


THIS INSTRUMENT WAS PREPARED BY:

MIKE T. ATCHISON, ATTORNEY AT LAW  
P.O. BOX 822  
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA  
SHELBY COUNTY

  
20060105000009020 1/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
01/05/2006 01:07:36PM FILED/CERT

### DISCLAIMER

WHEREAS, Sammy Joe Robinson and Sandra Jean Robinson (hereinafter "Robinson") are purchasing from Deer Valley, LLC, Parcels 2 and 3, as shown in attached survey of C.D. Roberts & Associates, Inc., dated February 24, 2004; and

WHEREAS, said survey reveals the existence of a "woods road", which crosses said Parcel 2; and

WHEREAS, SHELBY COUNTY ABSTRACT & TITLE COMPANY, INC., and STEWART TITLE GUARANTY COMPANY are unwilling to insure "Robinson" without making exception to "Rights of others in and to the use of the existing woods road across Parcel 2, as shown on survey of C.D. Roberts & Associates, Inc., dated February 24, 2004", without agreement and disclaimer concerning future use of said road; and

WHEREAS, Adair Properties, LLC is the owner of property lying immediately South of Parcels 2 and 3 described herein, as shown by that certain deed recorded in Instrument #20050617000300710, in the Probate Office of Shelby County, Alabama; and

WHEREAS, said "woods road" in question runs across Parcels 2 and 3 onto property owned by Adair Properties, LLC; and

WHEREAS, Rightwise, LLC is the owner of property lying adjacent to the property owned by Adair Properties, LLC, as shown by that certain deed recorded in Instrument #20050617000300730, in the Probate Office of Shelby County, Alabama; and

WHEREAS, the "woods road" which crosses Parcels 2 and 3, also crosses the property owned by Adair Properties, LLC and Rightwise, LLC.

NOW THE ABOVE FACTS CONSIDERED, the undersigned parties, Deer Valley, LLC; Adair Properties, LLC, Rightwise, LLC, Sammy Joe Robinson and Sandra Jean Robinson, do hereby acknowledge the following:

1. Deer Valley, LLC; Adair Properties, LLC; and Rightwise, LLC, claim no interest in the "woods road" across Parcels 2 and 3, as described above.
2. Deer Valley, LLC; Adair Properties, LLC; and Rightwise, LLC, disclaim any right to use said road for ingress and egress to their respective properties.
3. Deer Valley, LLC; Adair Properties, LLC; and Rightwise, LLC, acknowledge that they have not given permission to any other parties to use said "woods road."
4. Deer Valley, LLC; Adair Properties, LLC; and Rightwise, LLC, agree not to interfere with "Robinson" and his property and claim no right to use any portion of his property.
5. Deer Valley, LLC; Adair Properties, LLC; and Rightwise, LLC, understand and agree that "Robinson" will destroy said existing "woods road" and that there will be a barrier left in place between "Robinson" property and the property of Adair Properties, LLC. Parties hereto further understand that "Robinson" intends to leave the existing gate at the intersection of "woods road" and Highway 57 in place.
6. Deer Valley, LLC; Adair Properties, LLC; and Rightwise, LLC know of no parties with the right to use said "woods road".
7. Adair Properties, LLC; and Rightwise, LLC, acknowledge that they have legal access to their respective properties by means other than the existing "woods road."



IN WITNESS WHEREOF, the parties have hereunto set their signatures and seals, this 15<sup>th</sup> day of December, 2005.

DEER VALLEY, LLC

Brad Adair  
by: Brad Adair, its Managing Member

ADAIR PROPERTIES, LLC

Brad Adair  
by: Brad Adair, its Managing Member

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RIGHTWISE, LLC

Tony Fiore  
by: Tony Fiore, its Managing Member

Sammy Joe Robinson  
Sammy Joe Robinson

Sandra Jean Robinson  
Sandra Jean Robinson

STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Brad Adair, whose name as Managing Member of DEER VALLEY, LLC, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date, for and as the act of said limited liability company.

Given under my hand and official seal, this the 15<sup>th</sup> day of December, 2005.

Diane Mae Robinson  
Notary Public

My commission expires: \_\_\_\_\_

STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Brad Adair, whose name as Managing Member of ADAIR PROPERTIES, LLC, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date, for and as the act of said limited liability company.

Given under my hand and official seal, this the 15<sup>th</sup> day of December, 2005.

Diane Mae Robinson  
Notary Public

My commission expires: \_\_\_\_\_

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Apr 22, 2007  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

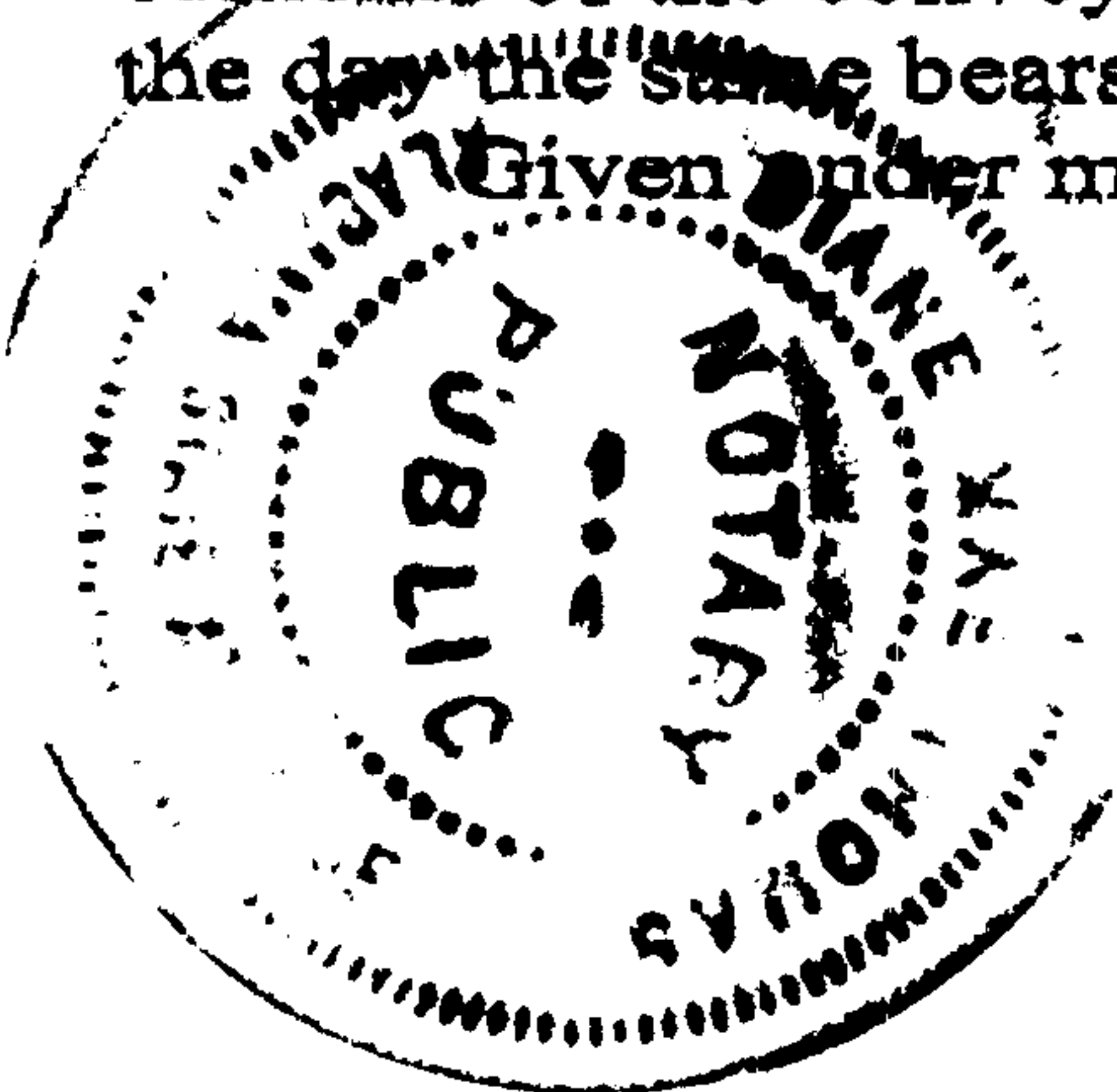


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STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Tony Fiore, whose name as Managing Member of RIGHTWISE, LLC, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date, for and as the act of said limited liability company.

Given under my hand and official seal, this the 15<sup>th</sup> day of December, 2005.



Diane Mae Thomas  
Notary Public

My commission expires: \_\_\_\_\_

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Apr 22, 2007  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Sammy Joe Robinson and Sandra Jean Robinson, 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.

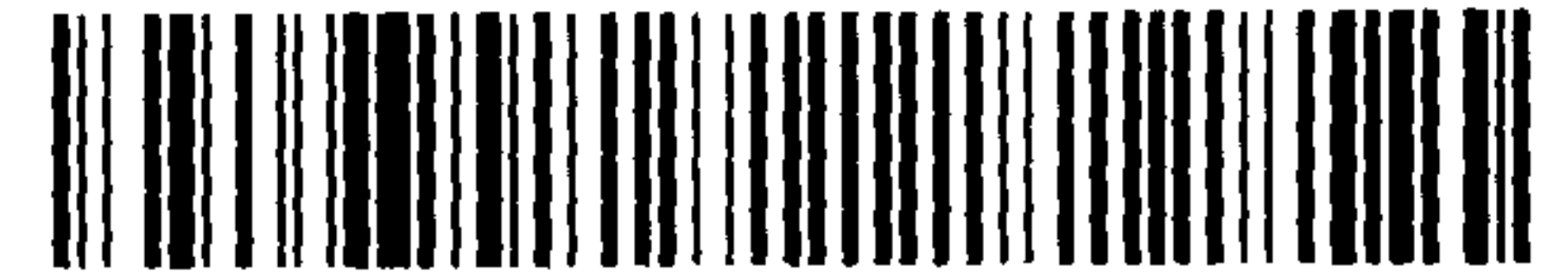
Given under my hand and official seal, this the 10<sup>th</sup> day of December, 2005.

[Signature]  
Notary Public

My commission expires: 10/6/08





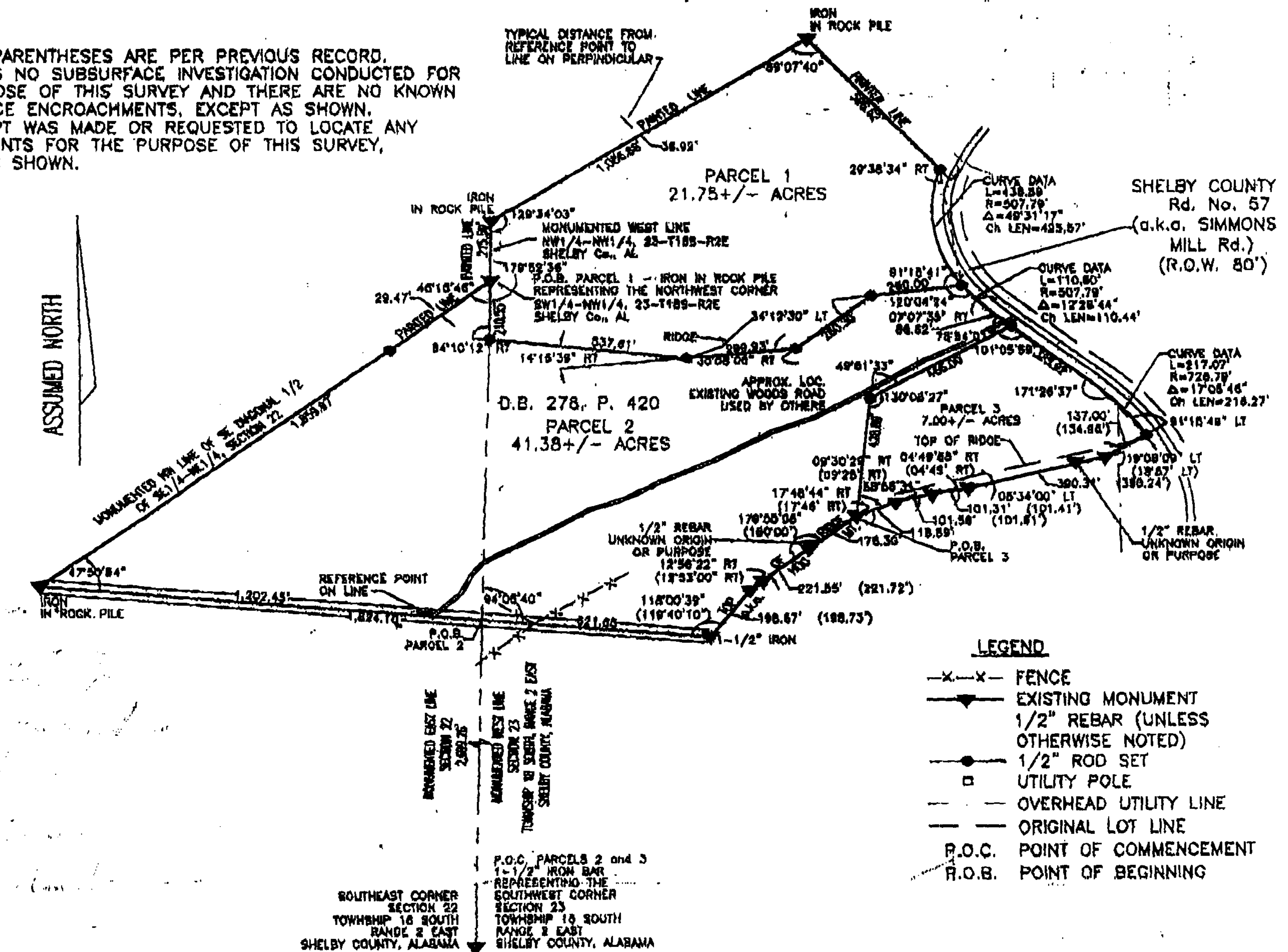


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# "Exhibit A"

## NOTES:

1. ITEMS IN PARENTHESES ARE PER PREVIOUS RECORD.
2. THERE WAS NO SUBSURFACE INVESTIGATION CONDUCTED FOR THE PURPOSE OF THIS SURVEY AND THERE ARE NO KNOWN SUBSURFACE ENCROACHMENTS, EXCEPT AS SHOWN.
3. NO ATTEMPT WAS MADE OR REQUESTED TO LOCATE ANY IMPROVEMENTS FOR THE PURPOSE OF THIS SURVEY, EXCEPT AS SHOWN.



STATE OF ALABAMA

SHELBY COUNTY

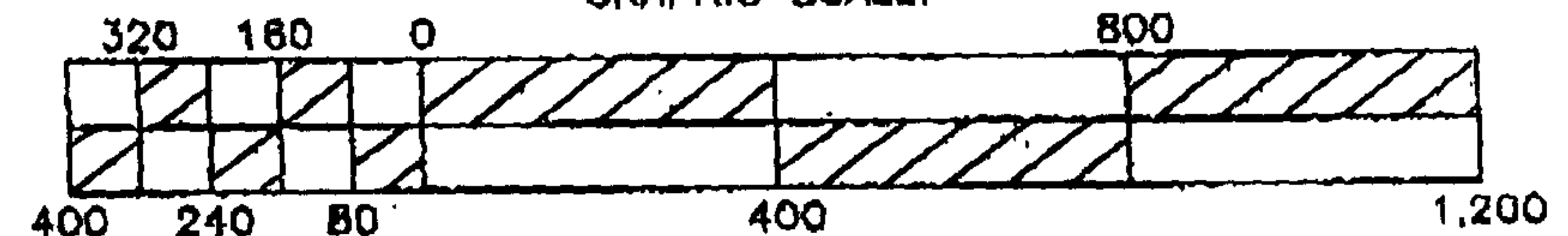
I, Charles D. Roberts, a Professional Land Surveyor in the State of Alabama, hereby state that the hereon is a representation of the results of a survey which was performed under my supervision on a part of Section 22 and a part of Section 23, all in Township 18 South, Range 2 East, Shelby County, Alabama, and has 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 the 24th day of February, 2004.

Charles D. Roberts  
CHARLES D. ROBERTS, P.L.S.  
AL REG No. 17520



GRAPHIC SCALE:



REVISED 02/24/04

SCALE: 1"=400'	DATE: 12/17/03	DRAWN BY: CM/CLS	BOUNDARY SURVEY for BRAD ADAIR PART OF SECTION 22 and PART OF SECTION 23 TOWNSHIP 18 SOUTH, RANGE 2 EAST SHELBY COUNTY, ALABAMA
C.D. ROBERTS ASSOCIATES, Inc.		APPROVED BY: CDR	
CHARLES D. ROBERTS, P.L.S.		FIELD SURVEY DATE: 12/11-12, 15-18/03	
AL REG. No. 17520		FIELD BOOK: 64 & 65	
P.O. BOX 78 TALLADEGA, AL 35160 (256) 761-0094		JOB No.: 00939a	