

STATE OF ALABAMA

3163

JEFFERSON AND SHELBY COUNTIES

AMENDMENT OF DECLARATION OF PROTECTIVE COVENANTS

Whereas, The Water Works and Sewer Board of the City of Birmingham, a public corporation, (hereinafter called Board) is the owner of the real estate described in Exhibit A attached hereto (hereinafter called Real Estate); and

Whereas, by a document dated December 15, 1986 and recorded in the office of the Judge of Probate of Jefferson County, Alabama in Real Volume 3048, page 562 and recorded in the office of the Judge of Probate of Shelby County, Alabama in Book 105, page 654, the Board subjected the Real Estate to certain protective covenants (hereinafter called Covenants); and

Whereas, subject to the terms and conditions of an Agreement, dated May 21, 1986, between the Board and Emory Realty, Inc., a corporation, (hereinafter called Agreement) the Board granted to Emory Realty, Inc. (hereinafter called Emory) an option to purchase certain portions of the Real Estate; and

Whereas, the Real Estate is located within the city limits of the City of Birmingham, a municipal corporation (hereinafter called City); and

Calvin Butler  
P.O. Box C-110  
B'ham, AL 35283

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Whereas, the City and Emory have requested the Board to make certain changes in the Covenants and the Board has agreed to do so.

Now, therefore, in consideration of the premises, the Board and Emory agree that the Covenants are hereby amended in their entirety to read as follows:

"STATE OF ALABAMA

JEFFERSON AND SHELBY COUNTIES

DECLARATION OF PROTECTIVE COVENANTS

Whereas, The Water Works and Sewer Board of the City of Birmingham, a public corporation, (hereinafter called Board) is the owner of the real estate described in Exhibit A attached hereto (hereinafter called Real Estate); and

Whereas, the Real Estate is a part of the watershed used by the Board in connection with the Cahaba River-Lake Purdy system water supply; and

Whereas, subject to the terms and conditions of an Agreement, dated May 21, 1986, between the Board and Emory Realty, Inc., a corporation, (hereinafter called Agreement) the Board granted to Emory Realty, Inc. (hereinafter called Emory) an option to purchase certain portions of the Real Estate; and

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Whereas, under the terms of the Agreement, the Board has the right to subject any or all of the Real Estate to such restrictive or protective covenants as the Board may choose; and

Whereas, the Board desires to subject the Real Estate to the protective covenants contained hereinafter for the purpose of protecting the Board's water supply, Lake Purdy, the Little Cahaba River and the Board's watershed; and

Whereas, from time to time, the Board may modify or amend the covenants contained herein and may subject the Real Estate, or portions thereof, to additional protective or restrictive covenants; and

Whereas, Emory has joined in the execution of this document to evidence its consent to, and approval of, the covenants contained herein.

Now, therefore, for the purpose of protecting the Board's water supply, Lake Purdy, the Little Cahaba River and the Board's watershed, the Board does hereby adopt the following covenants with respect to the Real Estate and its use and does hereby subject the Real Estate to such covenants:

1. All grading and site preparation work done on the Real Estate and all drainage of surface water from the Real Estate shall be performed, and all paving, buildings and other improvements constructed on the Real Estate

shall be built, in accordance with plans which shall be submitted to, and shall be subject to the approval of, the Engineering Department of the Board. Such plans shall include a sediment and erosion control plan which incorporates best management practices for the temporary and long range control of sediment and erosion pollution from all present and future construction and development activities engaged in or controlled by Emory or its assigns or the contractors of any such parties within the Real Estate. All such plans referred to in this paragraph must be submitted to and approved by the Board before any grading, site preparation work or construction may be done on the Real Estate.

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2. No grading or site preparation work shall be performed on the Real Estate except in accordance with plans approved by the Board's independent engineer and pursuant to a permit to perform such grading or site preparation work issued by the Board. All plans for the drainage of surface water from the Real Estate and all facilities and methods employed to implement such plans must be approved by the Board's independent engineer.

3. The Real Estate may be divided into lots or other tracts of land only in accordance with the following conditions and requirements:

- a. Any Parcel (as used in this instrument "Parcel" shall mean a quarter-quarter section,

according to the United States Coast and Geodetic Survey, or the portion of a quarter-quarter section which is a part of the Real Estate (for example, if the only part of a particular quarter-quarter section which is included in the Real Estate contains seventeen acres, then said seventeen-acre tract shall be a Parcel)) which is not served by public sanitary sewer (as used in this instrument "public sanitary sewer" shall mean a sanitary sewage collection and treatment system which is operated and administered by Jefferson County, the City of Birmingham or the Board) may be divided into lots provided that any lot which is not served by public sanitary sewer must contain at least three acres.

b. Any Parcel which is served by public sanitary sewer and for which a residential subdivision plan has been approved by the agency of the City of Birmingham which has jurisdiction of residential subdivisions and for which a grading plan and a plan for the control of the drainage of surface runoff water for the protection of the Board's watershed (including the maintenance and repair of the facilities to be used to control the drainage of surface runoff water, including any holding ponds) has been approved by the

Board's independent engineer may be subdivided into residential lots, provided that no such residential lot may contain less than one-half acre, and provided that the house to be built on each lot must be connected to, and served by, such public sanitary sewer.

c. All fees, charges and expenses of the Board's independent engineer in connection with the matters referred to in subparagraphs a. and b. hereinbefore shall be paid for by Emory within ten days of Emory's receipt of an invoice for such fees, charges and expenses.

d. No lot which contains fewer than three acres, regardless of whether or not it is served by public sanitary sewer, may be located nearer than 400 feet to Lake Purdy or nearer than 2,000 feet to the Little Cahaba River.

e. As used herein, the word "Plan" shall mean the drawing captioned "South Jefferson Development Birmingham Alabama Master Plan", dated November, 1987, Revised April 19, 1988, which was prepared by Cecil Jones & Associates, Inc. and Barbour Cooper & Partners, Inc., a copy of which is attached hereto and marked "Exhibit B." No lot which is located within the area colored yellow on the Plan shall be used for any purpose

except single-family residential purposes and no building shall be erected, placed or permitted to remain on any lot except one detached single-family dwelling house and one appurtenant residential structure such as a garage or a greenhouse. Regardless of the size of the lot, not more than one house may be located on any lot. No house trailers or mobile home may be located on any lot.

f. The lot or tract of land which is colored beige and marked "Fire Station" on the Plan may be used by the City for a fire station or police station and for no other purpose. The lot or tract of land which is colored beige and marked "Public Library" on the Plan may be used by the City for a public library and for no other purpose. The lot or tract of land which is colored light green and marked "Elementary School" on the Plan may be used by the City for a public school and for no other purpose. All of the lots or tracts of land referred to in this subparagraph f: (1) must be connected to and served by a public sanitary sewer system; and (2) shall be subject to the covenants, terms and conditions contained in this document.

g. The lot or tract of land which is colored red and marked "Potential Commercial" on the Plan (hereinafter called Commercial Area) may be used only for commercial purposes which are: (1) permitted in the City's Q B-2 zoning classification; and (2) approved in writing by the Board. In addition, the party who is to occupy any portion of the Commercial Area, whether as owner, tenant, or in any other capacity, shall be subject to the prior written approval of the Board. Neither Emory nor his successors or assigns shall enter into any contract of sale or lease for all or any portion of the Commercial Area without the Board's prior written approval of the prospective use and the owner, tenant or other occupant.

h. The following restrictions and covenants shall apply to all of the Real Estate, including, without limitation, the Commercial Area and the Park, which is referred to hereinafter. No portion of the Real Estate may be used for a service station, gasoline station, car wash facility or for any other business or use involving bulk storage of, or on-premises use of, products that are on the then-current stipulated hazardous or toxic materials list of the Environmental Protection Agency. Notwithstanding the foregoing, products which are on such stipulated



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hazardous or toxic materials list of the Environmental Protection Agency, such as gasoline, pesticides and fertilizers, may be stored and used on the Real Estate for the purpose of the normal and routine maintenance of grounds and the normal and routine construction, repair, maintenance and operation of structures located on the Real Estate, including construction materials which are stored and/or used during the construction of such structures, provided that, in the opinion of the Board, such products or items are not stored or used in quantities or in a manner which are likely to damage or endanger the Cahaba River-Lake Purdy watershed. No underground tanks may be installed or used on or in the Real Estate.

i. The portion of the Real Estate which is colored dark green on the Plan may be leased to the City by the Board as a public park and a nature and recreation area (hereinafter called Park). The Board shall have the right, from time to time, both before and after the Park is leased to the City, to place additional prohibitions, limitations and restrictions upon the uses to which the Park may be put, and the lease to the City shall be made subject to the Board's right

to impose such additional prohibitions, limitations and restrictions and to amend them from time to time as the Board may wish. The Board shall not be held to any standard of reasonableness with regard to such prohibitions, limitations or restrictions.

4. The covenants contained herein shall:

(a) run with the land (the Real Estate); (b) be binding upon every person or entity which now has or shall hereafter have any right, title or interest in or to the Real Estate, or any part thereof, and upon such person's or entity's heirs, executors, administrators, assigns and successors; (c) inure to the benefit of the Board and its successors and assigns.

5. The Board reserves the right, from time to time, to modify or amend the covenants contained herein and to subject the Real Estate, or any portion thereof, to additional protective or restrictive covenants.

6. The covenants contained herein shall be in effect for a period of twenty-five years from the date hereof, after which time the covenants shall be automatically extended for successive periods of ten years unless and until the Board has executed and recorded in the office of the Judge of Probate of Jefferson County, Alabama and in the office of the Judge of Probate of Shelby County, Alabama a document signed by the Board's Chairman

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of the Board (or the person who holds the equivalent position or office if the title of such position or office is hereafter changed) stating that the Real Estate is no longer used by the Board as a watershed, and upon the recording of such document in said offices the covenants contained herein shall be terminated and no longer of any force or effect.

7. The covenants contained herein may be enforced by the Board by proceedings at law or in equity against any person or entity violating or attempting to violate any covenant contained herein, either to restrain any such violation or to recover damages therefor, or both.

8. The invalidation of any one or more of the covenants contained herein by judgment or a court order shall not in any manner affect any of the other covenants contained herein, and such other covenants shall remain in full force and effect.

9. The delay or failure of the Board to enforce any of the covenants contained herein shall in no event be considered a waiver of its right to do so thereafter as to the same violation or breach or as to any other violation or breach occurring prior or subsequent thereto.

10. This instrument may be executed in two or more counterparts, each of which shall constitute an original, but when taken together all such counterparts shall constitute but one agreement."

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In witness whereof, the undersigned The Water Works and Sewer Board of the City of Birmingham has caused this instrument to be executed by its duly authorized Chairman of the Board on this 26<sup>th</sup> day of August, 1988.

ATTEST:

THE WATER WORKS AND SEWER BOARD  
OF THE CITY OF BIRMINGHAM

[Signature]  
Its General Manager

By [Signature]  
Its Chairman of the Board

The undersigned Emory Realty, Inc. hereby approves of, and consents to, the foregoing Amendment of Declaration of Protective Covenants and all the terms and provisions of such document.

Executed on this 26<sup>th</sup> day of August, 1988.

ATTEST:

EMORY REALTY, INC.

[Signature]  
Its General Manager

By [Signature]  
Its President

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STATE OF ALABAMA  
JEFFERSON COUNTY

I, Linda J. Terpo, a Notary Public in and for said County in said State, hereby certify that David J. Vann, whose name as Chairman of the Board, of The Water Works and Sewer Board of the City of Birmingham, a public corporation, 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 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 26<sup>th</sup> day of August, 1988.

Linda J. Terpo  
Notary Public

AFFIX SEAL

My commission expires: 4-29-90.

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STATE OF ALABAMA  
JEFFERSON COUNTY

I, Tommy E. Marten, a Notary Public in and for said County in said State, hereby certify that J. Brooks Emory, III, whose name as President of Emory Realty, Inc., a corporation, 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 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 26<sup>th</sup> day of August, 1988.

Tommy E. Marten  
Notary Public

AFFIX SEAL

My commission expires: 4/23/89.

This instrument prepared by:

Frank C. Galloway, Jr.  
1900 First National Building  
Birmingham, Alabama 35203

Exhibit A

(Consisting of Pages 1 through 15)

PARCEL 1: SECTION 6, TOWNSHIP 18 SOUTH, RANGE 1 EAST

The N  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , the N  $\frac{1}{4}$  of the N  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 6, Township 18 South, Range 1 East, Jefferson County, Alabama, being described as follows:

TRACT 1:

Begin at the NE corner, a 3" capped pipe, of the N  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 6, Township 18 South, Range 1 East, Jefferson County, Alabama, and run in a southerly direction along the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 656.19 feet to the SE corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a  $\frac{1}{2}$ " rebar and rock pile set; thence turn an interior angle of 89°07'38" and run to the right in a westerly direction along the south line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 1338.88 feet to the SW corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of 270°46'35" and run to the left in a southerly direction along the east line of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said section a distance of 659.27 feet to the SE corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a rebar; thence turn an interior angle of 179°59'29" and run to the right in a southerly direction along the east line of the N  $\frac{1}{4}$  of the N  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  a distance of 329.24 feet to the SE corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of 89°26'44" and run to the right in a westerly direction along the south line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 449.12 feet to a point of intersection of said south line with the northeast right-of-way line of McNabb Road and the point of beginning of a curve to the left running in a northwesterly to westerly direction having a central angle of 45°07'48" and a radius of 270.00 feet; thence turn an interior angle of 143°37'00" to the tangent of said curve and run to the right along the arc of said curve in a northwesterly to westerly direction along the right-of-way of said road a distance of 212.67 feet to a point; thence continue tangent to the last described curve in a westerly direction along the right-of-way of said road a distance of 66.01 feet to a point of beginning of a curve to the right running in a westerly direction having a central angle of 8°17'54" and a radius of 334.17 feet; thence continue along the arc of said curve along the right-of-way of said road a distance of 48.40 feet to a point; thence continue tangent to the last described curve in a westerly direction along the north right-of-way of said road a distance of 379.29 feet to the point of beginning of a curve to the right running in a northwesterly direction having a central angle of 24°04'49" and a radius of 439.47 feet; thence continue along the arc of said curve along the north right-of-way of said road a distance of 184.70 feet to a point; thence continue tangent to the last described curve in a northwesterly direction along the northeast right-of-way of said road a distance of 18.80 feet to the point of intersection of said right-of-way with the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of 113°56'26" and run to the right in a northerly direction along the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 254.81 feet to the SW corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said section, a 3" capped pipe; thence turn an interior angle of 180°13'12" and run to the left in a northerly direction along the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance

a northerly direction along the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 151.58 feet to the point of intersection of the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section with the south right-of-way line of McLaughlin Road and a point on a curve to the right in an easterly direction having a central angle of  $12^{\circ}55'00''$  and a radius of 725.00 feet; thence turn an interior angle of  $97^{\circ}18'12''$  to the tangent of said curve and continue along the arc of said curve in an easterly direction along the South right-of-way of said road a distance of 163.44 feet to a point; thence continue tangent to said curve in an easterly direction along the south right-of-way line of said road a distance of 181.74 feet to a point of beginning of a curve to the left running in an easterly to northeasterly direction having a central angle of  $60^{\circ}34'13''$  and a radius of 327.71 feet; thence continue along the arc of said curve along the southerly to southeasterly right-of-way line of said road a distance of 346.44 feet to a point; thence continue tangent to the last described curve in a northeasterly direction along the southeast right-of-way line of said road a distance of 451.39 feet to a point of beginning of a curve to the right running in a northeasterly direction having a central angle of  $13^{\circ}02'24''$  and a radius of 3208.02 feet; thence continue along the arc of said curve along the southeast right-of-way line of said road a distance of 730.12 feet to a point; thence continue tangent to the last described curve in a northeasterly direction along the southeast right-of-way line of said road a distance of 168.94 feet to the point of intersection of said road right-of-way with the north line of the N  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said section; thence turn an interior angle of  $137^{\circ}10'14''$  and run to the right along the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 1162.46 feet, more or less to the point of beginning.

TRACT 2:

Begin at the NW corner, a 3" capped iron, of the NW  $\frac{1}{4}$  of Section 6, Township 18 South, Range 1 East, Jefferson County, Alabama, and run in an easterly direction along the north line of said  $\frac{1}{4}$  section a distance of 1439.20 feet to the point of intersection of said north line with the northwest right-of-way line of McLaughlin Road; thence turn an interior angle of  $42^{\circ}49'46''$  and run to the right in a southwesterly direction along the northwest right-of-way line of said road a distance of 115.00 feet to the point of beginning of a curve to the left running in a southwesterly direction having a central angle of  $13^{\circ}02'24''$  and a radius of 3258.02 feet; thence continue along the arc of said curve in a southwesterly direction along the northwest right-of-way line of said road a distance of 741.50 feet to a point; thence continue tangent to the last described curve running in a southwesterly direction along the northwest right-of-way of said road a distance of 451.39 feet to the point of beginning of a curve to the right running in a southwesterly to westerly direction having a central angle of  $60^{\circ}34'13''$  and a radius of 277.71 feet; thence continue along the arc of said curve along the northwest to north right-of-way of said road a distance of 293.58 feet to a point; thence continue tangent to the last described curve in a westerly direction along the north right-of-way of said road a distance 181.74 feet to the point of beginning of a curve to the left running in a westerly direction having a central angle of  $12^{\circ}26'35''$  and a radius of 775.00 feet; thence continue along the arc of said curve in a westerly direction along the right-of-way of said road a distance of 168.31 feet to the point of intersection of said right-of-way with the west line of said  $\frac{1}{4}$



section; thence from the tangent of the last described curve turn an interior angle of 83°10'12" and run to the right in a northerly direction along the west line of said  $\frac{1}{4}$  section a distance of 1123.85 feet, more or less, to the point of beginning.

TRACT 3:

Commence at the NE corner, a  $\frac{1}{4}$ " rebar, of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 6, Township 18 South, Range 1 East, Jefferson County, Alabama, and run in a southerly direction along the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 329.24 feet to the SE corner of the N  $\frac{1}{4}$  of the N  $\frac{1}{4}$ , a 3" capped pipe, of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence deflect 90°33'16" to the right and run in a westerly direction along the south line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 534.11 feet to the point of intersection of said south line with the southwest right-of-way of McNabb Road and the point of beginning of the herein described parcel; thence continue in a westerly direction along the south line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 174.87 feet to a point on the southeast right-of-way of said road; thence turn an interior angle of 8°44'48" and run to the right in a northeasterly direction along the southeast right-of-way of said road a distance of 65.48 feet to the point of beginning of a curve to the right running in a northeasterly to southeasterly direction having a central angle of 27°49'26" and a radius of 230.00 feet; thence continue along the arc of said curve along the southwest right-of-way of said road a distance of 111.69 feet, more or less, to the point of beginning and the point of intersection of said right-of-way with the south line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section.

TRACT 4:

Commence at the NW corner, a 3" capped pipe, of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 6, Township 18 South, Range 1 East, Jefferson County, Alabama, and run in a southerly direction along the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 298.57 feet to the point of beginning at the point of intersection of said west line with the southwest right-of-way line of McNabb Road; thence deflect 66°03'34" to the left and run in a southeasterly direction along the southwest right-of-way line of said road a distance of 1.04 feet to the point of beginning of a curve to the left having a central angle of 13°33'00" and a radius of 479.47 feet; thence continue along the arc of said curve along the southwest right-of-way line of McNabb Road a distance of 113.39 feet to the point of intersection of said right-of-way with the south line of the N  $\frac{1}{4}$  of the N  $\frac{1}{4}$  of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence from the tangent of the last described curve turn an interior angle of 10°04'55" and run to the right in a westerly direction along the south line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 109.04 feet to the SW corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of 90°18'31" and run to the right in a northerly direction along the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 33.22 feet, more or less, to the point of beginning at the intersection of said west line with the southwest right-of-way of said road.

TRACT 5:

Commence at the NE corner, a 3" capped pipe, of the NW  $\frac{1}{4}$  of Section 6, Township 18 South, Range 1 East, Jefferson County, Alabama, and run in a westerly direction along the north line of said  $\frac{1}{4}$  section a distance of 1162.46 feet to the point of



intersection of said  $\frac{1}{4}$  section line with the southeast right-of-way line of McLaughlin Road; thence deflect  $42^{\circ}49'46''$  and run to the right in a southwesterly direction along the southeast right-of-way line of said road a distance of 168.94 feet to the point of beginning of a curve to the left having a central angle of  $13^{\circ}02'24''$  and a radius of 3208.02 feet; thence continue along the arc of said curve in a southwesterly direction along the southeast right-of-way line of said road a distance of 730.12 feet to a point; thence continue tangent to said curve in a southwesterly direction along the southeast right-of-way line of said road a distance of 451.39 feet to the point of beginning of a curve to the right running in a southwesterly to westerly direction having a central angle of  $60^{\circ}34'13''$  and a radius of 327.71 feet; thence continue along the arc of said curve in a southwesterly to northwesterly direction a distance of 346.44 feet to a point; thence continue tangent to said curve in a northwesterly direction along the southwest right-of-way line of said road a distance of 181.74 feet to the point of beginning of a curve to the left running in a northwesterly direction having a central angle of  $12^{\circ}55'00''$  and a radius of 725.00 feet; thence continue along the arc of said curve in a northwesterly direction along the southwest right-of-way line of said road a distance of 163.44 feet to the point of intersection of said southwest right-of-way line with the west line of said  $\frac{1}{4}$  section; thence from the tangent of said curve turn an interior angle of  $82^{\circ}41'48''$  and run to the right in a northerly direction along the west line of said  $\frac{1}{4}$  section a distance of 50.38 feet to a point of intersection with the northeast right-of-way line of said road and a point on a curve to the right running in an easterly to southeasterly direction having a central angle of  $12^{\circ}26'35''$  and a radius of 775.00 feet; thence turn an interior angle of  $96^{\circ}49'48''$  and run to the right in a northeasterly to easterly direction along the arc of said curve a distance of 168.31 feet to a point; thence continue tangent to the last described curve in a southeasterly direction along the northeast right-of-way line of said road a distance of 181.74 feet to the point of beginning of a curve to the left running in a northeasterly direction having a central angle of  $60^{\circ}34'13''$  and a radius of 277.71 feet; thence continue along the arc of said curve in a northeasterly direction along the northwest right-of-way line of said road a distance of 293.58 feet to a point; thence continue tangent to the last described curve in a northeasterly direction along the northwest right-of-way line of said road a distance of 451.39 feet to the point of beginning of a curve to the right running in a northeasterly direction having a central angle of  $13^{\circ}02'24''$  and a radius of 3258.02 feet; thence continue along the arc of said curve in a northeasterly direction along the northwest right-of-way line of said road a distance of 741.50 feet to a point; thence continue tangent to the last described curve in a northeasterly direction along the northwest right-of-way line of said road a distance of 115.00 feet to the point of intersection of said right-of-way with the north line of said  $\frac{1}{4}$  section; thence turn an interior angle of  $137^{\circ}10'14''$  and run to the right in an easterly direction along the north line of said  $\frac{1}{4}$  section a distance of 73.55 feet, more or less to the point of beginning.

**TRACT 6:**

Commence at the NE corner, a  $\frac{1}{2}$ " rebar in a rock pile, of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 6, Township 18 South, Range 1 East, Jefferson County, Alabama, and run in a southerly direction along the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 329.24 feet to the SE corner, a 3" capped pipe, of the N  $\frac{1}{4}$  of the N  $\frac{1}{4}$  of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence deflect  $90^{\circ}33'16''$  to the right and run in a westerly direction along

the south line of said  $\frac{1}{2}$  -  $\frac{1}{2}$  -  $\frac{1}{2}$  -  $\frac{1}{2}$  section a distance of 449.12 feet to a point on the northeast right-of-way line of McNabb Road and the point of beginning; thence continue in a westerly direction and along the south line of said  $\frac{1}{2}$  -  $\frac{1}{2}$  -  $\frac{1}{2}$  -  $\frac{1}{2}$  section line a distance of 84.99 feet to the point of intersection of said south line with the southwest right-of-way line of McNabb Road a point on a curve to the left running in a westerly direction having a central angle of  $27^{\circ}49'26''$  and a radius of 230.00 feet; thence turn an interior angle of  $160^{\circ}55'22''$  and run to the right in a northwesterly direction along the southwest right-of-way line of McNabb Road and along the arc of said curve a distance of 111.69 feet; thence continue tangent to the last described curve in a southwesterly direction and along said right-of-way a distance of 65.48 feet to the point of intersection of said right-of-way with the south line of said  $\frac{1}{2}$  -  $\frac{1}{2}$  -  $\frac{1}{2}$  -  $\frac{1}{2}$  section; thence turn an interior angle of  $171^{\circ}15'12''$  and run to the right in a westerly direction along the south line of said  $\frac{1}{2}$  -  $\frac{1}{2}$  -  $\frac{1}{2}$  -  $\frac{1}{2}$  section a distance of 521.46 feet to the point of intersection of said  $\frac{1}{2}$  -  $\frac{1}{2}$  -  $\frac{1}{2}$  -  $\frac{1}{2}$  section line with a point on the southwest right-of-way line of McNabb Road and a point on a curve running to the right in a northwesterly direction having a central angle of  $13^{\circ}13'00''$  and a radius of 479.47 feet; thence turn an interior angle of  $169^{\circ}55'05''$  and run to the right along the arc of said curve in a northwesterly direction along said right-of-way a distance of 113.39 feet to a point; thence continue tangent to said curve in a northwesterly direction along the southwest right-of-way line of said McNabb Road a distance of 1.04 feet to the point of intersection of said right-of-way with the west line of said  $\frac{1}{2}$  -  $\frac{1}{2}$  section; thence turn an interior angle of  $113^{\circ}56'26''$  and run to the right in a northerly direction along the west line of said  $\frac{1}{2}$  -  $\frac{1}{2}$  section a distance of 43.77 feet to the point of intersection of said west  $\frac{1}{2}$  -  $\frac{1}{2}$  section with the northeast right-of-way line of said McNabb Road; thence turn an interior angle of  $66^{\circ}03'34''$  and run to the right in a southeasterly direction along the northeast right-of-way line of said road a distance of 18.80 feet to the point of beginning of a curve to the left running in a southeasterly direction having a central angle of  $24^{\circ}04'49''$  and a radius of 439.47 feet; thence continue along the arc of said curve in a southeasterly direction along the northeast right-of-way line of said road a distance of 184.70 feet to a point; thence continue tangent to said curve in a southeasterly direction along the northeast right-of-way line of said road a distance of 379.29 feet to the point of beginning of a curve to the left running in an easterly direction having a central angle of  $8^{\circ}17'54''$  and a radius of 334.17 feet; thence continue along the arc of said curve in an easterly direction along the north right-of-way line of said road a distance of 48.40 feet to a point; thence continue tangent to said curve in an easterly direction along the north right-of-way line of said road a distance of 66.01 feet to the point of beginning of a curve to the right running in a southeasterly direction having a central angle of  $45^{\circ}07'48''$  and a radius of 270.00 feet; thence continue along the arc of said curve in a southeasterly direction along the northeast right-of-way line of said road a distance of 212.67 feet, more or less, to the point of beginning.

PARCEL II: SECTION 1, TOWNSHIP 18 SOUTH, RANGE 1 WEST

Part of the S  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , less that part conveyed to J.T. Foster by Volume 218, Page 325, all that part of the SW  $\frac{1}{4}$  lying north of the property of Fred L. DeShazo as recorded in Volume 25, Page 839 southwest of the property described in DeShazo Farms Subdivision as recorded in Map Book 67, Page 8 and southeast of the property of Rufus Brazier recorded in Volume 872, Page 417, and the N  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and that part of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  lying northwest of the property of Fred L. DeShazo recorded in Real Volume 25, Page 839.

TRACT 1:

Begin at the NE corner, a 3" capped pipe, of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 1, Township 18 South, Range 1 West, Jefferson County, Alabama, and run in a southerly direction and along the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 254.81 feet to a point of intersection of said east line with the northeast right-of-way line of McNabb Road; thence turn an interior angle of 66°03'34" and run to the right in a northwesterly direction along the northeast right-of-way line of said road a distance of 120.17 feet to the point of beginning of a curve to the right running in a northwesterly direction having a central angle of 26°37'26" and a radius of 444.90 feet; thence continue along the arc of said curve along the northeast right-of-way line of said road a distance of 206.73 feet to a point; thence continue tangent to said curve in a northwesterly direction along the northeast right-of-way of said road a distance of 106.55 feet to the intersection of said right-of-way with the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of 50°31'12" and run to the right in an easterly direction along the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 340.59 feet, more or less, to the point of beginning.

TRACT 2:

Commence at the NW corner, a 3" capped pipe in the pavement of McLaughlin Road, of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 1, Township 18 South, Range 1 West, Jefferson County, Alabama, and run in an easterly direction along the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 483.52 feet to the point of beginning at a point of intersection of the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section with the northeast right-of-way line of McLaughlin Road; thence continue in an easterly direction along the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 352.53 feet to the point of intersection of the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  with the northwest right-of-way line of said road and a point on a curve running to the right in a southwesterly to northwesterly direction having a central angle of 13°37'25" and a radius of 419.34 feet; thence turn an interior angle of 11°42'21" to the tangent of said curve and continue along the arc of said curve in a southwesterly to northwesterly direction a distance of 99.71 feet to a point; thence continue tangent to the last described curve in a northwesterly direction along the northeast right-of-way line of said road a distance of 253.56 feet, more or less, to the point of beginning and the point of intersection of said

northeast right-of-way with the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section.

TRACT 3:

Begin at the NE corner, a pile of rocks, of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 1, Township 18 South, Range 1 West, Jefferson County, Alabama, and run in a southerly direction along the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 1322.27 feet to the SE corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of 89°27'29" and run to the right along the south line of the N  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  a distance of 2142.00 feet to a point, a  $\frac{1}{4}$ " rebar in rock pile; thence turn an interior angle of 227°54'09" and run to the left in a southwesterly direction a distance of 1779.06 feet to a point on the south line of said section, a 3" capped pipe; thence turn an interior angle of 131°59'31" and run to the right in a westerly direction along the south line of said section a distance of 666.73 feet to the SE corner of the SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , a 3" capped pipe, of said section; thence continue in a westerly direction and along the south line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 157.58 feet to a point, a 3" capped pipe; thence turn an interior angle of 46°21'36" and run to the right in a northeasterly direction a distance of 2147.60 feet to a point on the east line of the SW  $\frac{1}{4}$  of said section, a disturbed 3" capped pipe (reset); thence turn an interior angle of 224°00'46" and run to the left in a northerly direction along the east line of said  $\frac{1}{4}$  section a distance of 1088.41 feet to the NE corner of said  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of 89°50'31" and run to the right in an easterly direction along the north line of the SE  $\frac{1}{4}$  of said section a distance of 386.24 feet to a point, a 3" capped pipe; thence turn an interior angle of 224°48'19" and run to the left in a northeasterly direction a distance of 1330.19 feet to a point on the west line of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , a 3" capped pipe, of said section; thence turn an interior angle of 225°28'23" and run to the left in a northerly direction along the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 362.51 feet to a point, said point being 16.45 feet south of the NW corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section, at the point of intersection of said west line to the south right-of-way line of McLaughlin Road; thence turn an interior angle of 87°53'22" and run to the right in an easterly direction along the south right-of-way line of said road a distance of 735.93 feet to the point of beginning of a curve to the left running in an easterly direction having a central angle of 26°58'21" and a radius of 459.34 feet; thence continue along the arc of the last described curve and along the south right-of-way line of said road in an easterly direction a distance of 216.24 feet to the point of intersection of said right-of-way line with the southwest right-of-way line of McNabb Road; thence from the tangent of the last described curve turn an interior angle of 104°25'31" and run to the right in a southeasterly direction along the southwest right-of-way line of said road a distance of 132.37 feet to the point of beginning of a curve to the left running in a southeasterly direction having a central angle of 26°37'26" and a radius of 484.90 feet; thence continue along the arc of said curve in a southeasterly direction along the southwest right-of-way of said road a distance of 225.32 feet to a point; thence continue tangent to the last described curve in a southeasterly direction along the southwest right-of-way line of said road a distance of 137.93 feet to the intersection of said right-of-way with the east line of said  $\frac{1}{4}$  section; thence turn an interior angle of 113°56'26" and run to the right in a southerly direction along the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 33.22 feet to the SE corner of the N  $\frac{1}{4}$  of the N  $\frac{1}{4}$  of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of 180°07'02" and run to the left in a southerly direction continuing along

the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 998.12 feet, more or less, to the point of beginning.

TRACT 4:

Begin at the NW corner, a 3" capped iron in a paved road, of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 1, Township 18 South, Range 1 West, Jefferson County, Alabama, and run in an easterly direction along the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 483.52 feet to a point of intersection of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section line with the northeast right-of-way line of McLaughlin Road; thence turn an interior angle of  $178^{\circ}04'56''$  and run to the right along the north right-of-way line of McNabb Road in a southeasterly direction a distance of 253.56 feet to the point of beginning of a curve to the left running in a northeasterly direction having a central angle of  $13^{\circ}37'25''$  and a radius of 419.34 feet; thence continue along the arc of said curve in a northeasterly direction along the northwest right-of-way line of said road a distance of 99.71 feet to the point of intersection of said curve with the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence from the tangent of said curve turn an interior angle of  $168^{\circ}17'39''$  and run to the right in an easterly direction along the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 156.74 feet to the point of intersection of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section line with the northeast right-of-way line of McNabb Road; thence turn an interior angle of  $129^{\circ}28'48''$  and run to the right in a southeasterly direction along the northeast right-of-way line of said road a distance of 106.55 feet to the point of beginning of a curve to the left having a central angle of  $26^{\circ}37'26''$  and a radius of 444.90 feet; thence continue along the arc of said curve in a southeasterly direction along the northeast right-of-way line of said road a distance of 206.73 feet to a point; thence continue tangent to the last described curve in a southeasterly direction along the northeast right-of-way line of said McNabb Road a distance of 120.17 feet to the point of intersection of said right-of-way with the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of  $113^{\circ}56'26''$  and run to the right in a southerly direction along the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 43.77 feet to the point of intersection of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section line with the southwest right-of-way line of said McNabb Road; thence turn an interior angle of  $66^{\circ}03'34''$  and run to the right in a northwesterly direction along the southwest right-of-way line of said McNabb Road a distance of 137.93 feet to the point of beginning of a curve to the right running in a northwesterly direction having a central angle of  $26^{\circ}37'26''$  and a radius of 484.90 feet; thence continue along the arc of said curve in a northwesterly direction along the southwest right-of-way line of said road a distance of 225.32 feet to a point; thence continue tangent to said curve in a northwesterly direction along the southwest right-of-way line of said McNabb Road a distance of 132.37 feet to the point of intersection of the southwest right-of-way line of said road with the southeast right-of-way line of McLaughlin Road and a point on a curve to the right running in a southwesterly to westerly direction having a central angle of  $26^{\circ}58'21''$  and a radius of 459.34 feet; thence turn an interior angle of  $255^{\circ}34'29''$  to the tangent of said curve and run to the left in a southwesterly to westerly direction along the arc of said curve a distance of 216.24 feet to a point; thence continue tangent to said curve in a northwesterly direction along the southwest right-of-way line of said McNabb Road a distance of 735.93 feet to the point of intersection of said right-of-way with the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of  $92^{\circ}06'38''$  and run to the right in a northerly direction along the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 23.83 feet, more or less, to the point of beginning.



PARCEL IV: SECTION 11, TOWNSHIP 18 SOUTH, RANGE 1 WEST

Part of the S  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , south of Old Valley Road and the Oak Ridge Stud and Stock farm as recorded in Real Volume 36, Page 160, the SE  $\frac{1}{4}$ , and the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , of Section 11, Township 18 South, Range 1 West, Jefferson County, Alabama, being described as follows:

TRACT 1:

Begin at the NW corner, a 3" capped pipe, of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 11, Township 18 South, Range 1 West, Jefferson County, Alabama, and run in an easterly direction along the north line of said section a distance of 1114.09 feet to the point of intersection of the northwest right-of-way line of Alabama Highway 119 and a point on a curve to the right running in a southwesterly direction having a central angle of  $24^{\circ}36'51''$  and a radius of 2825.00 feet; thence turn an interior angle of  $59^{\circ}17'50''$  to the tangent of said curve and continue along the arc of said curve along the northwest right-of-way line of said highway a distance of 1213.62 feet to a point; thence continue tangent to the last described curve in a southwesterly direction along the northwest right-of-way line of said highway a distance of 364.54 feet to the point of intersection of said right-of-way with the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of  $54^{\circ}56'23''$  and run to the right in a northerly direction along the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 1088.09 feet, more or less to the point of beginning.

TRACT 2:

Begin at the SE corner, a 3" capped pipe, of Section 11, Township 18 South, Range 1 West, Jefferson County, Alabama, and run in a westerly direction along the south line of said section a distance of 2661.81 feet to the SW corner, a 3" capped pipe, of the SE  $\frac{1}{4}$  of said section; thence turn an interior angle of  $89^{\circ}20'22''$  to a line that is  $0^{\circ}27'16''$  east of the west line of said  $\frac{1}{4}$  section and run in a northeasterly direction along said line a distance of 885.77 feet to a point, a 2" open pipe; thence turn an interior angle of  $180^{\circ}50'35''$  and run to the left in a northerly direction a distance of 234.39 feet to a point, a 1" rebar; thence turn an interior angle of  $179^{\circ}38'15''$  and run to the right in a northerly direction a distance of 187.60 feet to a point, a  $\frac{1}{2}$ " rebar; thence turn an interior angle of  $180^{\circ}14'55''$  and run to the left in a northerly direction a distance of 281.11 feet to a point, a  $\frac{1}{2}$ " open pipe; thence continue along the last described course in a northerly direction a distance of 64.75 feet to a point, a rebar; thence turn an interior angle of  $179^{\circ}56'39''$  and run to the right in a northerly direction a distance of 438.56 feet to a point, a rebar; thence turn an interior angle of  $179^{\circ}59'00''$  and run to the right in a northerly direction a distance of 570.96 feet to the SE corner of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said section, a 3" capped pipe; thence turn an interior angle of  $270^{\circ}03'36''$  and run to the left in a westerly direction along the south line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 1328.53 feet to the SW

corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of  $89^{\circ}40'57''$  and run to the right in a northerly direction along the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 144.94 feet to the point of intersection of said west  $\frac{1}{4}$  -  $\frac{1}{4}$  section line and the southeast right-of-way line of Highway 119; thence turn an interior angle of  $125^{\circ}03'37''$  and run to the right in a northeasterly direction along the southeast right-of-way line of said highway a distance of 420.69 feet to the point of beginning of a curve to the left running in a northeasterly direction having a central angle of  $25^{\circ}32'48''$  and a radius of 2905.00 feet; thence continue along the arc of said curve along the southeast right-of-way line of said highway a distance of 1295.26 feet to the point of intersection of said right-of-way with the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence from the tangent of the last described curve turn an interior angle of  $119^{\circ}46'13''$  and run to the right in an easterly direction along the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 120.65 feet to the NE corner, a 3" capped pipe, of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of  $89^{\circ}40'03''$  and run to the right in a southerly direction along the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 236.10 feet to a point, a 3" capped pipe, on the southeast right-of-way line of the Old Valley Road; thence turn an interior angle of  $312^{\circ}37'39''$  and run to the left in a northeasterly direction a distance of 343.99 feet to a point, a 3" capped pipe, on the southeast right-of-way of the Old Valley Road and a point on the property of Oak Ridge Stud and Stock Farm as recorded in Real Volume 36, Page 160; thence turn an interior angle of  $86^{\circ}32'30''$  and run to the right in a southeasterly direction along the southwest line of said Oak Ridge Stud and Stock Farm a distance of 1704.19 feet to the SE corner of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said section, a 3" capped pipe; thence turn an interior angle of  $231^{\circ}07'20''$  and run to the left in an easterly direction along the south line of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said section, also the south line of the Oak Ridge Stud and Stock Farm property a distance of 849.60 feet to a point, a 3" capped pipe; thence turn an interior angle of  $230^{\circ}37'43''$  and run to the left in a northeasterly direction along the southeast line of said Oak Ridge Stud and Stock Farm a distance of 756.54 feet to a point, a 3" capped pipe, on the east line of said section; thence turn an interior angle of  $39^{\circ}11'27''$  and run to the right in a southerly direction along the east line of said section a distance of 1917.89 feet to the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , a 3" capped pipe, of said section; thence turn an interior angle of  $180^{\circ}00'20''$  and run to the left in a southerly direction along the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 1334.54 feet, more or less, to the point of beginning.

TRACT 3:

Commence at the SE corner, a 3" capped pipe, of the SW  $\frac{1}{4}$  of Section 11, Township 18 South, Range 1 West, Jefferson County, Alabama, and run in a westerly direction along the south line of said  $\frac{1}{4}$  section a distance of 884.36 feet to the point of beginning, a 3" capped pipe; thence continue in a westerly direction along the south line of said section a distance of 706.39 feet to a point,  $\frac{1}{4}$ " rebar set in rock pile; thence turn an interior angle of  $142^{\circ}40'26''$  and run to the right in a northwesterly direction a distance of 12.28 feet to a point, a 3" capped pipe; thence turn an interior angle of  $127^{\circ}09'26''$  and run to the right in a northerly direction a distance of 99.87 feet to a point, a 3" capped pipe; thence turn an interior angle of  $91^{\circ}03'46''$  and run to the right in an easterly direction a distance of 649.06 feet to a point, a 3" capped pipe; thence turn an interior angle of  $118^{\circ}46'02''$  and run to the right in a southeasterly direction a distance of 135.15

feet, more or less, to a point on the south line of said  $\frac{1}{4}$  section and the point of beginning.

TRACT 4:

Commence at the NE corner, a 3" capped pipe, of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 11, Township 18 South, Range 1 West, Jefferson County, Alabama, and run in a westerly direction along the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 120.65 feet to the point of intersection of said N  $\frac{1}{4}$  -  $\frac{1}{4}$  section line with the southeast right-of-way line of Alabama Highway #119 and a point on a curve to the right running in a southwesterly direction having a central angle of  $25^{\circ}32'48''$  and a radius of 2905.00 feet; thence deflect  $60^{\circ}13'47''$  to the right to the tangent of said curve and continue along the arc of said curve in a southwesterly direction along the southeast right-of-way line of said road a distance of 1295.26 feet to a point; thence continue tangent to said curve in a southwesterly direction along the southeast right-of-way line of said road a distance of 420.69 feet to the point of intersection of said right-of-way with the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of  $54^{\circ}56'23''$  and run to the right in a northerly direction along the west line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 97.73 feet to the point of intersection of said west  $\frac{1}{4}$  -  $\frac{1}{4}$  section line with the northwest right-of-way line of said road; thence turn an interior angle of  $125^{\circ}03'37''$  and run to the right in a northeasterly direction along the northwest right-of-way line of said road a distance of 364.54 feet to the point of beginning of a curve to the left having a central angle of  $24^{\circ}36'51''$  and a radius of 2825.00 feet; thence continue along the arc of said curve in a northeasterly direction along the northwest right-of-way line of said road a distance of 1213.62 feet to the point of intersection of said northwest right-of-way line with the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence from the tangent of said curve turn an interior angle of  $120^{\circ}42'10''$  and run to the right in an easterly direction along the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 92.59 feet more or less, to the point of beginning.



PARCEL V: SECTION 12, TOWNSHIP 18 SOUTH, RANGE 1 WEST

The NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , and the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , of Section 12, Township 18 South, Range 1 West, Jefferson County, Alabama being described as follows:

Begin at the NE Corner, a 3" capped pipe, of the NW  $\frac{1}{4}$  of Section 12, Township 18 South, Range 1 West, Jefferson County, Alabama and run in a southerly direction and along the east line of said  $\frac{1}{4}$  section a distance of 2657.99 feet to the SE corner of said  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of  $90^{\circ}02'45''$  and run to the right and along the south line of the SE  $\frac{1}{4}$  of said  $\frac{1}{4}$  section a distance of 1331.40 feet to the SW corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of  $270^{\circ}05'29''$  and run to the left in a southerly direction and along the east line of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said section a distance of 1331.87 feet to the SE corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of  $90^{\circ}02'34''$  and run to the right and in a westerly direction and along the south line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 1325.80 feet to the SW corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of  $90^{\circ}05'57''$  and run to the right and in a northerly direction and along the west line of said section a distance of 2664.30 to the NW corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said section, a 3" capped pipe; thence turn an interior angle of  $89^{\circ}45'18''$  and run to the right in an easterly direction and along the north line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 1333.73 to the NE corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of  $270^{\circ}08'32''$  and run to the left and in a northerly direction and along the west line of the NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of said section a distance of 1331.59 feet to the NW corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section, a 3" capped pipe; thence turn an interior angle of  $89^{\circ}45'24''$  and run to the right in an easterly direction and along the north line of said section a distance of 1337.35 feet, more or less, to the point of beginning.

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PARCEL VI: SECTION 14, TOWNSHIP 18 SOUTH, RANGE 1 WEST

Part of the W  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , all of the E  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , and the NE  $\frac{1}{4}$ , of Section 14, Township 18 South, Range 1 West, Jefferson County, Alabama being described as follows:

Begin at the NE Corner, a 3" capped pipe, of Section 14, Township 18 South, Range 1 West, Jefferson County, Alabama and run in a southerly direction and along the east line of said section a distance of 2668.50 feet to the SE corner of the NE  $\frac{1}{4}$  of said section, a  $\frac{1}{4}$ " rebar in rock pile; thence turn an interior angle of 90°38'30" and run to the right and in a westerly direction and along the south line of the N  $\frac{1}{4}$  of said section a distance of 3980.95 feet to the SW corner of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said section, a 3" capped pipe; thence turn an interior angle of 89°35'54" and run to the right in a northerly direction and along the east line of the Milton D. Jacobson property as recorded in Volume 5756, Page 584 a distance of 1679.44 feet to a point, a 3" capped pipe; thence turn an interior angle of 283°48'52" and run to the left and in a southwesterly direction along said Jacobson property a distance of 129.19 feet to a point, a 3" capped pipe; thence turn an interior angle of 195°03'46" and run to the left and in a southwesterly direction along said Jacobson property a distance of 85.80 feet to a point, a 3" capped pipe; thence turn an interior angle of 198°26'12" and run to the left and in a southwesterly direction along said Jacobson property a distance of 103.99 feet to a point, a 3" capped pipe; thence turn an interior angle of 188°15'19" and run to the left and in a southwesterly direction along said Jacobson property a distance of 1367.48 feet to the SW corner of the NW  $\frac{1}{4}$  of said section, a 3" capped pipe; thence turn an interior angle of 34°29'15" and run to the right and in a northerly direction along the west line of said section a distance of 736.53 feet to a point on the southeast line of The Birmingham Water Works Company as recorded in Volume 1784, Page 398; thence turn an interior angle of 127°39'32" and run to the right and in a northeasterly direction along the southeast line of said Birmingham Water Works Company a distance of 390.90 feet to a point, a 3" capped pipe; thence turn an interior angle of 196°23'52" and run to the left and in a northeasterly direction along the southeast line of said Birmingham Water Works Company a distance of 1081.17 feet to a point, a 3" capped pipe; thence turn an interior angle of 158°13'28" and run to the right and in a northeasterly direction along the southeast line of said Birmingham Water Works Company a distance of 455.18 feet to a point, a 3" capped pipe; thence turn an interior angle of 237°39'10" and run to the left and in a northerly direction along the east line of said Birmingham Water Works Company a distance of 280.89 feet to a point, a 3" capped pipe; thence turn an interior angle of 222°51'08" and run to the left and in a northwesterly direction along the northwest line of said Birmingham Water Works Company a distance of 199.93 feet to a point, a 3" capped pipe; thence turn an interior angle of 169°58'59" and run to the right and in a northwesterly direction along the northwest line of said Birmingham Water Works Company a distance of 131.94 feet to a point, a 3" capped pipe; thence turn an interior angle of 200°17'30" and run to the left and in a northwesterly direction along the northwest line of said Birmingham Water Works Company a distance of 66.06 feet to a point on the north line of said section; thence turn an interior

angle of  $37^{\circ}19'34''$  and run to the right and in an easterly direction and along the north line of said section a distance of 1590.75 feet to the NW corner of the NE  $\frac{1}{4}$  of said section, a 3" capped pipe; thence continue along the last described course in an easterly direction and run along the north line of said section a distance of 2661.81 feet, more or less to the point of beginning.

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PARCEL VII: SECTION 15, TOWNSHIP 18 SOUTH, RANGE 1 WEST

Part of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , of Section 15, Township 18 South, Range 1 West, Jefferson County, Alabama being described as follows:

Begin at the SE Corner, a 3" capped pipe, of the NE  $\frac{1}{4}$  of Section 15, Township 18 South, Range 1 West, Jefferson County, Alabama and run in a westerly direction along the south line of said  $\frac{1}{4}$  section a distance of 659.94 feet to a point, a 3" capped pipe and a point at the SE corner of the William S. Blakemore and Elaine H. Blakemore property as described in Real Vol. 2541, Page 840; thence turn an interior angle of  $89^{\circ}25'16''$  and run to the right in a northerly direction along the east line of said Blakemore property a distance of 234.29 feet to a point, a 3" capped pipe and a corner of the property of The Birmingham Water Works Company as recorded in Volume 1784, Page 398; thence turn an interior angle of  $127^{\circ}36'49''$  and run to the right in a northeasterly direction along the southeasterly property line of said Water Works Company a distance of 833.82 feet to a point on the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section; thence turn an interior angle of  $52^{\circ}20'24''$  and run to the right in a southerly direction along the east line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section a distance of 736.53 feet, more or less, to the point of beginning.

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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
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*Thomas A. Shivers, Jr.*  
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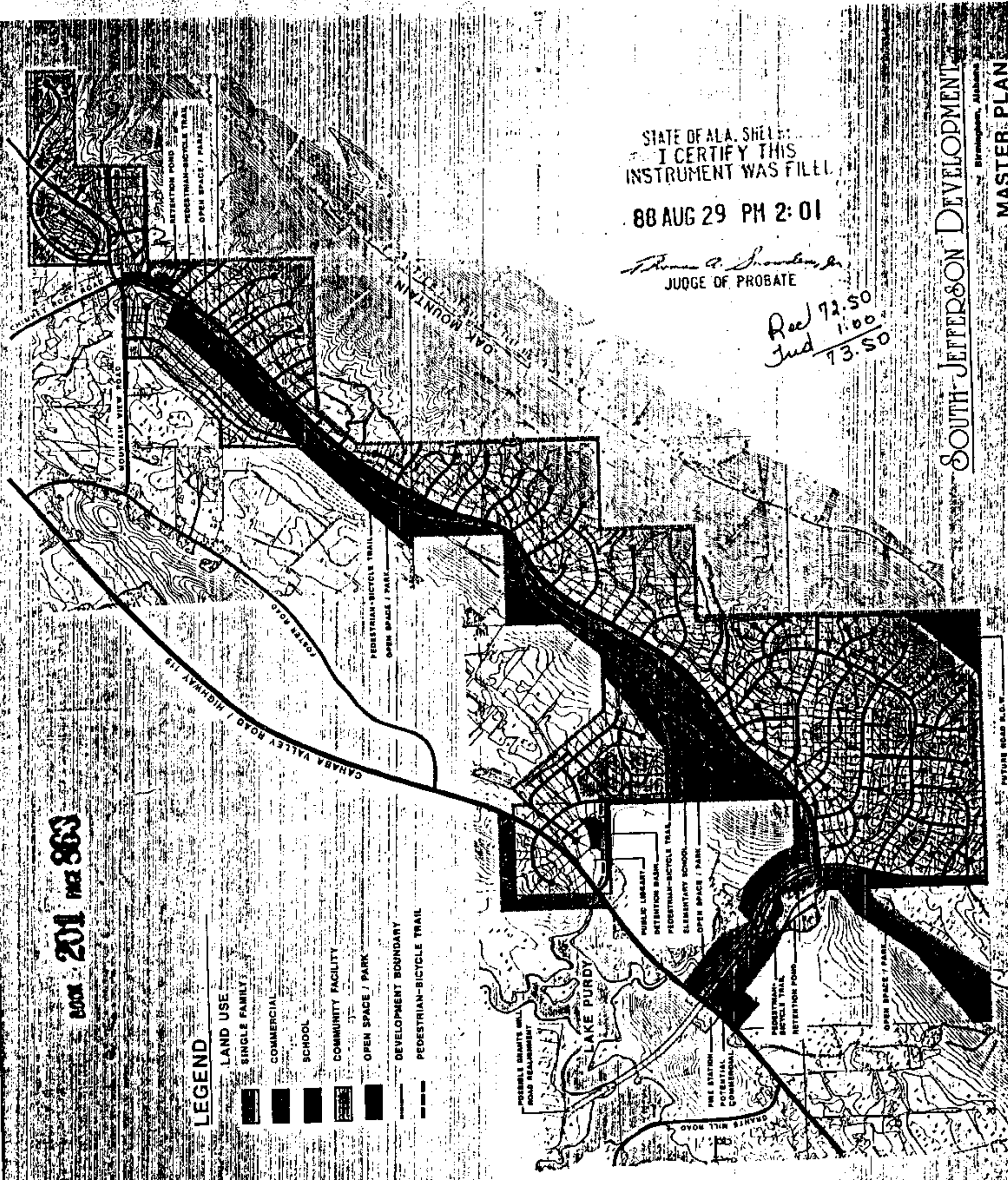
RECORDING FEES

Recording Fee	<u>\$62.50</u>
Index Fee	<u>1.00</u>
TOTAL	<u>\$63.50</u>

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LEGEND

- LAND USE
  - SINGLE FAMILY
  - COMMERCIAL
  - SCHOOL
  - COMMUNITY FACILITY
- OPEN SPACE / PARK
- DEVELOPMENT BOUNDARY
- PEDESTRIAN-BICYCLE TRAIL



STATE OF ALA. SHERIFF  
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INSTRUMENT WAS FILED

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Thomas A. Snowden, Jr.  
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Rec 72.50  
Jud 1.00  
73.50

SOUTH JEFFERSON DEVELOPMENT

MASTER PLAN

Cecil Jones & Associates, Inc. - Engineers  
Barbour Cooper & Partners, Inc. - Planners

