

✓ Donna Thompson
1054 Highway 72
Pelham, AL 35124

February 8, 1995

Donnie Tucker
c/o Savannah Development Co.
2086 Valleydale Terrace
Birmingham, AL 35244

Subject: High Hampton Development and 5.5 acre lake with earthen dam

Dear Mr. Tucker:

We are aware that you are building an earthen dam for a 5.5 acre lake approximately 75 feet from the Brasher property line. We note that much of our land and family homes are much lower in elevation in direct line of the lake water if the dam should break or collapse. We have noted that you and your company seem to be trying to save money on this development such as not installing the silt fences and hay bales at the very beginning of development. Unfortunately, we are afraid that the dam may not be properly built due to a similar mentality. Therefore, we are notifying you that we will hold you personally responsible for any physical, financial or mental damage to our homes, our property, our land values, our creek, or our lives in relation to the dam, water release, water overflow, dam breakage, or dam collapse from the beginning of the development into the future.

We will be recording this letter at the Shelby County Courthouse in a way that will be brought to the attention of any buyers of property in the High Hampton development. Our letter shall advise them that if they accept title to the land and the dam then we will hold them liable for any physical, financial or mental damage to our homes, our property, our land values, our creek, or our lives in relation to the dam, water release, water overflow, dam breakage, or dam collapse from the time of purchase into the future. By copy of this letter at the time of title research, we suggest that they purchase an insurance bond or policy via their homeowners' association to protect themselves from possible future financial loss due to the dam.

As we have stated before, please take extreme care with the construction of the dam and its safety so as to avoid any future problems.

Sincerely,



Donna Thompson
For the Brasher family

cc: Shelby County Courthouse
Pelham City Planning Commission

Inst # 1995-03777

02/10/1995-03777
02:29 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00

Inst # 1995-03777

This instrument was prepared by

Value: \$2,000.00

exhibit "A"

(Name) WALLACE, ELLIS, HEAD & FOWLER, Attorneys

(Address) Columbiana, Alabama 35051

Form 1-1-5 Rev. 1-66

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR—LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One and no/100 ----- DOLLARS
and love and affection

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

Lon Brasher and wife, Mae Brasher

(herein referred to as grantors) do grant, bargain, sell and convey unto

J. L. Brasher and wife, Leona Brasher

(herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in Shelby County, Alabama to-wit:

Begin at the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 18, Township 20 South, Range 2 West, Shelby County, Alabama, thence Southerly along the West line of said Quarter-Quarter 330.41 feet to a point, thence 91 deg. 49' 45" left and Easterly 132.0 feet to a point, thence 91 deg. 47' 39" right and Southerly 330.42 feet to a point, thence 91 deg. 47' 23" left and Easterly 952.74 feet to a point, thence 91 deg. 23' 43" right and Southerly 660.87 feet to a point; thence 91 deg. 20' 50" left and Easterly along the South line of said Quarter Quarter 232.01 feet to the Southeast corner of the Northeast Quarter of the Southeast Quarter, thence 88 deg. 39' 10" left and Northerly along the East line of said Quarter-Quarter 1,321.76 feet to the Northeast corner of said Quarter-Quarter, thence 91 deg. 21' 55" left and Westerly along the North line of said Quarter-Quarter 1,311.77 feet to the point of beginning, containing 22.46 acres, less and except 1 acre deeded to Clarence T. Vick and the right of way for Shelby County Highway Number 72.

Subject to any and all agreements, easements, rights of ways or restrictions of record.

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 27th day of June, 1979.

WITNESS TO SIGNATURE OF LON BRASHER:

Annie Mae Romeo (Seal)
Frank G. G. (Seal)

WITNESS TO SIGNATURE OF MAE BRASHER:

Annie Mae Romeo (Seal)
Frank G. G. (Seal)

STATE OF ALABAMA
SHELBY COUNTY

General Acknowledgment

I, the undersigned, a Notary Public in and for said County, State, hereby certify that Lon Brasher and wife, Mae Brasher whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 27th day of June

J. L. Brasher
Attest: J. L. Brasher
Notary Public

Notary Public