

STATE OF ALABAMA)
)
 COUNTY OF SHELBY)

EASEMENT

In consideration of the sum of Ten Dollars (\$10.00) paid by Realty Development Corporation, a Georgia corporation ("Grantee"), to Southwood Park Estates, Inc., a corporation, and BHN Corporation, a corporation (hereinafter together referred to as "Grantor"), the receipt of which is hereby acknowledged, and in consideration of the agreements of the Grantee contained herein, the Grantor hereby grant unto the Grantee* a perpetual easement ("the "Sewer Line Easement") over, along, under and through that certain real estate (the "Easement Property") owned by the Grantor which is described on Exhibit "B" attached hereto and made a part hereof for the installation, maintenance and operation of a sanitary sewer pipeline. ^{*for the benefit of the real property described on Exhibit A} attached hereto and made a part hereof (the "Grantee's Property")

For the consideration stated herein, Grantor also grant to the Grantee the right of ingress to, and egress from, and for the benefit of Grantee's Property, across real estate which is owned by the Grantor (hereinafter called "Real Estate") and located adjacent to Grantee's property, as necessary for the purpose of constructing and maintaining the aforesaid sewer line; provided, that the Grantee's use of the Real Estate for ingress and egress may not interfere with any present or future use of the Real Estate by the Grantor, their successors, assigns, tenants, licensees or invitees. The Grantee may cut only such trees and underbrush as is necessary to install, operate and maintain said sanitary sewer pipeline.

The Grantor reserve for Grantor and for their successors, assigns, tenants, licensees and invitees the right to use the surface of the real property and the areas above and beneath the surface for all purposes that will not endanger, or unreasonably interfere with, the operation of said sanitary sewer pipeline.

In partial consideration of the granting of the easements herein granted to the Grantee by the Grantor, the Grantee, for itself and for its successors and assigns, by the acceptance of this instrument, hereby agrees as follows:

Land Title

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1. The Grantee hereby indemnifies and holds the Grantor, its successors and assigns, harmless from and against all claims, actions, causes of action, demands, damages, losses and expenses (including, but not limited to attorney's fees and court costs) of any kind which may be asserted against, or suffered by, the Grantor on account of, or arising out of or in connection with, the installation, maintenance or operation of said sanitary sewer pipeline.

2. Grantee agrees to be responsible for restoring, repairing or replacing any pavement, curbing or landscaping on Grantor's real estate that may become damaged or impaired through the installation of said sewer pipeline.

IN WITNESS WHEREOF, the Grantor have caused this instrument to be executed by their duly authorized officers on the 23rd day of October, 1986.

Dennis L. [Signature]
Witness

Frank A. [Signature]
Witness

SOUTHWOOD PARK ESTATES, INC.

By: *Thomas W. Harris Jr.*
Its President

BHN CORPORATION

By: *[Signature]*
Its President

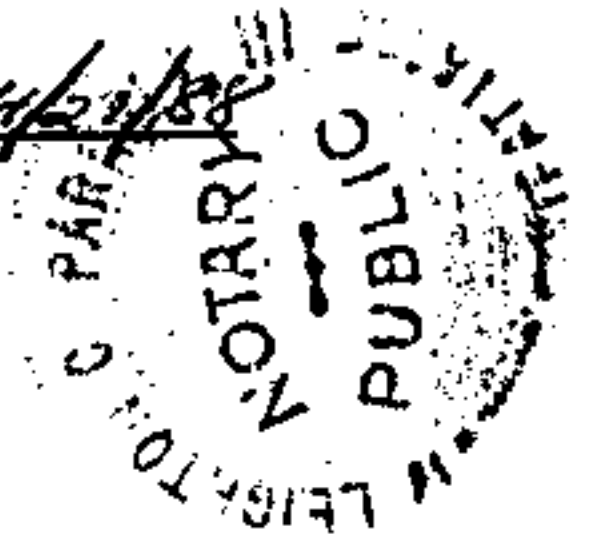
STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, LEIGHTON C. PARNELL, III, a Notary Public in and for said County in said State, hereby certify that THOMAS W. HARKS, JR., whose name as PRESIDENT of Southwood Park Estates, Inc., 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 sea, this the 23RD day of OCTOBER, 1986.

Leighton C. Parnell III
Notary Public

My commission expires: 4/23/88



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STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, Pauline Rucka, a Notary Public in and for said County in said State, hereby certify that William C. Huber, whose name as President of BHN Corporation, 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 sea, this the 13th day of October, 1986.

Pauline Rucka
Notary Public

My commission expires: 2/2/87



4363A

EXHIBIT A

Commence at the Southeast corner of the Northwest One-Quarter of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama; run thence in a Westerly direction along the South line of said Quarter Section for a distance of 2,300.55 feet; thence turn an angle to the right of 86 degrees and run in a Northwesterly direction along the Northeasterly right-of-way line of U.S. Highway No. 31 South for a distance of 1,096.84 feet; thence turn an angle to the right of 101 degrees 03 minutes 10 seconds and run in an Easterly direction for a distance of 346.16 feet to the point of beginning; from the point of beginning thus obtained thence turn an angle to the left of 71 degrees 19 minutes 50 seconds and run in a Northeasterly direction for a distance of 580 feet; thence turn an angle to the right of 18 degrees 59 minutes 22 seconds and run in a Northeasterly direction for a distance of 525.54 feet; thence turn an angle to the right of 101 degrees 40 minutes 03 seconds and run in a Southeasterly direction for a distance of 526.96 feet; thence turn an angle to the right of 31 degrees 30 minutes and run in a Southeasterly direction for a distance of 176.65 feet; thence turn an angle to the right of 00 degrees 14 minutes 53 seconds and run in a Southeasterly direction for a distance of 60 feet; thence turn an angle to the left of 90 degrees to the tangent of the following described course, said course being situated on a curve to the left having a central angle of 15 degrees 10 minutes 25 seconds and a radius of 438.82 feet; thence run in a Northeasterly direction along the arc of said curve for a distance of 116.21 feet to the end of said curve and the point of beginning of a curve to the right, said curve having a central angle of 87 degrees 12 minutes 41 seconds and a radius of 25 feet; thence run along the arc of said curve to the right in a Northeasterly, Easterly, and Southeasterly direction for a distance of 38.05 feet to the end of said curve; thence run along the tangent extended to last described course in a Southeasterly direction for a distance of 424.16 feet to the point of beginning of a curve to the right, said curve having a central angle of 19 degrees 26 minutes 05 seconds and a radius of 349.57 feet; thence run along the arc of said curve in a Southeasterly direction for a distance of 118.57 feet to the end of said curve; thence run along the tangent extended to said curve in a Southeasterly direction for a distance of 20.40 feet to the point of beginning of a curve to the left, said curve having a central angle of 12 degrees 15 minutes 04 seconds and a radius of 889.71 feet; thence run along the arc of said curve in a Southeasterly direction for a distance of 190.24 feet to the end of said curve and the point of beginning of a curve to the right, said curve having a central angle of 93 degrees 01 minutes 06 seconds and a radius of 25 feet; thence run along the arc of said curve to the right in a Southeasterly and Southwesterly direction for a distance of 40.59 feet to the end of said curve and the point of beginning of a curve to the right, said curve having a central angle of 25 degrees 18 minutes and a radius of 483.33 feet; thence run along the arc of said curve in a Northwesterly direction for a distance of 213.43 feet to the end of said curve; thence run along the tangent extended to said curve in a Northwesterly direction for a distance of 35.74 feet to the point of

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Beginning of a curve to the left, said curve having a central angle of 25 degrees 39 minutes 10 seconds and a radius of 271.57 feet; thence run along the arc of said curve in a Northwesterly and Southwesterly direction for a distance of 121.59 feet to the end of said curve and the point of beginning of a curve to the right, said curve having a central angle of 20 degrees 18 minutes 07 seconds and a radius of 591.13 feet; thence run along the arc of said curve in a Southwesterly, Westerly, and Northwesterly direction for a distance of 209.46 feet to the end of said curve; thence turn an angle to the right from tangent of last described course of 34 degrees 45 minutes 06 seconds and run in a Northwesterly direction for a distance of 307.91 feet; thence turn an angle to the right of 44 degrees 55 minutes 54 seconds and run in a Northerly direction for a distance of 142.00 feet; thence turn an angle to the left of 84 degrees 31 minutes 38 seconds and run in a Northwesterly direction for a distance of 335.53 feet; thence turn an angle to the right of 40 degrees 30 minutes and run in a Northwesterly direction for a distance of 153.91 feet to the point of beginning.

According to survey of Jimmy A. Gay, Reg. No. 8759, dated June 10, 1986.

EXHIBIT "B"

Description of a 20-foot wide sanitary sewer easement situated in the SE 1/4 of the NW 1/4 of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama, the centerline of which is more particularly described as follows:

From the southeast corner of the SE 1/4 of the NW 1/4 of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama, run west along the south line of said SE 1/4 of the NW 1/4 for a distance of 1170.59; thence turn an angle to the right of 110 degrees 52 minutes 50 seconds and run in a northeasterly direction for a distance of 32.41 feet to the center of an existing sanitary sewer manhole and the point of beginning of the centerline of the 20 foot wide sanitary sewer easement herein described; from the point of beginning, thus obtained, continue along the last described course for a distance of 175.15 feet, thence turn an angle to the left of 15 degrees 58 minutes 58 seconds and run in a northeasterly direction for a distance of 178.66 feet, thence turn an angle to the right of 8 degrees 19 minutes 00 seconds and run in a northeasterly direction for a distance of 160.00 feet more or less to a point on the southern boundary line of Grantee's Property as described on Exhibit "A" and the end of said sanitary sewer easement.

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

1986 OCT 28 PM 3:40

Thomas A. Shanderson, Jr.
JUDGE OF PROBATE

1. Deed Tax	\$ 50
2. Mtg. Tax	
3. Recording Fee	15.00
4. Indexing Fee	1.00
TOTAL	16.50