

STATE OF ALABAMA )  
SHELBY COUNTY )

EASEMENT

This Easement made and entered into this 22<sup>nd</sup> day of August, 1994, by and between Robert S. Grant Const., Inc., an Alabama Corporation, hereinafter "Grantor", and The Brook Highland Homeowners' Association, Inc., an Alabama Non-Profit Corporation, hereinafter "Grantee";

WITNESSETH

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid to the Grantor by the Grantee, the receipt and sufficiency of which are hereby acknowledged, the Grantor does hereby grant, bargain, sell, convey and warranty to the Grantee, its respective successors, agents and assigns, a right of way and easement in perpetuity, over and under the land hereinafter described, with the right, privilege and authority to said Grantee, its respective successors, agents and assigns, to construct, erect and maintain in a good workmanlike manner a lighted brick entrance sign and related electrical lines, fixtures, cables, wires and conduits for lighting of said sign, and maintenance of landscaping on and upon the following described land, situated in Shelby County, Alabama,

An easement situated over and upon the rear 35 feet of Lot 1031, according to the Survey of Brook Highland, an Eddleman Community, 10th Sector, 2nd Phase, as recorded in Map Book 18, Page 36 A & B, in the Office of the Judge of Probate, Shelby County, Alabama.

Further, there shall be a right of way for ingress and egress to, over and under said premises at any and all times for the purpose of constructing, inspecting, maintaining, repairing, replacing, renewing or adding to the brick entrance sign, related electrical lines, cables, conduits, fixtures and wires for lighting and for maintenance of the landscaping, flora, grounds, and lawn surrounding said brick entrance sign, and for doing anything necessary, useful or convenient for the enjoyment of the easement herein granted.

TO HAVE AND TO HOLD, Unto the said the Brook Highland Homeowners' Association, Inc., an Alabama Non-Profit Corporation, its successors agents and assigns, forever, subject to the following terms and conditions:

1. The grant of this easement shall run with the land and shall be binding on and shall inure to the benefit of the parties hereto, its successors, agents and assigns.
2. The developer of Brook Highland, Eddleman Properties, Inc., its successors, agents and assigns shall have the exclusive

CLAYTON T. SWEENEY, ATTORNEY AT LAW

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ability to control the appearance and format of the entrance sign and have exclusive control of the name of the subdivision which appears on the entrance sign, and the ability to make changes in the appearance, format or name(s) contained thereon.

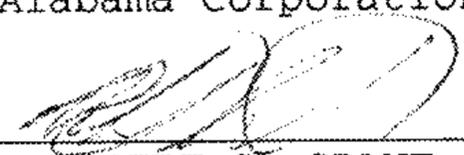
3. The grantee herein, The Brook Highland Homeowners' Association, Inc. its successors, agents and assigns shall have the duty and responsibility for the maintenance of said easement.

4. Subsequent Purchaser(s) of said Lot 1031, shall not have the right to place and maintain a driveway across said easement along Brook Highland Parkway for ingress and egress to the residence to be constructed on said Lot 1031, and no fences shall be placed within said 35 foot easement unless approved in writing by the Architectural Review Board as set forth in the Declaration of Protective Covenants for Brook Highland as recorded in Book 194, Page 254, in the Probate Office of Shelby County, Alabama.

Together with the subject to the rights, easements, privileges and appurtenances in and to said lands which may be required for the full enjoyment of the rights herein granted.

IN WITNESS WHEREOF, Robert S. Grant Const., Inc., by its President, Robert S. Grant, has caused this easement to be executed this the 22nd day of August, 1994.

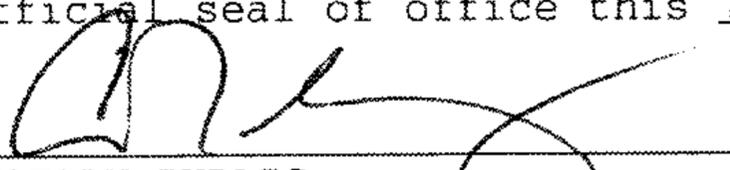
ROBERT S. GRANT CONST., INC.  
an Alabama Corporation

By:   
ROBERT S. GRANT  
Its President

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Robert S. Grant, whose name as President of Robert S. Grant Const., 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 the above and foregoing 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 of office this 22nd day of August, 1994.

  
NOTARY PUBLIC

My Commission Expires: 5-29-95

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8:05:57 AM CERTIFIED  
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