

TOGETHER WITH a nonexclusive easement for access to the Property along those lands described as Tract II in that certain deed from Metropolitan Life Insurance Company to Grantor recorded as Inst. #1992-18226 in the Office of the Judge of Probate of Shelby County, Alabama.

Grantor shall not be liable for and Grantee hereby waives and releases Grantor, its officers, agents, employees, directors, shareholders, partners, mortgagees and their respective successors and assigns from any liability of any nature on account of loss, damage or injuries to buildings, structures, improvements, personal property or to Grantee or any owner, occupants or other person who enters upon any portion of the Property as a result of any past, present or future soil, surface and/or subsurface conditions, known or unknown (including, without limitation, sinkholes, underground mines, tunnels and limestone formations and deposits) under or upon the Property or any property surrounding, adjacent to or in close proximity with the Property which may be owned by Grantor.

TO HAVE AND TO HOLD, unto the said Grantee, his heirs and assigns forever.

IN WITNESS WHEREOF, the undersigned Grantor, **LAKE HEATHER DEVELOPMENT CO., INC.**, has executed this instrument as of the day and year first above written.

LAKE HEATHER DEVELOPMENT CO., INC.,
an Alabama corporation

By: C-S-K
Its PRESIDENT

STATE OF ALABAMA)
)
COUNTY OF Jefferson)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Charles S. Givianpour, whose name as President of **LAKE HEATHER DEVELOPMENT CO., INC.**, an Alabama 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 29th day of December, 1992.

[NOTARIAL SEAL]

Cheryl A. Robinson
Notary Public

My Commission Expires: 7-10-95

N/A of the consideration recited above was paid from a mortgage loan closed simultaneously herewith.

Inst # 1993-00157

01/05/1993-00157
08:18 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

- 2 - 002 MCD 155.00