

RELOCATION OF EASEMENT

THIS RELOCATION OF EASEMENT made this 9<sup>th</sup> day of August, 1982, by and among 280 ASSOCIATES, LTD., an Alabama limited partnership ("280"), and AMELIA L. CHASE (formerly Amelia L. Crumpton), a widow, and AMELIA L. CHASE and THE FIRST NATIONAL BANK OF BIRMINGHAM, as Executor of the Estate of Tom U. Crumpton, Deceased (collectively the "Adjoining Landowner").

R E C I T A L S

By deed dated April 30, 1981, 280 acquired 17.56 acres, more or less, from Clyde Ulmer and wife Pauline S. Ulmer, by deed recorded in the office of the Judge of Probate of Shelby County, Alabama, in Book 332, page 559. Such conveyance was made subject to a non-exclusive easement for ingress and egress to serve the adjacent parcel owned by Adjoining Landowner. All parcels served by such easement are now owned by 280 and Adjoining Landowner. 280 desires to relocate such easement, and Adjoining Landowner, the only other party which is served by such easement, desires to consent to such relocation.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and the sum of Ten Dollars (\$10.00) in hand paid, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. That certain non-exclusive easement for ingress and egress described in Exhibit "A" attached hereto and made a part hereof (the "First Easement"), is hereby expressly vacated and abandoned by 280 and Adjoining Landowner, and the same shall hereafter be considered to be null and void.

2. 280 does hereby grant, bargain, sell and convey unto Adjoining Landowner and to all other owners of land served by First Easement, in lieu of the vacated First

Easement described in paragraph 1 hereof, a non-exclusive easement for ingress and egress and for roadway purposes, being sixty (60) feet wide and more particularly described in Exhibit "B" which is attached hereto and made a part hereof. This new easement shall constitute an easement running with the land and shall be binding upon and inure to the benefit of the undersigned, their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused the instrument to be properly executed on the day and year first above written.

280 ASSOCIATES, LTD.

By

[Signature]  
Its General Partner

Amelia L. Chase

Amelia L. Chase, Individually  
and as Executor of the Estate  
of Tom U. Crumpton, Deceased

THE FIRST NATIONAL BANK OF BIRMINGHAM

By

Thomas W. Paul  
Its Vice Pres

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Frank Barach Jr, whose name as General Partner of 280 Associates, Ltd., an Alabama limited partnership, 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 General Partner and with full authority, executed the same voluntarily for and as the act of said limited partnership.

Given under my hand and official seal this 17th day of August, 1982.

Mary Kay Bailing  
Notary Public

MY COMMISSION EXPIRES JUNE 22, 1984

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Amelia L. Chase, a widow, whose name 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9 day of AUGUST, 1982.

Oda P. Prine  
Notary Public

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Thomas W. Paul, whose name as Vice President of The First National Bank of Birmingham, a national banking association, 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 association.

Given under my hand and official seal this 16th day of August, 1982.

Jackie K. Smith  
Notary Public

MY COMMISSION EXPIRES 8/17/82

This instrument was prepared by J. Fred Powell, Attorney at Law, 1600 Bank for Savings Building, Birmingham, Alabama 35203.

EXHIBIT "A"

Commence at the NE corner of the NW-1/4 of NW-1/4 of Section 36, Township 18 South, Range 2 West and run West along the North line thereof 350.0 feet to the point of beginning of herein described easement; thence continue along last described course 50.02 feet; thence left 91 deg. 55' and run South 575.45 feet; thence right 37 deg. 43' and run Southwesterly 296.95 feet to a point on the Northeasterly right of way of U. S. Highway #280; thence left 90 deg. 08' and run Southeasterly 25.0 feet along said right of way; thence right 0 deg. 08' and continue along right of way 25.0 feet; thence left 90 deg. and run Northeasterly 364.31 feet; thence left 125 deg. 48' and run West 30.82 feet; thence right 88 deg. 05' and run North 550.0 feet to point of beginning.

## EXHIBIT "B"

6/22/82

A sixty foot wide easement for roadway purposes situated in the N.W. 1/4 of the N.W. 1/4 of Section 36, Township 18 South, Range 2 West, being more particularly described as follows:

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Commence at the NE corner of the N.W. 1/4 of the N.W. 1/4 of Section 36, Township 18 South, Range 2 West; thence Westerly along the North line of said 1/4-1/4 section a distance of 350.00 feet to the point of beginning; thence continue along last described course a distance of 60.03 feet to a point; thence  $91^{\circ} 55'$  to the left in a Southerly direction a distance of 202.27 feet to the P.C. (point of curve) of a curve to the right having a radius of 223.07 feet and a central angle of  $37^{\circ} 43'$ ; thence Southwesterly along the arc of said curve a distance of 146.84 feet to the P.T. (point of tangent) of said curve; thence Southwesterly tangent to said curve a distance of 151.20 feet to the P.C. (point of curve) of a curve to the left having a radius of 1282.00 feet and a central angle of  $4^{\circ} 34' 26''$ ; thence Southwesterly along the arc of said curve a distance of 102.34 feet to the P.T. (point of tangent) of said curve; thence Southwesterly tangent to said curve a distance of 197.20 feet to a point on the Northeastern right of way line of U.S. Highway No. 280; thence  $85^{\circ} 25' 34''$  to the left in a Southeasterly direction along said R.O.W. line a distance of 60.19 feet to a point; thence  $94^{\circ} 34' 26''$  to the left in a Northeasterly direction a distance of 202.00 feet to the P.C. (point of curve) of a curve to the right having a radius of 1222.00 feet and a central angle of  $4^{\circ} 34' 26''$ ; thence Northeasterly along the arc of said curve a distance of 97.55 feet to the P.T. (point of tangent) of said curve; thence Northeasterly tangent to said curve a distance of 151.20 feet to the P.C. (point of curve) of a curve to the left having a radius of 283.07 feet and a central angle of  $37^{\circ} 43'$ ; thence Northeasterly and Northerly along the arc of said curve a distance of 186.34 feet to the P.T. (point of tangent) of said curve; thence Northerly tangent to said curve a distance of 200.27 feet to the point of beginning.

Containing 49,115.296 square feet or 1.127 acres.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

1982 AUG 26 AM 8:26

*Thomas A. Saunders, Jr.*  
JUDGE OF PROBATE

*Recd. 50*

*Rec. 7.50*

*Ind. 1.00*

*9.00*