

INGRESS AND EGRESS EASEMENT #2

STATE OF ALABAMA)

SHELBY COUNTY)

INGRESS AND EGRESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That, in consideration of the agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Valleydale Associates, Ltd., an Alabama limited partnership (hereinafter referred to as "Valleydale"), does hereby grant to B. J. Harris and Denney E. Barrow, as Trustees of Harbar Homes, Incorporated Profit Sharing Plan and Trust f/b/o B. J. Harris and Denney E. Barrow (hereinafter referred to as "Harbar Homes") a non-exclusive easement for ingress and egress and public utilities over and across that certain property more particularly described on Exhibit A attached hereto and incorporated herein by reference to serve that certain real property more particularly described in Exhibit B attached hereto and incorporated herein by reference. This easement shall exist for the benefit of Harbar Homes, its successors and assigns and any and all guests, tenants, licensees, invitees and employees of the property described in Exhibit B to be served by this easement.

The easement created herein shall run with the land and shall inure to the sole and exclusive benefit of the property to be served by said easement; said easement is not intended and shall not be used for the benefit, either directly or indirectly, of any other property. The cost of maintaining such ingress and egress easement shall be borne equally by Valleydale, its successors and assigns, and Harbar Homes, its successors and assigns.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed as of the 27th day of May, 1992.

VALLEYDALE ASSOCIATES, LTD.,
an Alabama limited partnership

BY: VALLEYDALE, INC.,
an Alabama corporation, Its
General Partner

BY: E. Paul Stenzel Jr.
Its Asst. Secretary

Inst # 1992-09485

Land Title

B. J. Harris
B. J. Harris, as Trustee of Harbar Homes, Incorporated Profit Sharing Plan and Trust f/b/o B. J. Harris and Denney E. Barrow

Denney E. Barrow
Denney E. Barrow, as Trustee of Harbar Homes, Incorporated Profit Sharing Plan and Trust f/b/o B. J. Harris and Denney E. Barrow

STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that E. Paul Stempel, Jr., whose name as Asst. Secretary of Valleydale, Inc., an Alabama corporation, in its capacity as General Partner of Valleydale 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and on behalf of said corporation in its capacity as General Partner of Valleydale Associates, Ltd.

Given under my hand and official seal this the 5th day of May, 1992.

Laura Lorraine Yawon
Notary Public
My Commission Expires: 10-5-92

STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that B. J. Harris, whose name as Trustee of Harbar Homes, Incorporated Profit Sharing Plan and Trust f/b/o B. J. Harris and Denney E. Barrow 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 fiduciary and with full authority, executed the same voluntarily for and on behalf of said profit sharing plan and trust.

Given under my hand and official seal this the 27th day of
May, 1992.

Laura Lorraine Yason
Notary Public
My Commission Expires: 10/5/92

STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Denney E. Barrow, whose name as Trustee of Harbar Homes, Incorporated Profit Sharing Plan and Trust f/b/o B. J. Harris and Denney E. Barrow 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 fiduciary and with full authority, executed the same voluntarily for and on behalf of said profit sharing plan and trust.

Given under my hand and official seal this the 27 day of
May, 1992.

Denney E. Barrow
Notary Public
My Commission Expires: 10/18/95

PREPARED BY:

John P. McKleroy, Jr.
SPAIN, GILLON, GROOMS, BLAN & NETTLES
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dap\forms\easement.ing

Ingress and Egress Easement Number 2

Commence at the northwest corner of the south one-half of the southeast one-quarter of the northwest one-quarter of Section 15, Township 19 South, Range 2 West; thence run south 0 degrees 04 minutes 46 seconds west along the west line of the southeast one-quarter of the northwest one-quarter of said Section 15 for a distance of 100 feet; thence run north 89 degrees 10 minutes 56 seconds west for a distance of 120.11 feet; thence run north 44 degrees 19 minutes 31 seconds west for a distance of 42.48 feet to the point of beginning, said point of beginning being situated on a curve, said curve being on a curve to the left having a chord bearing of north 13 degrees 30 minutes 09 seconds east and a chord of 114.84 feet, said curve having a central angle of 25 degrees 22 minutes 09 seconds and a radius of 261.50 feet; thence run in a northeasterly direction along the arc of said curve for a distance of 115.79 feet to the end of said curve; thence run north 0 degrees 49 minutes 04 seconds east to the point of commencement of a curve to the left, said curve having a central angle of 41 degrees 40 minutes and a radius of 178.60 feet; thence run along the arc of said curve to the left in a northwesterly direction for a distance of 129.88 feet to the end of said curve; thence run north 40 degrees 50 minutes 56 seconds west for a distance of 108.45 feet to a point on the southeasterly right-of-way line of Valleydale Road, said right-of-way being situated on a curve to the right and having a chord bearing of south 53 degrees 30 minutes 35 seconds west and a chord of 66.19 feet; thence run in a southwesterly direction along the arc of said curve and the southeasterly right-of-way line of Valleydale Road for a distance of 66.19 feet; thence run south 40 degrees 50 minutes 56 seconds east for a distance of 113.48 feet to a point of commencement of a curve to the right, said curve having a central angle of 41 degrees 40 minutes and a radius of 254.91 feet; thence run along the arc of said curve in a southeasterly direction for a distance of 185.38 feet to the end of said curve; thence run south 0 degrees 49 minutes 04 seconds west for a distance of 40.00 feet to the point of commencement of a curve to the right, said curve having a central angle of 22 degrees 43 minutes 08 seconds and a radius of 231.50 feet; thence run in a southwesterly direction along the arc of said curve for a distance of 91.79 feet to the end of said curve; thence run south 44 degrees 19 minutes 31 seconds east for a distance of 32.09 feet to the point of beginning.

6/11/79
CEP

EXHIBIT "A"

EXHIBIT "B"

Part of the SW1/4 of NW1/4 of Section 15, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: Beginning at the SE Corner of said SW1/4 of NW1/4, being marked by an existing 2 1/2" capped pipe, run in a northerly direction along the east line of said 1/4-1/4 section for distance of 1,235.27 feet to an existing iron pin being on the southeast right-of-way line of Valleydale Road; thence turn an angle to the left of 129°12'54" and run in a southwesterly direction along said southeast right-of-way line of Valleydale Road for a distance of 199.54' to a point of curve, said curve being concave in a northwesterly direction, and having a central angle of 70°02'18" and a radius of 2,913.72 feet; thence turn an angle to the right and run along the arc of said curve for a distance of 357.92 feet (said curve having a cord of 357.70 feet) to an existing iron pin; thence from last mentioned chord line, turn a left deflection of 98°40'48" and run in a southeasterly direction for a distance of 345.82 feet to an existing iron pin; thence turn an angle to the right of 89°50'18" and run in a southwesterly direction for a distance of 313.03 feet to an existing iron pin; thence turn an angle to the left of 89°48'29" and run in a southeasterly direction for a distance of 604.63 feet to an existing concrete monument; thence turn an angle to the left of 26°50'37" and run in a southeasterly direction for a distance of 3.96 feet, more or less, to the point of beginning, containing 7.19 acres more or less. Surface rights only.

Inst. # 1992-09485

05/28/1992-09485
08:35 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

005 MCD 17.50



EPS

Less and except:

A parcel of land located in the southwest one-quarter of the Northwest one-quarter of Section 15, Township 19 South, Range 2 West, more particularly described as follows: Begin at the southwest corner of the north one-half of the southeast quarter of the northwest quarter, thence run south 0 degrees, 04 minutes 46 seconds west for a distance of 100.00 feet; thence run north 89 degrees, 10 minutes, 56 seconds west for a distance of 120.11 feet; thence run north 44 degrees, 19 minutes, 31 seconds west for a distance of 76.86 feet to the point of commencement of a curve to the left, said curve having a central angle of 22 degrees, 43 minutes, 08 seconds and a radius of 231.80 feet; thence run in a northerly direction along the arc of said curve for a distance of 91.79 feet; thence run north 0 degrees, 49 minutes, 04 seconds east for a distance of 40.00 feet to the point of commencement of a curve to the left, said curve having a central angle of 41 degrees, 40 minutes, 00 seconds and a radius of 254.91 feet; thence run in a northwesterly direction along the arc of said curve for a distance of 188.38 feet; thence run north 40 degrees, 50 minutes, 56 seconds west for a distance of 113.48 feet to a point on the southeasterly right of way line of Valleydale Road; said point also being the point of commencement of a curve to the left, said curve having a central angle of 3 degrees, 19 minutes 18 seconds and a radius of 2913.72 feet; thence run in a northeasterly direction along the arc of said curve and along said right of way line for a distance of 168.92 feet; thence continue along said right of way line on a bearing of north 50 degrees, 50 minutes, 23 seconds east for a distance of 199.55 feet to a point on the west line of the north one-half of the southeast one-quarter of the northwest one-quarter of Section 15, Township 19 South, Range 2 West; thence run south 0 degrees, 00 minutes, 32 seconds East along said west line for a distance of South 869.23 feet to the point of beginning.