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Shelby Cnty Judge of Probate, AL  
05/08/2006 01:20:26PM FILED/CERT

## EASEMENT AGREEMENT

Shelby County, AL 05/08/2006  
State of Alabama

Deed Tax: \$.50

STATE OF ALABAMA  
COUNTY OF SHELBY

This Easement Agreement is made by SEIL CO., LLC, a limited liability company ("SEILCO") this 5 day of May, 2006

**WHEREAS** SEILCO owns the property described on Exhibit "A" attached hereto (the "Small Acreage").

**WHEREAS** SEILCO owns the property described on Exhibit "B" attached hereto (the "Large Acreage").

**WHEREAS** SEILCO desires to create a non-exclusive easement, license, and right-of-way upon, under, over, across, and through the Easement Property (as that term is defined herein for the benefit of the Small Acreage and the Large Acreage.

**WHEREAS** the Easement Property is described as follows:

A parcel of land situated in Section 34, Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the Southwest quarter of the Northeast quarter of said Section 34; thence run South 02 degrees 08 minutes 38 seconds West for a distance of 1331.32 feet to the Southwest corner of the said Southwest quarter of the Northeast quarter; thence North 86 degrees 28 minutes 32 seconds West for a distance of 315.41 feet; thence South 02 degrees 17 minutes 56 seconds West for a distance of 1225.39 feet to a point on the Northern most right of way of Alabama State Highway 70 (R.O.W. Varies); thence South 87 degrees 11 minutes 14 seconds West and run along said right of way for a distance of 928.01 feet to the POINT OF BEGINNING; thence continue South 87 degrees 11 minutes 14 seconds West along said right of way for a distance of 67.46 feet; thence leaving said right of way, run North 02 degrees 48 minutes 46 seconds West for a distance of 41.70 feet; thence North 29 degrees 28 minutes 28 seconds West for a distance of 395.18 feet to a point on a curve turning to the right, said curve having a radius of 275.00 feet, a central angle of 31 degrees 36 minutes 25 seconds, a chord bearing of North 13 degrees 40 minutes 16 seconds West, and a chord distance of 149.79 feet; thence run along the arc of said curve for a distance of 151.70 feet, thence North 02 degrees 07 minutes 56 seconds East for a distance of 521.93 feet



to a point on a curve turning to the right, said curve having a radius of 275.00 feet, a central angle of 38 degrees 23 minutes 38 seconds, a chord bearing of North 21 degrees 19 minutes 45 seconds East, and a chord distance of 180.85 feet; thence run along the arc of said curve for a distance of 184.28 feet; thence South 66 degrees 15 minutes 27 seconds East for a distance of 52.76 feet to a point on a curve turning to the left, said curve having a radius of 225.00 feet, a central angle of 42 degrees 16 minutes 36 seconds, a chord bearing of South 23 degrees 16 minutes 14 seconds West, and a chord distance of 162.28 feet; thence run along the arc of said curve for a distance of 166.02 feet; thence South 02 degrees 07 minutes 56 seconds West for a distance of 521.93 feet to a point on a curve turning to the left, said curve having a radius of 225.00 feet, a central angle of 31 degrees 36 minutes 25 seconds, a chord bearing of South 13 degrees 40 minutes 16 seconds East, and a chord distance of 122.55 feet; thence run along the arc of said curve for a distance of 124.12 feet; thence South 29 degrees 28 minutes 28 seconds East for a distance of 395.18 feet to a point on a curve turning to the right, said curve having a radius of 275.00 feet, a central angle of 14 degrees 13 minutes 02 seconds, a chord bearing of South 22 degrees 21 minutes 57 seconds East, and a chord distance of 68.06 feet; thence run along the arc of said curve for a distance of 68.24 feet to a point on the Northern most right of way of said Alabama State Highway 70 and point also being the POINT OF BEGINNING.

**NOW THEREFORE**, for and in consideration of the sum of Ten Dollars (\$10.00) to the receipt of which is hereby acknowledged, SEILCO hereby grants bargains, sells, and conveys unto SEILCO for the benefit of the Large Acreage and the Small Acreage a non-exclusive easement, license, and right-of-way upon, under, over, across, and through the Easement Property for vehicular, pedestrian and utility access to the Small Acreage and the Large Acreage. This easement, license, and right of way shall be for both pedestrian and vehicular traffic and utilities.

The title owner of the Large Acreage shall maintain, at their own costs, the Easement Property in good condition and repair, and available for the uses set forth herein. The title owner of the Small Acreage shall, upon request by the owner of the Large Acreage pay the owner of the Large Acreage a proportional share of the cost of the upkeep of the Easement.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed this Deed on the \_\_\_\_ day of May, 2006.

**SEIL CO., LLC, a limited liability company**


BY   
Irving D. Meisler (Its Manager)



STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Irving D. Meisler, whose name as Manager of SEIL CO., LLC, a limited liability company, 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 said instrument, he, as such manager, and with full authority, executed the same voluntarily, as an act of said company, acting in its capacity as aforesaid.

Given under my hand and official seal, this the 5 day of May, 2006.

  
NOTARY PUBLIC  
My Commission Expires: 6/7/07

THIS INSTRUMENT PREPARED BY AND AFTER  
RECORDATION SHOULD BE RETURNED TO:

William B. Hairston III  
Engel, Hairston, & Johanson P.C.  
P.O. Box 11405,  
Birmingham, Alabama, 35202  
(205) 328-4600



## **EXHIBIT "A"**

### **SMALL ACREAGE**

A parcel of land situated in Section 34, Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the Southwest quarter of the Northeast quarter of said Section 34; thence run South 02 degrees 08 minutes 38 seconds West for a distance of 1331.32 feet to the Southwest corner of the said Southwest quarter of the Northeast quarter; thence North 86 degrees 28 minutes 32 seconds West for a distance of 315.41 feet; thence South 02 degrees 17 minutes 56 seconds West for a distance of 100.21 feet to the POINT OF BEGINNING; thence South 02 degrees 17 minutes 56 seconds West for a distance of 823.98 feet; thence South 87 degrees 11 minutes 14 seconds West for a distance of 1263.84 feet; thence North 02 degrees 07 minutes 56 seconds East for a distance of 1014.71 feet; thence South 41 degrees 36 minutes 15 seconds East for a distance of 107.71 feet; thence South 66 degrees 15 minutes 27 seconds East for a distance of 52.76 feet; thence South 51 degrees 06 minutes 45 seconds East for a distance of 53.76 feet to a point on a curve turning to the left, said curve having a radius of 380.00 feet, a central angle of 36 degrees 14 minutes 18 seconds, a chord bearing of South 69 degrees 13 minutes 55 seconds East, and a chord distance of 236.36 feet; thence run along the arc of said curve for a distance of 240.34 feet; thence South 87 degrees 21 minutes 04 seconds East for a distance of 600.60 feet to point on a curve turning to the left, said curve having a radius of 166.00 feet, a central angle of 128 degrees 48 minutes 07 seconds, a chord bearing of North 66 degrees 41 minutes 59 seconds East, and a chord distance of 299.41 feet; thence run along the arc of said curve for a distance of 373.17 feet to the POINT OF BEGINNING.

**SUBJECT TO:** i) taxes and assessments for the year 2006, a lien but not yet payable; ii) Easement to BellSouth as recorded in Instrument 2006012500041060; iii) Easement to BellSouth recorded as Instruments 2006022400089610, 2006022400089620, 2006022400089630, 2006022400089640, and 2006022400085650; iv) easement to Alabama Power Company recorded as Instrument 20040630000359870; v) right of way to Shelby County recorded in Deed Book 239, page 811; and vi) coal, oil, gas and mineral and mining rights which are not owned by Grantor.



## EXHIBIT "B"

### LARGE ACREAGE

A parcel of land situated in Section 34, Township 21 South, Range 2 West, being more particularly described as follows:

Begin at the Northeast corner of the Southwest quarter of the Northeast quarter of said Section 34; thence run in a Southerly direction along the East line thereof for a distance of 1331.32 feet to the Southwest corner of the said Southwest quarter of the Northeast quarter; thence turn a deflection angle of 91 degrees 22 minutes 50 seconds to the right and run in a Westerly direction along the South line thereof for a distance of 315.41 feet; thence turn a deflection angle of 91 degrees 13 minutes 33 seconds to the left and run in a Southerly direction for a distance of 1225.39 feet to a point on the Northern-most right of way line of Alabama State Highway No. 11; thence turn a deflection angle of 84 degrees 53 minutes 18 seconds to the right and run in a Southwesterly direction along said right of way line for a distance of 1141.47 feet; thence turn a deflection angle of 90 degrees 00 minutes 00 seconds to the left and run in a Southerly direction along said right of way line for a distance of 15.00 feet; thence turn a deflection angle of 90 degrees 00 minutes 00 seconds to the right and run in a Southwesterly direction along said right of way line for a distance of 122.79 feet; thence turn a deflection angle of 94 degrees 56 minutes 42 seconds to the right and run in a Northerly direction for a distance of 1378.18 feet to a point on the South line of the Southeast quarter of the Northwest quarter of said Section 34; thence turn a deflection angle of 88 degrees 24 minutes 53 seconds to the left and run in a Westerly direction along the South line thereof for a distance of 945.75 feet to the Southwest corner of said Southeast quarter of the Northwest quarter; thence turn a deflection angle of 88 degrees 16 minutes 00 seconds to the right and run in a Northerly direction along the West line thereof for a distance of 1343.68 feet to the Northwest corner of the said Southeast quarter of the Northwest quarter; thence turn a deflection angle of 91 degrees 51 minutes 00 seconds to the right and run in an Easterly direction along the North line thereof for a distance of 2527.38 feet to the Point of Beginning.

#### LESS AND EXCEPT:

A parcel of land situated in Section 34, Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the Southwest quarter of the Northeast quarter of said Section 34; thence run South 02 degrees 08 minutes 38 seconds West for a distance of 1331.32 feet to the Southwest corner of the said Southwest quarter of the Northeast quarter; thence North 86 degrees 28 minutes 32 seconds West for a distance of 315.41 feet; thence South 02 degrees 17 minutes 56 seconds West for a distance of 100.21 feet to the POINT OF BEGINNING; thence South 02 degrees 17 minutes 56 seconds West for a distance of 823.98 feet; thence South 87 degrees 11 minutes 14 seconds West for a distance of 1263.84 feet; thence North 02 degrees 07 minutes 56 seconds East for a distance of 1014.71 feet; thence South 41 degrees 36 minutes 15 seconds East for a distance of 107.71 feet; thence South 66 degrees 15 minutes 27 seconds East for a distance of 52.76 feet; thence South 51 degrees 06 minutes 45 seconds East for a distance of 53.76 feet to a point on a curve turning to the left, said curve having a radius of 380.00 feet, a central angle of 36 degrees 14 minutes 18 seconds, a chord bearing of South 69 degrees 13 minutes 55 seconds East, and a chord distance of 236.36 feet; thence run along the arc of said curve for a distance of 240.34 feet; thence South 87 degrees 21 minutes 04 seconds East for a distance of 600.60 feet to point on a curve turning to the left, said curve having a radius of 166.00 feet, a central angle of 128 degrees 48 minutes 07 seconds, a chord bearing of North 66 degrees 41 minutes 59 seconds East, and a chord distance of 299.41 feet; thence run along the arc of said curve for a distance of 373.17 feet to the POINT OF BEGINNING..

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