

INVERNESS

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**TAYLOR&MATHIS**

Real Estate Development and Brokerage

Atlanta • Birmingham • Miami

October 8, 1992

TO WHOM IT MAY CONCERN:

RE: The 17.25 acres more or less located in Section 2, Township 19 South, Range 2 West, Shelby County, Alabama, as described on the attached Exhibit "A B"

This is to acknowledge that the original right-of-way instrument from the previous owner, Fletcher Properties, to Alabama Power Company, dated August 2, 1972, for the purpose of granting a right-of-way permit for the construction of power lines for the transmission of electricity over or across the property described on the attached Exhibit "A B", was never recorded. The said right-of-way is located along Inverness Parkway from Valleydale Road to a point thirteen hundred+/- feet (1,300') Northeast of Country Club Road.

Alabama Power Company has issued the attached disclaimer to any rights on that certain parcel (APCO Parcel 304283).

The purpose of this letter is to clarify that the original document was NOT recorded, and therefore, will not be on record.

Sincerely,

TAYLOR & MATHIS, INC., as Agent for  
Metropolitan Life Insurance Company  
d/b/a INVERNESS



J. B. Flood, II  
Director of Development

JBF/bh

attachment

Inst # 1992-27268

11/17/1992-27268  
02:08 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
006 MJS 19.00

TO WHOM IT MAY CONCERN:

I, the undersigned, hereby certify that Alabama Power Company does not claim the right to construct additional lines for the transmission of electricity over or across the lands described herein below, under the authority granted in the following right of way permit(s):

That certain instrument from Fletcher Properties of Alabama, Inc. dated 02 August 1972 (APCo parcel 304283) and not recorded.

The purpose for which such right of way permit(s) were acquired was for a distribution line that is now in place on the property described below:

For legal description, see Exhibit "A B" attached hereto and made a part hereof.

Signed the 28<sup>th</sup> day of September, 1992.

A handwritten signature in cursive script, reading "Sara R. Parks", written over a horizontal line.

Sara R. Parks, Supervisor  
Corporate Real Estate  
Birmingham Division Office

The following is a description of the utilities easement situated in Section 2, Township 19 South, Range 2 West, Shelby County, Alabama and within the boundaries of Inverness, a development of Fletcher Properties of Alabama, Inc., prepared by Paragon Engineering, Inc. on July 28, 1972; commence at SW corner of Section 2, Township 19 South, Range 2 West, thence North 00 degrees 44 minutes 22 seconds West, 736.29 feet to the North right-of-way line of Valley Dale Road; thence South 36 degrees 51 minutes 30 seconds, West 251.24 feet along said North right-of-way line of Valley Dale Road to the point of curvature of a curve to the right having a central angle of 37 degrees 01 minutes 30 seconds, a radius of 914.53 feet, an arc of 590.98 feet; thence along said arc 590.98 feet to the point of tangency; thence along the tangent South 73 degrees 53 minutes 00 seconds West, 11.08 feet to the point of curvature of a curve to the left having a central angle of 10 degrees 41 minutes 18 seconds, a radius of 1472.40 feet, an arc of 274.67 feet; thence along said arc 274.67 feet to the point of beginning of the described easement; thence deflecting right 84 degrees 38 minutes 48 seconds from the tangent of the last described curve; thence North 32 degrees 09 minutes 30 seconds West, 0.91 feet to the point of curvature of a curve to the left having a central angle of 54 degrees 44 minutes 30 seconds, a radius of 560.00 feet, an arc of 535.04 feet, continuing along said arc 535.04 feet and 60 feet right of the centerline, said arc being the right boundary of the herein described easement, to the point of tangency; thence along a tangent North 86 degrees 54 minutes 00 seconds West, 85.00 feet to the point of curvature of the curve to the right having a central angle of 51 degrees 32 minutes 00 seconds, a radius of 640.00 feet, an arc of 575.64 feet; thence along said arc 575.64 feet and 60.00 feet right of the centerline to the point of tangency; thence North 35 degrees 22 minutes 00 seconds West, 120.00 feet along the tangent to the point of curvature of a curve to the left having a central angle of 29 degrees 24 minutes 20 seconds, a radius of 760.00 feet, an arc of 390.05 feet; thence along said arc 390.05 feet to a point of tangency; thence along a radial line North 25 degrees 13 minutes 40 seconds East, 25.00 feet to a point on a curve to the left having a central angle of 25 degrees 51 minutes 20 seconds, a radius of 785.00 feet, an arc of 354.24 feet; thence along said arc 354.24 feet and 85.00 feet right of the centerline to the point of tangency; thence along the tangent South 89 degrees 22 minutes 20 seconds West, 313.74 feet to the point of curvature of a curve to the right having a central angle of 14 degrees 37 minutes 40 seconds, a radius of 1715.00 feet, an arc of 437.84 feet; thence continuing along said arc 437.84 feet and 85.00 feet right of centerline to the point of tangency and a point of curvature of a curve to the right having a central angle of 62 degrees 00 minutes 00 seconds, a radius of 715.00 feet, an arc of 773.70 feet; thence continuing along said arc 773.70 feet and 85.00 feet right of the centerline to a point; thence along a radial line North 87 degrees 38 minutes 45 seconds East, 25.00 feet to the point of curvature of a curve to the right having a central angle of 18 degrees 12 minutes 21 seconds, a radius of 990.00 feet, an arc of 314.57 feet; thence continuing along said arc 314.57 feet and 110.00 feet right of centerline to a point of tangency; thence along a radial line North 74 degrees 08 minutes 54 seconds West, 30.00 feet to the point of curvature of a curve to the right having a central angle of 12 degrees 47 minutes 44 seconds, a radius of 1020.00 feet, an arc of 227.79 feet; thence continuing along said arc 227.79 feet and 80.00 feet right of centerline to the point of tangency and the point of curva-



ture of a curve to the right having a central angle of 11 degrees 54 minutes 38 seconds a radius of 1920.00 feet an arc of 399.13 feet; thence continuing along said arc 399.13 feet and 80.00 feet right of centerline to the point of tangency; thence North 40 degrees 33 minutes 27 seconds East, 1356.89 feet to the end of the right boundary of the herein described easement; thence North 49 degrees 26 minutes 33 seconds West, 190.00 feet to a point on the left boundary of the herein described easement; thence South 40 degrees 33 minutes 27 seconds West, 1356.89 feet to a point; thence along a radial line South 49 degrees 26 minutes 33 seconds East, 100.00 feet to the point of tangency of a curve to the left having a central angle of 11 degrees 54 minutes 38 seconds, a radius of 2010.00 feet, an arc of 417.84 feet; thence continuing along said arc 417.84 feet and 10 feet right of centerline to a point of tangency thence along a radial line North 61 degrees 21 minutes 10 seconds West, 10 feet to a point on a curve to the left having a central angle of 12 degrees 47 minutes 44 seconds, a radius of 1120.00 feet, an arc of 250.12 feet; thence continuing along said arc 250.12 feet and 20.00 feet right of centerline to a point of tangency; thence along a radial line South 74 degrees 08 minutes 54 seconds East, 10.00 feet to a point on a curve to the left having a central angle of 29 degrees 51 minutes 06 seconds, a radius of 1110.00 feet, an arc of 578.32 feet; thence continuing along said arc 578.32 feet and 10.00 feet right of centerline to a point of tangency; thence along a radial line South 76 degrees 00 minutes 00 seconds West 15.00 feet to a point on a curve to the left having a central angle of 13 degrees 32 minutes 41 seconds, a radius of 825.00 feet, an arc of 195.03 feet; thence continuing along said arc 195.03 feet and 25.00 feet right of centerline to a point of tangency; thence along a line South 46 degrees 00 minutes 29 seconds West, 36.42 feet to a point; thence along a line South 36 degrees 10 minutes 00 seconds East, 237.36 feet to a point; thence along a line North 24 degrees 42 minutes 58 seconds East, 43.04 feet to a point on a tangent South 43 degrees 00 minutes 31 seconds, of a curve to the left having a central angle of 28 degrees 04 minutes 07 seconds, a radius of 820.00 feet, an arc of 401.71 feet; thence along said arc 401.71 feet and 20.00 feet right of centerline to a point; thence along a line 07 degrees 34 minutes 06 seconds West, 40.76 feet to a point; thence along a line South 75 degrees 46 minutes 00 seconds East, 150.05 feet to a point; thence along a line North 56 degrees 12 minutes 30 seconds East, 49.80 feet to a point on a tangent, South 80 degrees 41 minutes 53 seconds, of a curve to the left having a central angle of 10 degrees 55 minutes 47 seconds, a radius of 1825.00 feet, an arc of 348.14 feet; thence continuing along said arc 348.14 feet and 25.00 feet right of centerline to a point of tangency; thence along a radial line North 00 degrees 37 minutes 40 seconds West, 15.00 feet to a point; thence along a line of tangency North 89 degrees 22 minutes 20 seconds East, 313.74 feet to the point of curvature of a curve to the right having a central angle of 39 degrees 27 minutes 40 seconds, a radius of 690.00 feet, an arc of 475.22 feet, thence continuing along said arc 475.22 feet and 10.00 feet right of centerline to a point of tangency; thence along a radial line South 38 degrees 50 minutes 00 seconds West, 20.00 feet to a point on a curve to the right having a central angle of 15 degrees 48 minutes 00 seconds a radius of 670.00 feet, an arc of 184.76 feet; thence along said arc 184.76 feet and 30.00 feet right of centerline to a point of tangency along a radial line North 54 degrees 38 minutes 00 seconds East, 20.00 feet to a point of tangency; thence along a line South 35 degrees 22 minutes 00 seconds East, 120.00 feet to the point of curvature of a curve to the left having a central angle of 51 degrees 32 minutes 00 seconds, a radius of 710.00 feet, an arc of 674.57 feet; thence along said arc 674.57 feet and 10.00 feet right of the centerline to a point of tangency; thence along a radial line South 03 degrees 06 minutes 00 seconds West, 90.00 feet to a point thence South 86 degrees 54 minutes 00 seconds East, 85.00 feet to a point of curvature of a curve to the right having a central angle of 31 degrees

18 minutes 03 seconds, a radius of 400.00 feet, an arc of 218.40 feet; thence along said arc 218.40 feet and 100.00 feet right of centerline to a point of tangency; thence along a radial line North 34 degrees 24 minutes 03 seconds East, 40.00 feet to a point on a curve to the right having a central angle of 22 degrees 43 minutes 08 seconds, a radius of 440.00 feet, an arc of 174.47 feet; thence along said arc 174.47 feet and 60.00 feet right of the centerline to the North right-of-way line of Valley Dale Road; thence deflecting left along said right-of-way line along a curve to the right having a central angle of 04 degrees 40 minutes 17 seconds, a radius of 1472.40 feet an arc of 120.05 feet; thence continuing along said arc 120.05 feet more or less to the point of beginning, containing 17.25 acres more or less.

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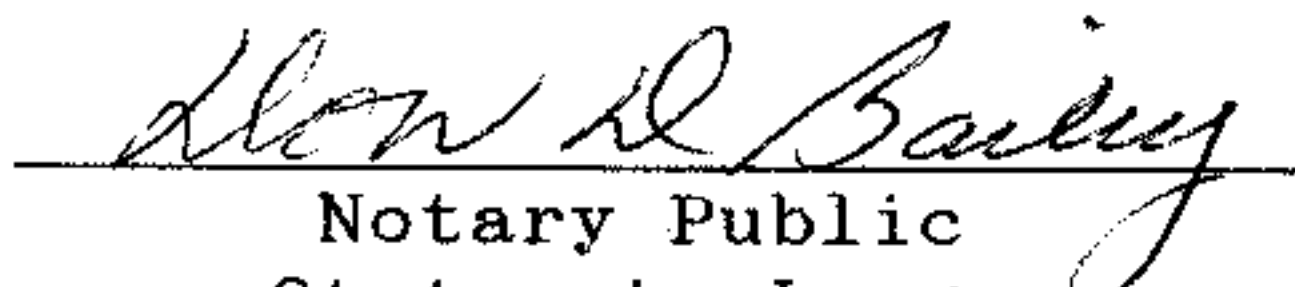
EXHIBIT "A B"

~~00000~~

STATE OF ALABAMA           )  
                                  :  
County of Jefferson        )

I, Don D. Bailey, a Notary Public, State at Large,  
hereby certify that Sara R. Parks, Supervisor, Corporate  
Real Estate, Alabama Power Company, 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 this instrument 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  
28th day of September 1992.

  
Notary Public  
State at Large

My commission expires:

01 March 1995

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