future congestion on Moses Road.

COMMENTS FROM OTHER CITY DEPARTMENTS

FIRE DEPARTMENT:

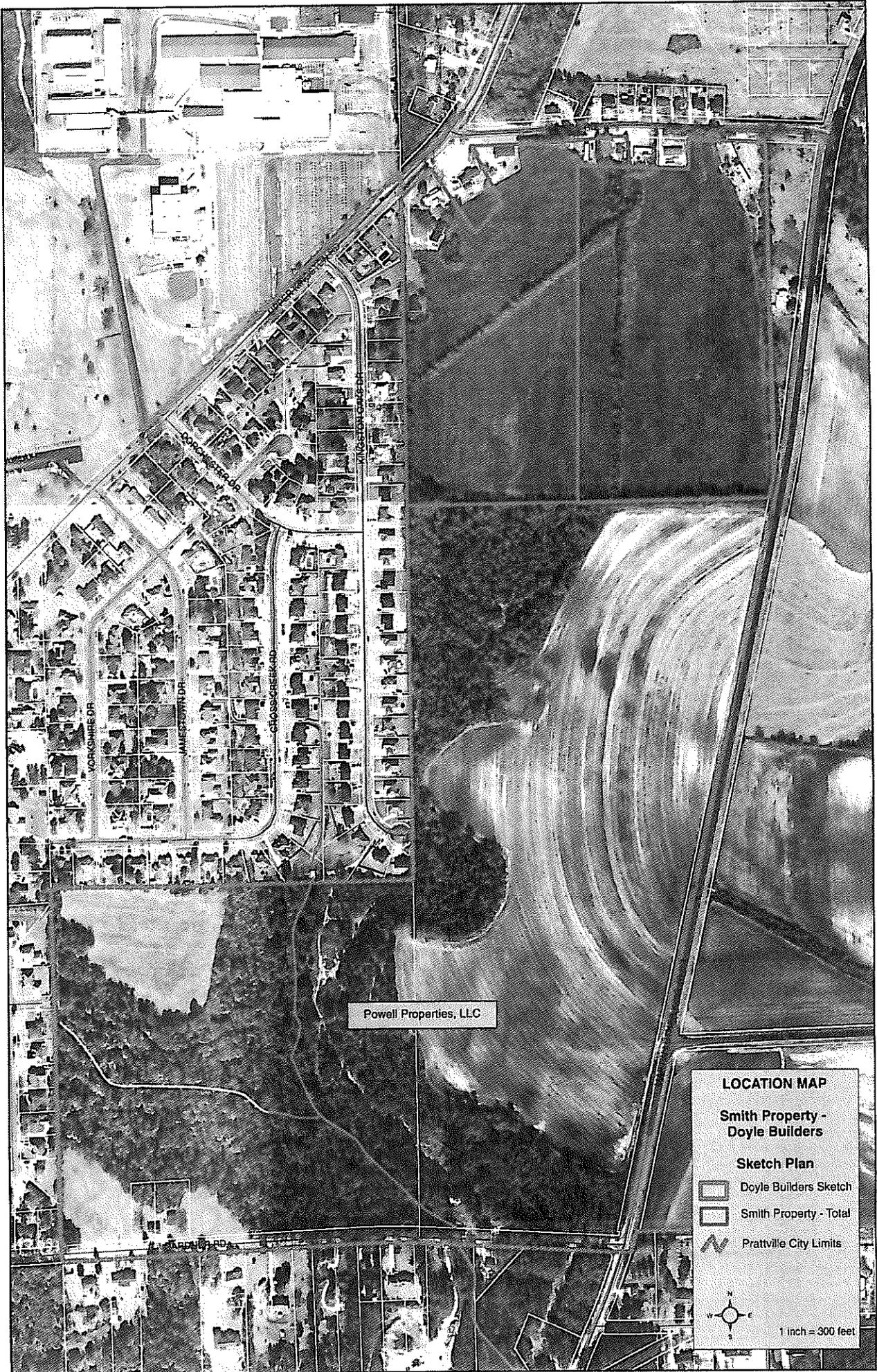
1. Per IFC 2006 Appendix D, The number of dwelling units shall not exceed 29 units. 30 units or more require more than one access road.
 - a. Exception 1: If all homes are sprinkled per NFPA13D.
 - b. Exception 2: Show plans for future development that will allow another access road that meets approval of the Planning Department and the Fire Marshall.
2. Need hydrant placement per city ordinance.

ENGINEERING DEPARTMENT:

1. No additional drives on Moses Rd.
2. AASHTO standard turn lane required onto Martin Luther King Jr. Drive.
3. Connect sanitary across Lot 40 Kingston Oaks with a 10' sanitary sewer easement with an encased pipe is acceptable.

ATTACHMENTS

1. Location Map
2. Sketch Plan



Powell Properties, LLC

LOCATION MAP

Smith Property - Doyle Builders

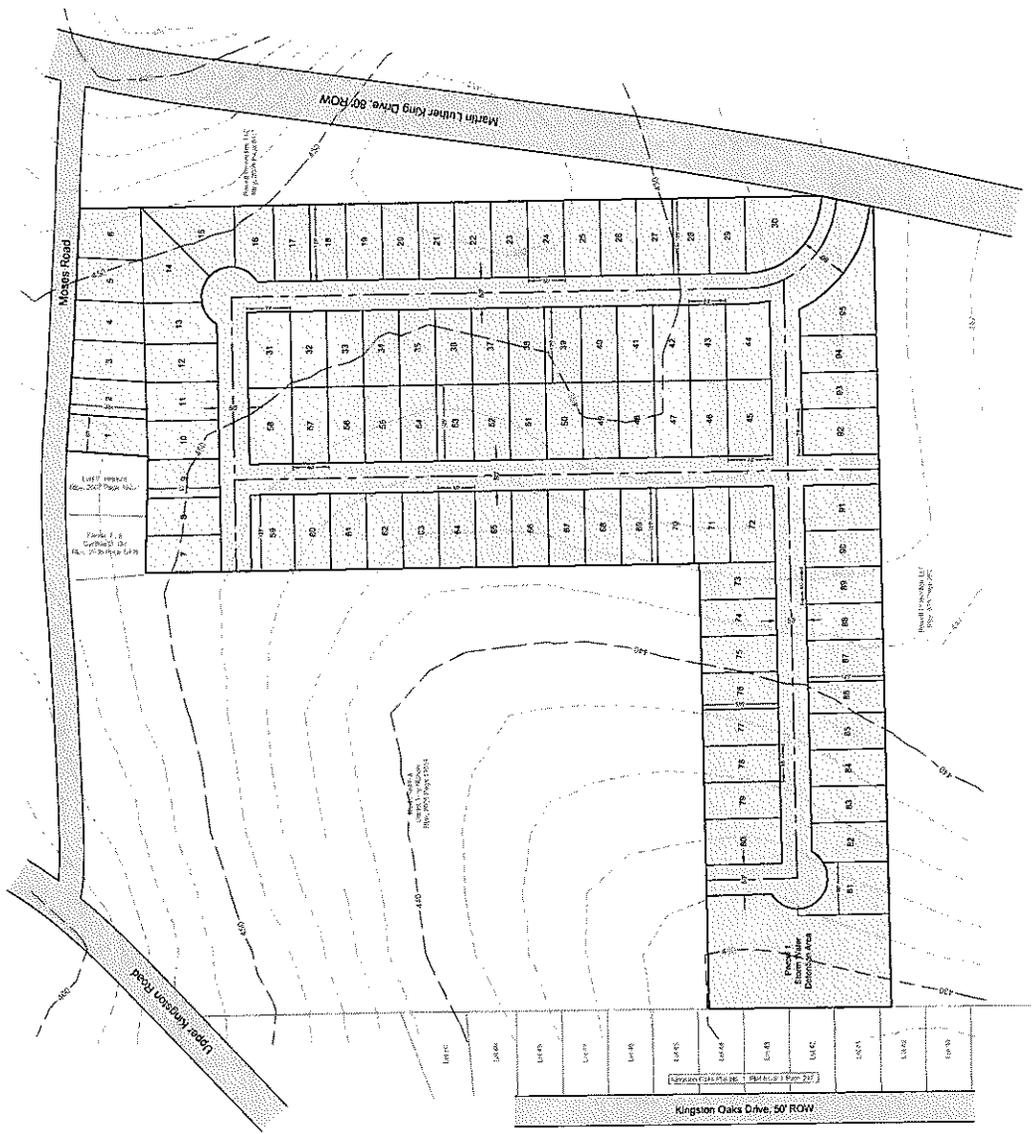
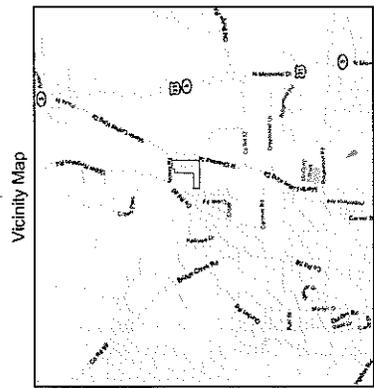
Sketch Plan

-  Doyle Builders Sketch
-  Smith Property - Total

 Prattville City Limits

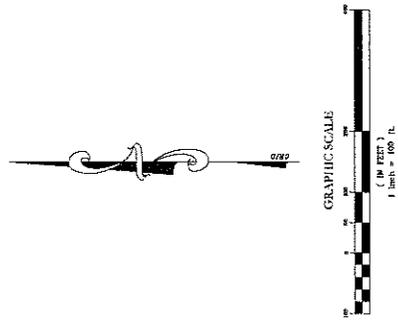


1 inch = 300 feet



Sketch Plan
Dawson's Mill Subdivision
Fruitville, Alabama
Dawson's Mill, Inc.
April 23, 2010

- Dawson's Mill Subdivision
(to lots 22, 27, 28, 29)
- Proposed Street Dedication
(to lots 22, 27, 28, 29)
- Existing Roadways

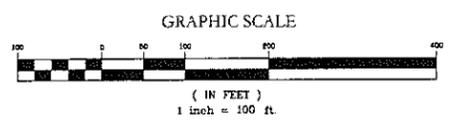
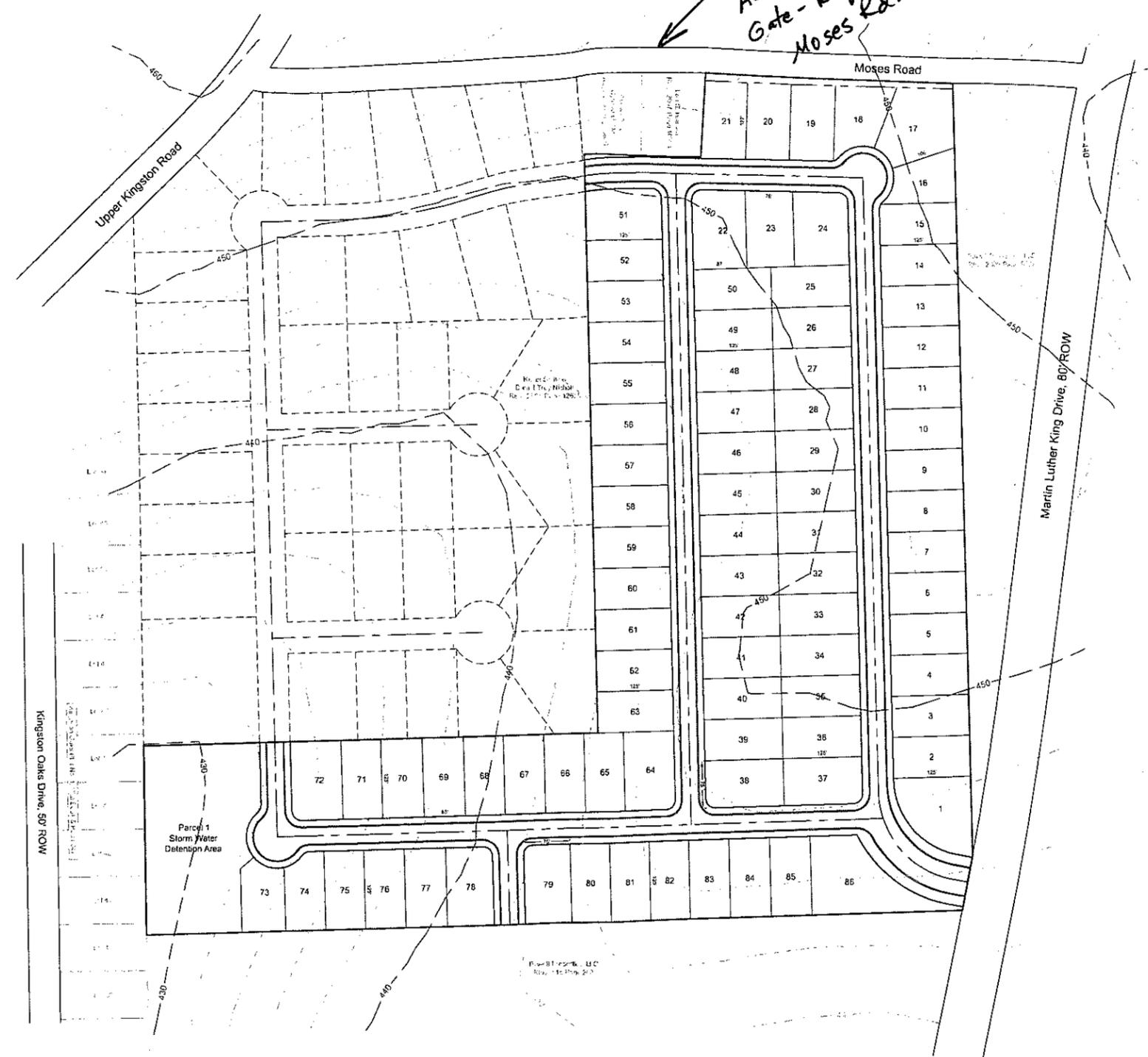


- GENERAL NOTES:**
1. All proposed streets shall be a public right of way and dedicated to the City of Prichard.
 2. The boundary survey was prepared by Southeastern Land Surveying, Inc. The Civil Engineer for this development is Charles D. Brown, PE PLS.
 3. This proposed lot meets R-3 Zoning classification.
 4. This project is primarily funded by Dawson's Mill, Inc.
 5. Total acreage in this development is 22.77 acres, more or less.
 6. Currently, Dawson's Mill, Inc. is working with the owner of Lot 40 in obtaining a Sewer Easement across the north margin of the lot for the 15th Street Sewer Easement. The Sewer Easement is shown on the Plat No. 1. All lots are bounded to the north by the 15th Street sewer easement.
 7. Each lot has a 10 foot front and 5 foot rear utility easement.
 8. A total of 85 lots are shown in this development, with Parcel 1 being reserved for Storm Water Management.
 9. There is 3750 linear feet of stream proposed in this development.
 10. At this time of the submission the owners have not developed a set of residential covenants, but, it is anticipated that they will be similar in nature to those recorded with the Kingsley Oaks Subdivision.

Sketch Plan
Approved by P.C. 5/20/2010

12/13

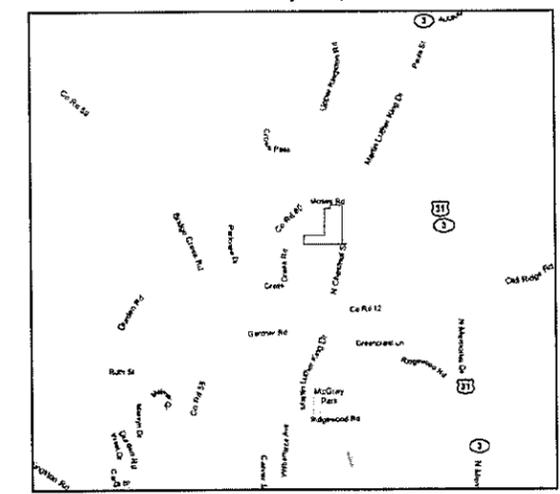
Emergency Access - Locked Gate - Required from Moses Rd.



GENERAL NOTES:

1. All proposed streets shall be a public right of way and dedicated to the City of Prattville.
2. The boundary survey was prepared by Southeastern Land Surveying, Inc. The Civil Engineer for this development is Charles D. Brown, PE, PLS.
3. The proposed lots meet R-3 Zoning classification.
4. This project is privately funded by Kevin Smith.
5. Total acreage in this development is 22.77 acres, more or less.
6. Currently, Kevin Smith is working with the owner of Lot 40 in obtaining a Sanitary Sewer Easement across the north margin of this lot for connection with the existing sanitary sewer in the Kingston Oaks Subdivision, Plat No. 1. Also, it is intended to serve Lots 1 through 5 from the existing sanitary sewer in Moses Road.
7. Each lot has a 10 foot front and 5 foot rear utility easement.
8. A total of 86 Lots are shown in this development, with Parcel 1 being reserved for Storm Water Management.
9. There is 3960 linear feet of street proposed in this development.
10. At this time of the submittal the owners have not developed a set of restrictive covenants, but, it is anticipated that they will be similar in nature to those recorded with the Kingston Oaks Subdivision.

Vicinity Map



Revised Sketch Plan
Dawson's Mill Subdivision
Prattville, Alabama Kevin Smith
May 18, 2010

Dawson's Mill Subdivision 86 Lots, 22.77 Acres	Proposed Street Dedication 3960 LF	Existing Roadways	Proposed Street Dedication
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SOUTHEASTERN
LAND SURVEYING, INC.
74521 TALLASSEE HIGHWAY
W. FT. WALKER, ALABAMA 36902
PHONE: (334) 514-6012 FAX: (334) 514-0123

RESOLUTION

Preliminary Plat

Prattville Business Park #5

June 17, 2010

Whereas, PIP Enterprises is the owner of Prattville Business Park Subdivision; and

Whereas, the proposed development is located within the Prattville City Limits at the intersection of Business Park Drive and Boardroom Drive; and

Whereas, the public hearing for the proposed development was heard by the Prattville Planning Commission on June 17, 2010; and

Whereas, the city department heads have reviewed and commented on the submitted preliminary plat.

Now, Therefore, Be It Resolved, that the City of Prattville Planning Commission hereby approves the submitted preliminary plat of Prattville Business Park #5.

APPROVED:



Reuben Gardner, Chairman



Alisa Morgan, Secretary

The motion to approve passed unanimously.
6/17/10

CITY OF
PRATTVILLE, ALABAMA

SITE OF FUTURE
DEVELOPMENT
BOARDROOM DR
AND
BUSINESS PARK DR

1" = 300'

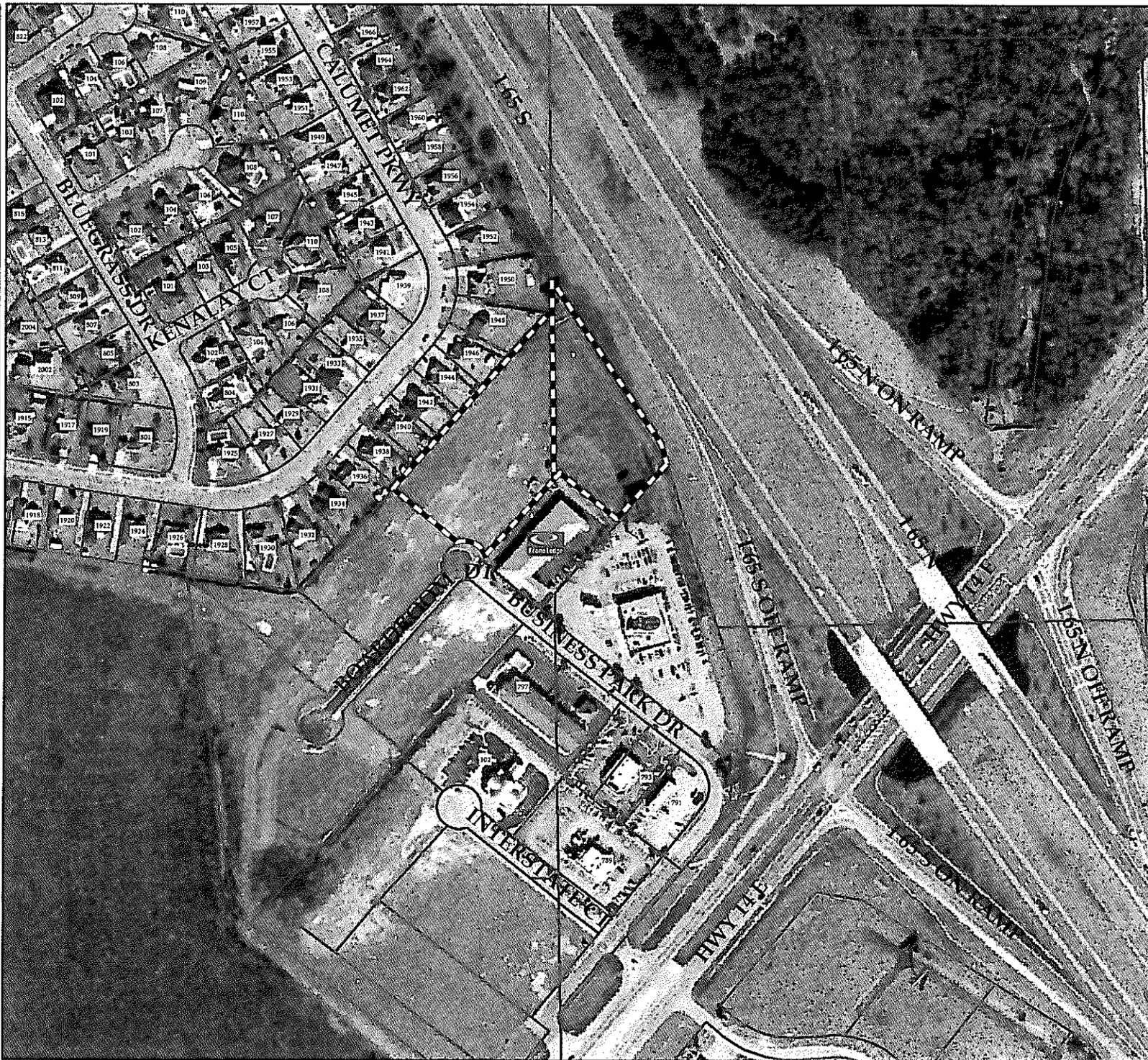


- STREETS
- TAX PARCELS

#2



Ryan Pecharka, G.I.S. Coordinator



ELECTRICAL UTILITY NOTES

ALABAMA POWER COMPANY EASEMENT - ABOVE GROUND SERVICE

NOTE: The undersigned landowners hereby grant to Alabama Power Company and South Central Bell Telephone Company, their successors and assigns, the right to construct, operate and maintain lines or poles and towers and appliances necessary in connection therewith, for the transmission of electric power and communication service, with the right to string thereon from time to time electric power and communication wires and cables, together with the right to install, maintain and operate underground conduits, cables or other facilities for the transmission of electric power and for the purpose of conducting communication wires underneath the surface of the ground and the right to permit other corporations and persons to attach wires and cables to said poles and towers and to install wires or cables with conduits upon, over and across all streets, avenues, alleys, public ways, public utility easements and/or said additional easements shown herein.

Together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from said lines across lands adjacent to said streets, avenues, alleys, public ways, public utility easements and/or said additional easements shown herein and including the right to install guys and anchors within twenty feet of aforesaid poles on property immediately adjacent to said streets, avenues, alleys, public ways, public utility easements and/or said additional easements; and to overhang with wires and cross arms, for a distance not to exceed five (5) feet, the property immediately adjacent to said streets, avenues, alleys, public ways, public utility easements, and/or said additional easements; and the right to cut, trim and keep clear, both on the areas described above and on lots adjacent thereto, all trees and undergrowth within fifteen (15) feet of the above described lines and electric facilities, as well as the right to cut danger timber within falling distance of said lines and facilities; and also the right to string wires across properties adjacent to said streets, avenues, alleys, public ways, and easements.

Also included in the right granted herein is the right to install underground service laterals and/or service poles and lines necessary to serve the dwelling and outbuildings constructed on each lot.

ELECTRICAL UTILITY NOTES

ALABAMA POWER COMPANY EASEMENT - UNDERGROUND SERVICE

NOTE: Alabama Power Company is granted the right to construct, install, operate and maintain its facilities, including all conduits, cables, transducers and other appliances useful or necessary in connection therewith, within a ten (10) foot easement along that portion of each lot abutting a dedicated street, and any other utility easement shown, for the underground transmission and distribution of electric power. Together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from said facilities and the right to excavate for installation, replacement, repair and removal thereof; and also the right to cut and keep clear all trees, underbrush, shrubbery, roots and other growth, and to keep clear any and all obstructions or obstacles of whatever character on, under and above said facilities. Also included in the rights granted herein is the right to install service laterals running from said 10 foot wide easement to the dwellings or buildings constructed on the lots within this plat.

SURVEYOR'S NOTES

1. THIS SURVEY IS SUBJECT TO ALL RECORD EASEMENTS, RIGHT-OF-WAY, RESTRICTIONS, COVENANTS, AND OTHER MATTERS OF RECORD THAT AFFECT THE SUBJECT PROPERTY.
2. FIELD WORK FOR THIS SURVEY WAS PERFORMED MARCH 16 & 17, 2010.
3. PAPER CLOSURE OF THIS SURVEY IS BETTER THAN 1:10,000.
4. ALL SURFACE AND SUBSURFACE IMPROVEMENTS ARE NOT SHOWN ON THIS SURVEY.

SURVEYOR'S CERTIFICATE AND DESCRIPTION OF LAND PLATTED

STATE OF ALABAMA
AUTAUGA COUNTY

Commence at a found 5/8" iron pin purported to be the Southwest Corner of Fractional Section 36, T-18-N, R-16-E, Autauga County, Alabama; thence East 1,534.67' to a point; thence South 3.82' to a found #4 rebar with cap # CA-520-LS and point of beginning for the herein described parcel; thence N 42°15'59" E 530.91' to a found #5 with no cap located on the west right-of-way of Interstate 65; thence southeasterly along said west right-of-way the following two (2) courses: (1.) Chord Bearing S 31°27'29" E, Chord Distance 423.15', Radius 23,043.31' to a found 6"x6" right-of-way monument; (2.) thence S 15°48'34" E 27.16' to a found #4 rebar with cap # CA-520-LS, thence leaving said west right-of-way of Interstate 65 S 42°15'59" E 192.15' to a found #5 with no cap; thence N 49°50'17" W 170.00' to a found #4 open-top iron; thence S 42°15'54" W 244.94' to a set #4 rebar with cap # CA-520-LS located on the east right-of-way (50') of Business Park Drive; thence northwesterly along the right-of-way of a cul-de-sac Chord Bearing N 62°19'18" W, Chord Distance 70.15', Radius 50.00' to a found #4 rebar with cap # CA-520-LS; thence N 49°50'16" W 191.61' to the point of beginning. Containing 4.08 acres, more or less, and lying in and being a part of the SW 1/4 of Fractional Section 36, T-18-N, R-16-E, Autauga County and the SW 1/4 of Section 31, T-18-N, R-17-E, Elmore County, Alabama.

I, Larry R. Jarvis, a Registered Engineer/Surveyor of Autauga County and Elmore County, Alabama hereby certify that I have surveyed the property shown hereon and that the plat or map contained hereon is a true and correct map showing the subdivision into which the property is divided giving the length and/or perimeter bearing boundaries of each lot and its number and showing the streets, alleys, and public grounds and giving the bearings, length, width, and name of streets; and permanent monuments have been placed at points marked thus (O) as hereon shown. 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.

WITNESS my hand this _____ day of _____, 2010.

LARRY R. JARVIS Registration # 11621

DEDICATION

STATE OF ALABAMA
AUTAUGA COUNTY

P.I.P. ENTERPRISES, an Alabama General Partnership, by Horace Powell, a General Partner, and INTERSTATE PARTNERS, an Alabama Partnership, by Melanie W. Chambless, a Partner, and by Tedford Taylor for Walthall Enterprises, an Alabama Limited Liability Company, a Partner, owners of Prattville Business Park Plat No. 5, have caused the land embraced in the within plat to be surveyed, laid out, and platted to be known as Prattville Business Park No. 5, said subdivision lying in the SW 1/4 of Fractional Section 36, T-18-N, R-16-E, and the SW 1/4 of Section 31, T-18-N, R-17-E, Autauga County, Alabama, and that the streets and easements as shown on said plat, if not previously dedicated, are hereby dedicated to the use of the public, subject to the right to overhang a large advertising sign over the dedicated street, Business Park Drive.

P.I.P. ENTERPRISES
An Alabama Partnership

BY: HORACE POWELL, A General Partner

INTERSTATE PARTNERS,
An Alabama Partnership
A General Partner

BY: Melanie W. Chambless, Partner

BY: Tedford Taylor, for Walthall Enterprises, LLC, Partner

NOTARY

STATE OF ALABAMA
AUTAUGA COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State hereby certify that P.I.P. ENTERPRISES, an Alabama Partnership, by HORACE POWELL, a General Partner, and by INTERSTATE PARTNERS, an Alabama Partnership, a General Partner, by Melanie W. Chambless, a Partner, and Tedford Taylor for Walthall Enterprises, LLC, an Alabama Limited Liability Company, a Partner, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this _____ day of _____, 2010.

Notary Public

**CERTIFICATE OF THE WATER WORKS BOARD
CITY OF PRATTVILLE**

The undersigned, as authorized by the Water Works Board of the City of Prattville, Alabama, hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this the _____ day of _____, 2010.

WATER WORKS BOARD CHAIRMAN

CERTIFICATE OF THE CITY ENGINEER

The undersigned, as the City Engineer of the City of Prattville, Alabama hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this the _____ day of _____, 2010.

CITY ENGINEER
Prattville, Alabama

CERTIFICATE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT

The undersigned, as Director of Planning and Development of the City of Prattville, Alabama, hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this the _____ day of _____, 2010.

DIRECTOR OF PLANNING AND DEVELOPMENT
Prattville, Alabama

**CERTIFICATE OF APPROVAL BY THE
ALABAMA POWER COMPANY**

The Electric Distribution System will be installed by Alabama Power Company to serve the subdivision.

Electric Utility, Alabama Power Company

**CERTIFICATE OF APPROVAL BY THE
AUTAUGA COUNTY E-911 BOARD**

The undersigned, as authorized by the Autauga County Emergency Communication District, hereby approved the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this the _____ day of _____, 2010.

Director E-911-1

CERTIFICATE OF APPROVAL OF THE ELMORE COUNTY ENGINEER

The undersigned, as County Engineer of the County of Elmore hereby certifies as evidence by certificate and required by state law, that the Prattville Planning Commission approved the within Plat for recording of same in the Probate Office of Elmore County, Alabama, this _____ day of _____, 2010.

COUNTY ENGINEER

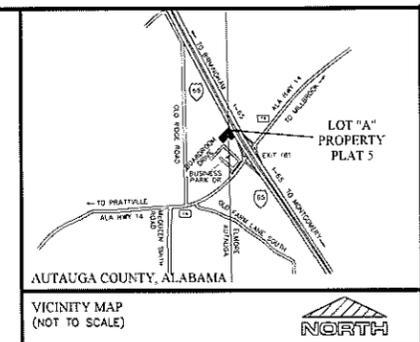
OFFICE OF THE JUDGE OF PROBATE

STATE OF ALABAMA
ELMORE COUNTY

I, hereby certify that this Plat or Map was filed in this Office for record this _____ day of _____, 2010, at _____ o'clock _____ M., and recorded in Book _____ of Plats and Maps, Page _____.

Recording _____ paid.

JIMMY STUBBS, Judge of Probate
Elmore County, Alabama



SURVEY ROTATION
NOTE: BEARINGS ARE ROTATED TO MATCH NORTH PROPERTY LINE OF PRATTVILLE BUSINESS PARK PLAT NO. 5 (BEST WESTERN LOT) AS RECORDED IN PLAT BOOK 4, PAGE 94, AUTAUGA COUNTY, ALABAMA, DATED JULY 31, 1995.



FINAL PLAT
Prattville Business Park Plat No. 5
(BEING A PLAT OF UNPLATTED PROPERTY LYING IN AND BEING A PART OF THE SW 1/4 OF FRACTIONAL SECTION 36, T-18-N, R-16-E, AND THE SW 1/4 OF SECTION 31, T-18-N, R-17-E, AUTAUGA COUNTY, ALABAMA.)

CERTIFICATE OF THE PRATTVILLE FIRE DEPARTMENT
The undersigned, as authorized by the Fire Department of the City of Prattville, Alabama, hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this the _____ day of _____, 2010.

CERTIFICATE OF THE WASTE WATER DEPARTMENT
The undersigned as authorized by the Waste Water Department of the City of Prattville, Alabama, hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this the _____ day of _____, 2010.

AUTAUGA COUNTY ENGINEER
The undersigned, being the County Engineer of Autauga County, Alabama hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this the _____ day of _____, 2010.

OFFICE OF THE JUDGE OF PROBATE
STATE OF ALABAMA
AUTAUGA COUNTY
I hereby certify that this plat or map was filed in this office for record this _____ day of _____, 2010, at _____ o'clock _____ M. and recorded in Book _____ of plats and maps, Page _____, Recording paid.

PROJECT: PRATTVILLE BUSINESS PARK ALABAMA HIGHWAY 14 & I-65
SHEET: FINAL PLAT PRATTVILLE BUSINESS PARK PLAT NO. 5
DATE: MARCH 24, 2010
DESIGNED BY: LJA
SCALE: 1"=50'
SHEET NO. 1 OF 1

RESOLUTION

Final Plat

Prattville Business Park #5

June 17, 2010

Whereas, PIP Enterprises is the owner of Prattville Business Park Subdivision; and

Whereas, the proposed development is located within the Prattville City Limits at the intersection of Business Park Drive and Boardroom Drive; and

Whereas, the preliminary plat for the proposed development was approved by the Prattville Planning Commission on June 17, 2010; and

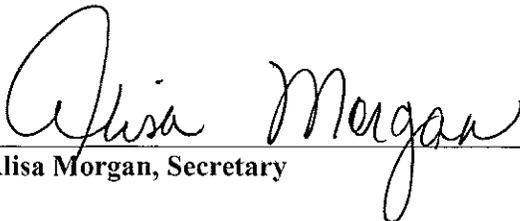
Whereas, the city department heads have reviewed and commented on the submitted final plat.

Now, Therefore, Be It Resolved, that the City of Prattville Planning Commission hereby approves the submitted final plat of Prattville Business Park #5.

APPROVED:



Reuben Gardner, Chairman



Alisa Morgan, Secretary

The motion to approve passed unanimously.
6/17/10

RESOLUTION

Preliminary Plat

The Oaks at Buena Vista #2A

June 17, 2010

Whereas, The Oaks of Buena Vista, LLC, is the owner and developer of The Oaks at Buena Vista 2A; and

Whereas, the proposed development is located off County Road 4 at the end of Old Mill Way; and

Whereas, the proposed development is located inside the Prattville city limits; and

Whereas, the public hearing for the proposed development was heard on June 17, 2010; and

Whereas, the city Department Heads have reviewed and commented on the proposed development.

Now, Therefore, Be It Resolved, that the City Of Prattville Planning Commission hereby gives its favorable review of the submitted preliminary plat of The Oaks at Buena Vista Plat #2A.

Approved:



Reuben Gardner, Chairman



Alisa Morgan, Secretary

The motion to approve passed unanimously.
6/17/10

CITY OF PRATTVILLE, ALABAMA

- AERIAL PHOTO -
- PREDATES
- DEVELOPMENT

SITE OF FUTURE
DEVELOPMENT

OAKS OF
BUENA VISTA

LOTS 30 - 36

1" = 200'



STREETS

TAX PARCELS

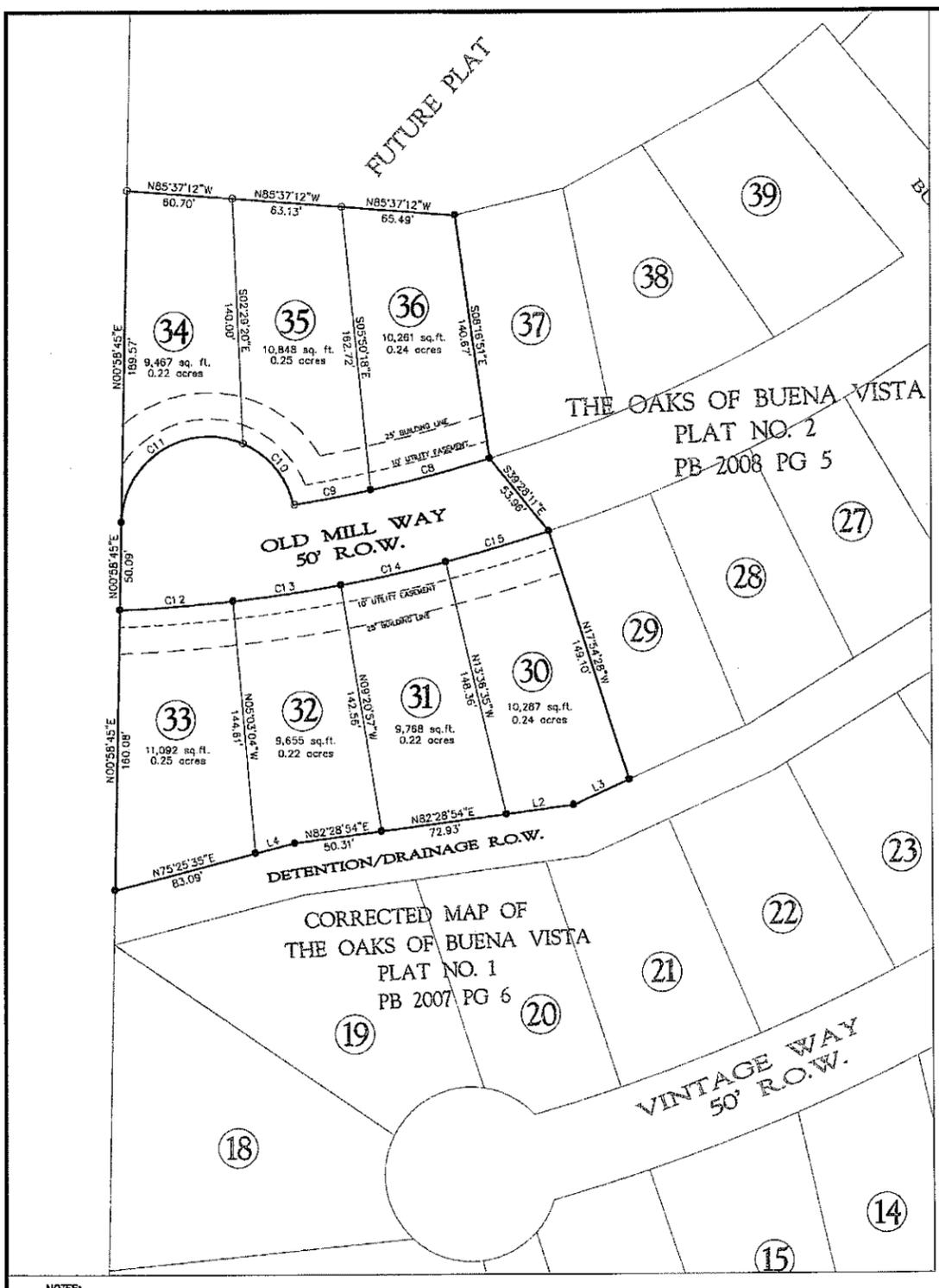
33



Ryan Pechuka, G.I.S. Coordinator



CORD 4 E



STATE OF ALABAMA
COUNTY OF AUTAUGA

I, Gregory M. Gilson, a Licensed Professional Engineer and Licensed Professional Land Surveyor of Autauga County, Alabama, hereby certify that I have surveyed the property of The Oaks of Buena Vista, L.L.C. an Alabama Limited Liability Corporation, situated in Autauga County, Alabama, Visto and more particularly described as follows:

Begin at the Northwest Corner of Lot 37 of The Oaks of Buena Vista Plat No. 2 as recorded in PB 2008 PG 5 in the Office of the Judge of Probate, Autauga County, Alabama; thence S 02°16'51" E 140.87' to an iron pin located on the North R.O.W. of Old Mill Way (50' R.O.W.); thence S 39°28'11" E 53.66' to an iron pin located on the South R.O.W. of Old Mill Way (50' R.O.W.); thence leaving said R.O.W. S 17°54'28" E 149.10' to an iron pin, thence S 85°42'47" W 55.15' to an iron pin; thence S 62°25'54" W 182.48' to an iron pin; thence S 75°23'32" W 106.30' to an iron pin; thence N 00°58'45" E 399.74' to an iron pin; thence S 85°37'12" E 189.32' to an iron pin and point of beginning, containing 1.99 acres, more or less and lying in and being a part of the NW corner of Section 27, T-17-N, R-16-E Autauga County, Alabama.

And that the plat or map contained hereon is a true and correct map showing the subdivision into which the property described is divided giving the length and bearings of the boundaries of each lot and its number and showing the streets, alleys and public grounds and giving the bearings, length, width and name of the streets, said map further shows the relation to the land so platted to the Government Survey, and that permanent monuments have been placed at point marked thus (o) as hereon shown, and I further certify that all parts of this survey and drawing have been completed in accordance with the current requirements for the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

WITNESS my hand this _____ day of _____ 2010.

Gregory M. Gilson
 Alabama Registration No. 16163

DEDICATION:

I, Will Parker, as Managing Member, The Oaks of Buena Vista, L.L.C., an Alabama limited liability corporation, have caused the land embraced in the within plat to be surveyed, laid out and platted to be known as The Oaks of Buena Vista Plat No. 2A and subdivision lying in section 27, T-17-N, R-16-E Autauga County, Alabama, and that the streets, drives, alleys, sewer easements, etc. shown on said plat are hereby dedicated to the use of the Public.

PROPERTY OWNER

ACKNOWLEDGMENT:

STATE OF ALABAMA
COUNTY OF AUTAUGA

I, the undersigned, a Notary Public in and for said State, hereby certify that Will Parker, whose name as Managing Member, The Oaks of Buena Vista, L.L.C., an Alabama limited liability corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand and official seal this _____ day of _____ 2010.

Notary Public
 My Commission Expires: _____

CERTIFICATE OF APPROVAL
BY THE AUTAUGA COUNTY HEALTH DEPARTMENT

The undersigned, as authorized by the Autauga County Health Department, Autauga County, Alabama, hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this _____ day of _____ 2010.

Health Officer
 Autauga County, Alabama

CERTIFICATE OF THE WATER WORKS BOARD

The undersigned, as authorized by the Water Works Board of the City of Prattville, Alabama, hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this _____ day of _____ 2010.

Water Works Board
 Prattville, Alabama

CERTIFICATE OF THE PRATTVILLE FIRE DEPARTMENT

The undersigned, as authorized by the Fire Department of the City of Prattville, Alabama, hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this _____ day of _____ 2010.

Fire Department
 Prattville, Alabama

CERTIFICATE OF THE CITY ENGINEER

The undersigned, as the City Engineer of the City of Prattville, Alabama, hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this _____ day of _____ 2010.

CITY ENGINEER
 Prattville, Alabama

CERTIFICATE OF APPROVAL BY THE DIRECTOR OF PLANNING & DEVELOPMENT

The undersigned, as Director of Planning and Development of the City of Prattville, Alabama, hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this _____ day of _____ 2010.

Director of Planning & Development
 Prattville, Alabama

CERTIFICATE OF APPROVAL BY THE COUNTY ENGINEER

The undersigned, being the County Engineer of Autauga County, Alabama, hereby accepts the within plat for the recording of same in the Probate Office of Autauga County, Alabama, this _____ day of _____ 2010.

County Engineer
 Autauga County, Alabama

STATE OF ALABAMA
AUTAUGA COUNTY

I hereby certify that this Plat or Map was filed in this Office this _____ day of _____ 2010, at _____ o'clock _____ M., and recorded in Book _____ of Plats and Maps, Page _____ Recording _____ paid.

OFFICE OF THE JUDGE OF PROBATE

DECLARATION OF PROTECTIVE COVENANTS
CONDITIONS AND RESTRICTIONS FOR THE OAKS OF BUENA VISTA PLAT NO. 2A

By adoption of this plat, The Oaks of Buena Vista, L.L.C., owner of all of the lots and land embraced herein, hereby grants to Alabama Power Company, South Central Bell Telephone Company and Alabama Gas Corporation, their successors and assigns, or other appropriate public utility or quasi-public utilities, the easements and other rights and interests reflected hereon, together with the right to construct, install, operate and maintain along said easements, conduits, poles, transformers and other facilities and other facilities useful or necessary in connection therewith for the underground transmission and distribution of electrical power, underground communication services, and natural gas service, upon, under and across said easements. Also granted hereby is the right to install and maintain underground service laterals from said easements to serve the buildings or buildings on each lot hereon.

By adoption of this plat, The Oaks of Buena Vista, L.L.C., the owner of all of the lots and land embraced herein, hereby adopts the following protective covenants and imposes them upon the property comprising said plat and upon all portions thereof. These covenants shall run with the land and shall be binding on all parties or legal entities and on all persons or legal entities claiming under them for a period of twenty-five (25) years from the date of the recording of this plat other which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument, signed by a majority of the then owners of the lots located hereon, has been recorded, agreeing to change said covenants, in whole or in part. Enforcement of these protective covenants shall be by proceeding at law or in equity against the persons, persons, or legal entities violating or attempting to violate any of these covenants. Said action may be either to restrain violation or to recover damages therefor. Invalidation of any one of these covenants, or any portion thereof, by judgment of court order, shall in no way affect any one of the other provisions or other portions thereof, which shall remain in full force and effect.

Any Covenant, Condition or Restriction set out herein shall be subject to any zoning requirement or governmental standard or restriction which shall be more restrictive, to the effect that no owner should interpret these covenants, conditions and restrictions to allow the owner to violate any such zoning requirement or governmental standard.

- No lot shall be used except for single family residential purpose.
- No buildings, or additions thereto, shall be erected, altered, placed, or permitted to remain on any lot hereon other than one (1) detached single-family dwelling not to exceed two and one-half (2 1/2) stories in height. This covenant shall not prohibit a private garage for not more than two (2) automobiles so long as such meets the other requirements of the covenants, conditions and restrictions. No buildings or additions thereto, nor any fencing shall be erected, altered or placed on any lot until plans and specifications have been approved by the Architectural Review Board, as hereinafter defined.
- No residence shall be erected upon any lot within the subdivision unless the total heated and cooled square footage of the structure, including all open porches, attached garages or carports, is at least 1,200 square feet. Lot 25 shall have 1,600 square feet (heated & cooled). Lots 26-29 shall have 1,400 square feet (heated and cooled). For the purpose of this paragraph, one-half (1/2) of the square footage top to a maximum of 200 square feet of an attached and enclosed garage shall be considered in the minimum square footage for a dwelling provided, however, that garage doors are installed and the exterior finish of the attached garage is the same as that of the main residence. The garage and ceiling must be completely finished with sheetrock and a continuous wood base and garage door must be electrically operated with a remote. A carport under a roof which is attached to a dwelling shall not be considered as a square foot for this purpose.

No dwelling shall be constructed in excess of two (2) stories in height, except that the area of the dwelling which is normally considered to be a basement or the attic area can be used for additional living space so long as the normal roof line of a two (2) story dwelling is maintained (as viewed from the street directly in front of the lot), with the resulting dwelling being referred herein as a two and one-half (2 1/2) story dwelling.

- Lots 30-36: No building shall be erected on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on this recorded plat. No building shall be erected nearer than eight (8) feet and six (6) feet on other side to a rear lot line, except that minimum setback lines shall be permitted to be less for a garage or other accessory building located forty (40) feet or more from the minimum setback line. The rear yard of any residence on any interior lot shall not be less than thirty (30) feet. For the purpose of this covenant, rear steps, open porches and carports shall not be considered as a part of a residence or building.

- Lots 30-36: No dwelling shall be erected or placed on any lot having a width less than thirty (30) feet at the minimum setback line, except that setbacks may be erected on any lot as originally platted. The lots shown on this plat may be further modified for the purpose of increasing the size of any lot, however, no additional building shall be permitted on any lot as a result of modification of the lots shown hereby by rezoning, subdivision, or other means. Any rezoning of any lot shown on this plat, the tract so constituted shall be considered as, and referred to, as one lot for the purpose of this covenant. These covenants shall apply the same as if said lot had not been platted as a lot on this plat.

- All construction once begun must be pursued to completion with due diligence. Exposed metal chimneys of pre-fabricated fireplaces are prohibited on the front or side of houses. Fences over four (4) feet in height, have no barred wire, and must be black in color. Roof pitch minimum is to be six (6) to twelve (12) feet. No exposed concrete block on any front elevation is permitted. All driveway designs must accommodate parking for a minimum of two (2) vehicles.

- Easements for installation and maintenance of utilities, and private drainage and access are reserved as shown on this plat. The easement area of each lot and all improvements within the easement area shall be maintained continuously by the owner of the respective lot, except for those improvements for which a public authority or utility company is responsible. No object or encroachment may be placed or constructed on any easement, and no lot owner shall otherwise do anything within the area of a drainage easement if it prevents, impairs or diverts, in any way, the free flow of water in or through said drainage easement. No fences will be allowed within a drainage easement shown on the plat.

- No separate garages or outbuildings or auxiliary structures of any kind or nature, except garden or ornamental landscape structures, shall be erected or allowed to occupy any portion of a lot in the rear of the residence, and no such building shall be constructed, used or occupied for the storage of motor vehicles, aircraft, boats, trailers, boats, or any other items, tools, goods and materials for the construction of the man house. In no event are any maid outbuildings permitted on any lot.

- No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done that creates a nuisance or may become a nuisance or nuisance to the neighbors or the neighborhood.

- No structures of a temporary character (trailer, tent, mobile home, motor home, basement, shack, garage, barn, other outbuilding or auxiliary structure) shall be used at any time as a residence, either temporarily or permanently.

- No sign of any kind shall be displayed visible to the public view on any lot except one (1) professional sign of not more than one (1) square foot. In the case of advertising the property for sale or rent, or the case of signs used by a builder to advertise the property during the construction and sale period, one sign of not more than five (5) square feet of advertising shall be allowed on any lot.

- No kind of development operations, including quarrying or mining operations of any kind shall be permitted upon, on, or under any lot, nor shall any pits, tunnels, tanks, or other excavations or shafts be permitted on, upon, or under any lot. No dirt or other structure designed for use in drilling of oil or natural gas shall be erected, maintained or permitted upon any lot.

- No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, and other normal and common household pets may be kept, provided that they are not kept, bred or maintained for any commercial purposes, provided that they are kept in reasonable numbers (maximum of 3) and under reasonable conditions so not to create a nuisance and not to otherwise unreasonably disturb the neighbors of the neighborhood.

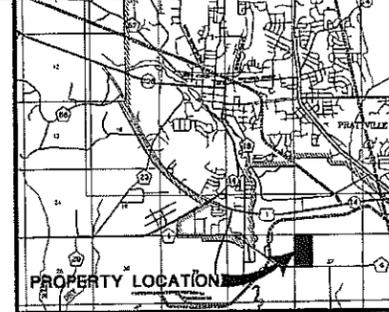
- No fence, wall, hedge, or shrub planting which obstructs sight lines on elevations between two (2) and six (6) feet above the roadway shall be placed or permitted to remain on any corner lot within that triangular area formed by the street priority lines and a line connecting them at points twenty-five (25) feet from the corner intersection of said street lines. The same sight line limitations shall apply on any lot within ten (10) feet from the intersection of a street property line with the edge of a driveway easement. No sign shall be permitted to remain within such distances, areas, or such intersections unless the foliage line is maintained at a sufficient height to prevent obstruction of such sight lines.

- No boat, boat trailer, house trailer, trailer, camper, motor home, or any similar items shall be stored on any lot, except and unless the same are kept, stored or placed to the rear of an imaginary line across said lot which is equal distance between the front and rear walls of the residence which is constructed on said lot.

- Regardless of any provisions of these covenants, any lot within this plat may be used by the owner or its successors and assigns as the site of a temporary lot/home sales center which may be used for the permanent or temporary construction type with such time as the lot line within the plat is sold, but not thereafter.

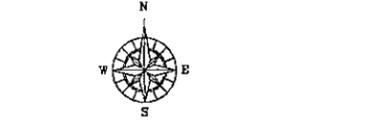
- The declarant may amend this declaration of protective covenants without any other approvals or consents until such time as the last lot within subject property has been sold. Thereafter, this declaration may be amended by the written consent of no less than fifty (50) percent of the owners of the lots within subject property, which amendment must be recorded in the Office of the Judge of Probate, Autauga County, Alabama, and which amendment shall be approved by the Planning Commission of the City of Prattville, and which amendment shall also, within its rules, procedures and guidelines, grant variances or exceptions thereto.

- Whenever the term "owner" or "declarant" is used herein, it shall include The Oaks of Buena Vista, L.L.C., its successors and assigns. These covenants and restrictions touch and concern the land described in the above referenced plat and may not be used in conjunction with the land and shall be binding upon the land, The Oaks of Buena Vista, L.L.C., all subsequent lot owners or land owners within subject plot area, their successors and assigns. Invalidation of any of the foregoing covenants and restrictions, or parts thereof, shall in no way affect any right, title, interest, claim, or otherwise of the declarant or its successors and assigns. Invalidation of any provision contained herein shall not invalidate the portion of the declaration of protective covenants in accordance with these provisions and requirements hereon until such time as the last lot within subject property is sold.



LOCATION MAP
 SCALE: 1" = 1 MILE

BEARINGS ROTATED TO MATCH OAKS OF BUENA VISTA PLAT NO. 1 AS RECORDED IN PB 2007 PG 6 IN THE OFFICE OF THE JUDGE OF PROBATE, AUTAUGA COUNTY, ALABAMA



- LEGEND**
- FOUND IRON PIN (5/8" REBAR CAPPED) W/ # CA-00017LS (UNLESS OTHERWISE NOTED)
 - SET IRON PIN (5/8" REBAR CAPPED) W/ # CA-00017LS
 - △ CALCULATED POINT

19. An Architectural Review Board shall be established. No building, fence, or other structure shall be erected, placed or altered upon any lot or plot in this subdivision until the building plans, specifications and plot plan showing the location of such building, fence, or other structure have been approved, in writing, as to conformity and harmony of external design with existing structures in the subdivision, and as to location of said building with respect to topography and finished ground elevation and as to compliance with all other requirements of these protective covenants, by an Architectural Review Board (hereinafter referred to as the "ARB"), as designated by the developer or by a representative designated by the members of said Board. In the event of the death or resignation of any member of said Board, the remaining member shall have full authority to appoint a successor member and to approve or disapprove the respective designs and locations submitted or to designate a representative to approve or disapprove submitted plans, designs and locations within fourteen (14) days after said plans, designs and specifications have been submitted to it, then approved will be deemed to have been granted. If such plans and specifications are disapproved, written notice of such disapproval shall be given to the submitting lot owner, or the lot owner's agent, in person or by U.S. Mail, postage prepaid. Neither the members of the board nor their designated representatives shall be entitled to any compensation for services performed pursuant to this covenant. The powers and duties of such board, and of its designated representative, shall cease and terminate after the sale of the last lot in the last plot of The Oaks of Buena Vista. Thereafter, the approved instrument in this covenant shall not be required unless, prior to said termination date, a written instrument shall be executed by the then record owners of a majority of the lots in the subdivision, and shall be recorded, appointing an Architectural Review Board who shall thereafter exercise the same powers herein granted to the Architectural Review Board for an additional twenty (20) years. Plans and specifications (one set) must be submitted to The Oaks of Buena Vista Architectural Review Board at 550 Clay Street, Montgomery, Alabama 36104, or at other locations as the developer may direct.

Approval of any plans or specifications by the Architectural Review Board, or the setting of any requirement for approval, shall not constitute any representation or warranty of safety or architectural integrity, which liability shall be the sole responsibility of each lot owner. The members of the Architectural Review Board or those acting on their behalf shall not be liable for any mistake in judgment, neglect or otherwise with respect to their actions on behalf of the Architectural Review Board. The party, entity, or individual submitting the plans or items to the Architectural Review Board for review and/or approval agree to hold the Architectural Review Board and each member thereof free and harmless against any and all liability to them or others on account of any act or decision by the Architectural Review Board or its members. The foregoing shall not be construed as any right to which the Architectural Review Board or any of its individual members may be entitled.

20. A Homeowners Association shall be established and known as The Oaks of Buena Vista Homeowners Association and sometimes herein referred to as "homeowners association".

21. Satellite antenna dishes and any and all other transmitting or receiving antenna type devices with the subdivision or on the exterior of any house within the subdivision may be approved as to size, location, required screening, and any other respect by the ARB, whose absolute discretion in these matters shall be unreviewable. There shall be no ham radio transmission equipment or other electronic transmission equipment operated or permitted to be operated on subject property without the prior approval of the ARB. Any such approval shall be in writing and shall be in full force and effect until such time as the ARB that said approval is resulting in an unnecessary or unreasonable interference with the rights of the subdivision in general or any individual lot owner.

22. Mailboxes: The design of all mailboxes must be approved by the ARB and said ARB will establish a common design and required location for all mailboxes, so long as compatible with the requirements of the United States Postal Service. The homeowner shall purchase from any approved supplier a standard mailbox of the common design and shall install and maintain said mailbox in appropriate condition and repair, with original color scheme being maintained thereon. Any damage or destruction to mailboxes, which cannot be adequately repaired, will result in the lot owner being required to purchase a replacement mailbox of the common design.

23. Waterfront Areas and Waterways: Any lot which shall abut any lake, stream, pond or other waterway shall be subject to the following covenants, conditions and restrictions-

- No pier, dock or other structure or obstruction shall be built or maintained upon any waterfront lot or into or upon any waterway on the property or adjacent thereto except with the specific written approval of the ARB. No device may be constructed or installed upon any lot which shall in any way alter the course or natural boundaries of any waterway from the body of water except with the specific written approval of the ARB.
- All such lots shall be subject to a perpetual easement in favor of the Association over that portion of the lot located at the lower end of the lot, and shall be placed to the surface easement including the right to submerge the portion of the lot included therein.
- The owner of each lot shall have the right at all times of ingress and egress to and from the water, and shall be responsible for the maintenance of the property between the side lot lines of his property to the water's edge.
- The owner of each lot abutting the water's edge shall release and discharge the Declaration, the Association, the County of Autauga ("County") and the City of Prattville, Alabama, a municipal corporation ("City"), from any and all claims now or hereafter existing or occurring in connection with any such parties for debt and damage now or hereafter sustained by owner to owner or owner's family or to owner's property and property rights by reason of or account of the operation and maintenance of said levee, except for any particular party's gross negligence or willful misconduct in failing to maintain the levee.

- NOTES:**
- ALL EASEMENTS OR RIGHTS-OF-WAYS, EXCEPT UTILITY, PRIVATE EASEMENTS, COMMON EASEMENTS OR EASEMENTS FOR SANITARY SEWERS OR WATER MAINS SHOWN ON THE PLAT ARE HEREBY DEDICATED TO THE MUNICIPALITY OF PRATTVILLE, ALABAMA, AND/OR THE COUNTY OF AUTAUGA, ALABAMA, FOR PUBLIC USE. EASEMENTS INCLUDE THE RIGHTS OF INGRESS AND EGRESS BY CITY AND/OR COUNTY EMPLOYEES FOR MAINTENANCE OF THE PROPERTY INCLUDED IN THE EASEMENTS. NO PERMANENT STRUCTURES MAY BE PLACED ON ANY EASEMENT SHOWN.
 - EASEMENTS FOR SANITARY SEWERS AND WATER MAINS, IF NOT PREVIOUSLY DEDICATED, ARE HEREBY DEDICATED TO THE WATER WORKS AND SANITARY SEWER BOARD OF THE CITY OF PRATTVILLE, ALABAMA, (ITS SUCCESSORS OR ASSIGNS, FOR INGRESS AND EGRESS IN THE INSTALLATION AND MAINTENANCE OF SANITARY SEWERS AND WATER MAINS AND THEIR APPURTENANCES. NO PERMANENT STRUCTURES MAY BE ERRECTED OVER ANY PART OF THESE EASEMENTS.
 - STREETS SHOWN HEREON, IF NOT PREVIOUSLY DEDICATED, ARE HEREBY TENDERED FOR DEDICATION TO PUBLIC USE.
 - A TEN FOOT EASEMENT FOR UTILITIES IS HEREBY RESERVED ON THAT PORTION OF EACH LOT ABUTTING A DEDICATED STREET. EASEMENTS FOR UTILITIES, PRIVATE DRAINAGE OR PRIVATE ACCESS ARE FOR THE USE OF ANY UTILITY WHICH MAY REQUIRE THEM, FOR SURFACE DRAINAGE OR ACCESS AS NEEDED. INSTALLATION AND MAINTENANCE OF PROPERTY IN THESE EASEMENTS ARE NOT THE RESPONSIBILITY OF THE CITY PRATTVILLE OR AUTAUGA COUNTY, ALABAMA.

LINE TABLE			
LINE	LENGTH	BEARING	
L1	39.28	N82°28'54"E	
L2	36.18	N65°42'47"E	
L3	28.81	N75°25'35"E	

CURVE TABLE			
CURVE	CHORD DISTANCE	CHORD BEARING	RADIUS
C1	71.27	N79°38'37"E	868.57
C2	49.81	N79°38'46"E	868.57
C3	45.50	N39°38'54"E	868.57
C4	82.37	S57°40'58"W	868.57
C5	62.14	N85°40'54"E	918.57
C6	62.57	N61°41'55"E	918.57
C7	61.59	N77°48'50"E	918.57
C8	62.45	N77°50'51"E	918.57

THE OAKS OF BUENA VISTA
PLAT NO. 2A
 Autauga County, Alabama

DATE: 5/21/10

LARRY E. SPEAKS & ASSOCIATES
 CONSULTING ENGINEER & LAND SURVEYOR
 505 HERRIN STREET
 HUNTSVILLE, AL 35894
 TEL: 256/262-1091

RESOLUTION

Final Plat

The Oaks at Buena Vista #2A

June 17, 2010

Whereas, The Oaks of Buena Vista, LLC, is the owner and developer of The Oaks at Buena Vista 2A; and

Whereas, the proposed development is located off County Road 4 at the end of Old Mill Way; and

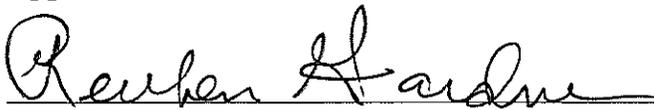
Whereas, the proposed development is located inside the Prattville city limits; and

Whereas, the preliminary plat for the proposed development was approved on June 17, 2010; and

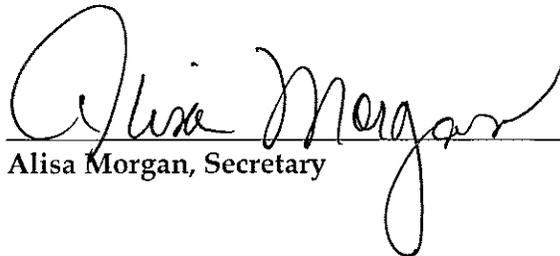
Whereas, the city Department Heads have reviewed and commented on the proposed development.

Now, Therefore, Be It Resolved, that the City Of Prattville Planning Commission hereby gives its favorable review of the submitted final plat of The Oaks at Buena Vista Plat #2A.

Approved:



Reuben Gardner, Chairman



Alisa Morgan, Secretary

The motion to approve passed unanimously.
6/17/10