

STATE OF ALABAMA

SHELBY COUNTY

7967

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS: that in consideration of other valuable consideration and One and No/100 (\$1.00) Dollar to Essex Crane Rental Corporation of Alabama, a corporation (herein referred to as the grantor) in hand paid by Ecoff Trucking, Inc., a corporation (herein referred to as grantee) the receipt whereof is hereby acknowledged, the grantor does hereby grant, bargain, sell, and convey to the grantee, its successors and assigns, an easement for a right of way of a uniform width of ten feet over and across a parcel of land designated as Parcel "A" (a description of said Parcel "A" being attached hereto and by reference hereto being made a part hereof) to provide ingress and egress by railroad spur line or siding line to and from a parcel of land designated as Parcel "B" (a description of said Parcel "B" being attached hereto and by reference hereto being made a part hereof) and the existing right of way of the Louisville & Nashville Railroad Company (said Louisville & Nashville Railroad Company's right of way being a portion of the North property line of said Parcel "A").

The said right of way hereby granted shall be over, on, and along any spur line or siding line which may be hereafter constructed from said Louisville & Nashville Railroad Company's right of way on to said Parcel "A" and shall extend therefrom on to said Parcel "B" as a spur line or siding line therefrom. The easement herein granted is of a uniform width of ten feet, as designated above, but should the minimum requirements of the Louisville & Nashville Railroad Company for constructing a spur line or siding line be or require additional width for such easement, the grantor, its successors and assigns, agrees that it will grant to the grantee, its successors and assigns, such additional easement as may be necessary to fulfill the minimum requirements of said Louisville & Nashville Railroad Company, or its successors in title, for such easement.



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The purpose of this easement is to provide permanent access by railroad spur line or side line from the existing Louisville & Nashville Railroad and said Parcel "B", and also granted hereby are the rights and privileges necessary for the full enjoyment of the use of said easement.

The use of this easement by grantee shall be at the convenience of grantor as far as the unloading of railroad cars if a railroad car of grantor and grantee shall arrive at the same time.

The easement herein granted shall be a part of and shall run with the land as a permanent easement for the benefit of said Parcel "B". None of the railroad cars used on the spur or siding line shall be used to haul noxious, corrosive or destructive materials, including, but not limited to, limestone, nor will they haul any other materials which are a nuisance.

TO HAVE AND TO HOLD to the said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said Essex Crane Rental Corporation of Alabama, a corporation, the grantor herein, by its Executive Vice President, F. R. Fogle, who is authorized to execute this conveyance, has hereto set its signature and seal this the 9th day of August, 1973.

Attest:

ESSEX CRANE RENTAL CORPORATION OF
ALABAMA, A CORPORATION

Anna C. Fogle
Secretary

By:

F. R. Fogle
Executive Vice President



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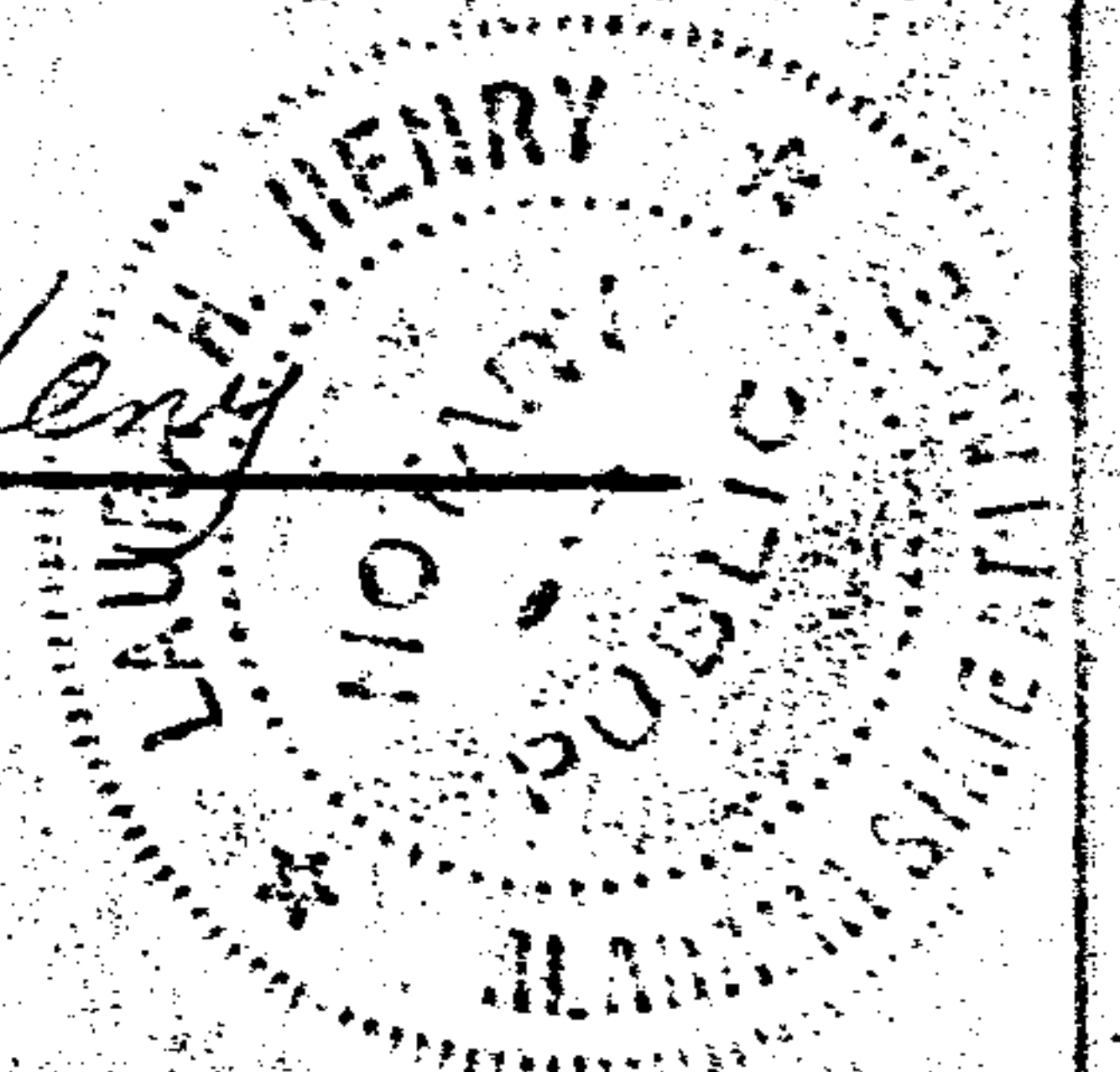
STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that F. R. Fogle, whose name as Executive Vice President of Essex Crane Rental Corporation of Alabama, a corporation, 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 for and as the act of said corporation.

Given under my hand and official seal, this the 9th day of August, 1973.

Laura H. Henry
Notary Public



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Shelby Cnty Judge of Probate, AL
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FRANK W. WHEELER

LAND SURVEYING

Parcel "A"

COLUMBIANA, ALA. 35531
PHONE 649-7041

P. O. BOX 714
W. MAIN STREET

Description of the Remaining 7.58 Acres,
W.O. Smith Property.

Commence at the SE corner of Sec. 12, T-21-S, R-3-W, thence run West along the South line of said section a distance of 1048.89 ft. to the NE R.O.W. line of Interstate Hwy I-65, thence turn an angle of 55 deg. 31 min. to the right and run along said Hwy. R.O.W. a distance of 237.87 ft., thence turn an angle of 1 deg. 08 min. 06 sec. to the right and run along said R.O.W. line a distance of 210.20 ft., thence turn an angle of 2 deg. 27 min. 52 sec. to the right and run along a cord of a R.O.W. curve a cord distance of 486.46 ft. to a point on the R.O.W. line of Interstate Hwy. I-65, and the point of beginning. Thence turn an angle of 2 deg. 46 min. 34 sec. to the right to the cord of a R.O.W. curve and run along said R.O.W. curve (whose Delta Angle is 3 deg. 05 min. 15 sec. to the right, Tangent Distance is 304.82 ft., Radius is 11,311.04 ft., cord distance is 609.42 ft., Length of Arc is 609.50 ft.) to the North line of the $S\frac{1}{2}$ of the $SE\frac{1}{4}$ of Sec. 12, thence run East along the North line of said $\frac{1}{4}$ $\frac{1}{2}$ section a distance of 290.43 ft., more or less, to the SE R.O.W. line of the L & N Railroad. Thence turn an angle of 24 deg. 31 min. 09 sec. to the right and run along said R.O.W. a distance of 188.08 ft. to the P.C. of a R.O.W. curve, thence continue in the same direction along said R.O.W. curve (whose Delta Angle is 14 deg. 44 min. 28 sec. to the left, Radius is 2826.30 ft. Length of Arc is 727.15 ft.) to the Northwest R.O.W. line of a paved county highway, thence turn an angle of 85 deg. 59 min. 51 sec. to the right from the cord of said curve, and run along said county hwy. R.O.W. a distance of 210.00 ft., thence turn an angle of 37 deg. 11 min. 43 sec. to the right and run a distance of 110.16 ft., thence turn an angle of 1 deg. 28 min. 43 sec. to the right and run a distance of 187.78 ft., thence turn an angle of 17 deg. 09 min. 54 sec. to the left and run a distance of 512.33 ft. to the point of beginning. Situated in the $S\frac{1}{2}$ of the $SE\frac{1}{4}$ of Sec. 12, T-21-S, R-3-W, Shelby County, Ala. and containing 7.58 Acres.



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FRANK W. WHEELER
LAND SURVEYING

P. O. BOX 316
W. MAIN STREET

Parcel "B"

COLUMBIANA, ALA. 35051
PHONE 669-2641

Mr. Cliver Head
Columbiana, Ala.

Re: W. O. Smith and Scoff Trucking Co. 3 Acre Tract.
The following is a description of the 3 Acre Tract as agreed upon by all
Parties Concerned, to be purchased by Scoff Trucking Co. from Mr. W. O. Smith.

Commence at the SE corner of Sec. 12, T-21-S, R-3-W, thence run West along the
South line of said section a distance of 1048.⁸⁹₅₃ ft. to the NE R.O.W. line of Inter-
state Hwy. I-65, thence turn an angle of 55 deg. 31 min. to the right and run along
said Hwy. R.O.W. a distance of 237.87 ft. thence turn an angle of 1 deg. 08 min.
06 sec. to the right and run along said R.O.W. line a distance of 210.20 ft. to the
point of beginning. Thence turn an angle of 2 deg. 27 min. 52 sec. ^{TO THE RT.,} to the cord of
a R.O.W. curve, thence run along said R.O.W. curve, (whose Delta Angle is 2 deg. 27 min.
52 sec. to the right, Radius is 11,311.04 ft., Tangent Distance is 243.28 ft., Length
of Arc is 486.50 ft., Cord Distance is 486.46 ft.) thence turn an angle of 112 deg.
34 min. 54 sec. to the right from cord of said curve and run a distance of 512.38 ft.,
thence turn an angle of 127 deg. 13 min. 54 sec. to the right and run a distance of
186.95 ft., thence turn an angle of 25 deg. 57 min. to the left and run a distance of
199.00 ft., thence turn an angle of 47 deg. 48 min. to the right and run a distance of
210.00 ft. to the point of beginning. Situated in the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 12,
T-21-S, R-3-W, Shelby County, Ala. And containing 3.0 Acres.

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1973 AUG 14 AM 9:08
REC. BY C.C. FILE NUMBER OR
PAGE AS SHOWN ABOVE
JUDGE OF PROBATE

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