

STATE OF ALABAMA )

SHELBY COUNTY )

GRANT OF DRAINAGE EASEMENT

This Grant of Drainage Easement made this 20<sup>th</sup> day of FEB, 1995 by ADDIE SMITH, MARY CLINE MARTIN, JEAN CLINE PRYOR, ROLLIN L. JOHNSON, JR. and JAMES THOMAS JOHNSON (herein collectively, "Johnson").

WHEREAS, Johnson, on this date, has conveyed to Interstate Restaurant Investors, an Alabama General Partnership and Frank C. Ellis, Jr. (herein collectively "IRI") that certain real property described on Exhibit "A" attached hereto and incorporated by reference herein (the "IRI Parcel"); and

WHEREAS, Johnson owns certain real property in Shelby County, Alabama contiguous to and easterly of the IRI Parcel (the "Johnson Retained Property"); and

WHEREAS, IRI requires a drainage easement over certain portions of the Johnson Retained Parcel.

NOW, THEREFORE, in consideration of the premises and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Johnson agrees as follows:

1. Johnson hereby grants, bargains, sells and conveys to IRI, its heirs, successors and assigns and to the IRI Parcel (herein collectively, the "Grantees"), a perpetual drainage easement, running with the land, over and across that real property located in Shelby County, Alabama and described on Exhibit "B" attached hereto and incorporated by reference herein, the purpose

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of such easement being the drainage of storm water from the IRI Parcel over and across the property described on Exhibit "B".

2. The property conveyed herein is not the homestead of any of the individual Johnsons.

DONE this 20<sup>th</sup> day of FEB., 1995.

Addie Smith  
Addie Smith

Mary Cline Martin  
Mary Cline Martin

Jean Cline Pryor  
Jean Cline Pryor

Rollin L. Johnson, Jr.

By: James Thomas Johnson  
His: Attorney-in-Fact

James Thomas Johnson  
James Thomas Johnson

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public, in and for said County and in said State, hereby certify that ADDIE SMITH, MARY CLINE MARTIN, JEAN CLINE PRYOR and JAMES THOMAS JOHNSON, are signed to the foregoing Grant of Drainage Easement, and who are known to me, acknowledged before me on this date, that, being informed of the contents of said Grant of Drainage Easement, they have executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 20<sup>th</sup> day of FEB, 1995.

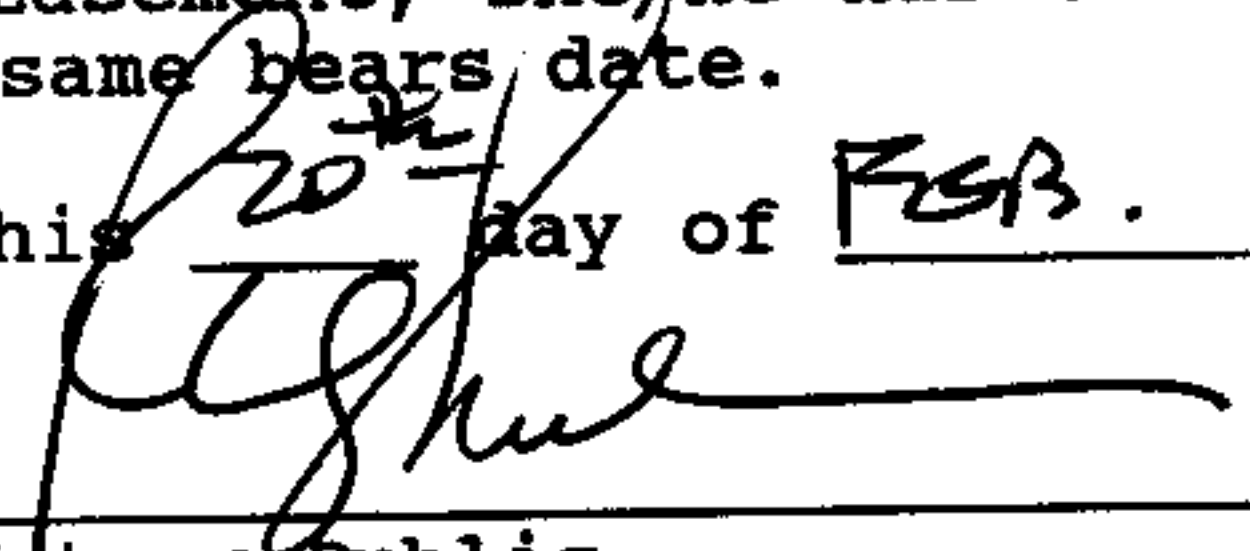
[Signature]  
Notary Public  
My Commission Expires: 6-20-96

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public, in and for said County and in said State, hereby certify that TERI LYNN MOSMER, as Attorney-in-Fact for ROLLIN L. JOHNSON, JR., is signed to the foregoing Grant of Drainage Easement, and who is known to me, acknowledged before me on this date, that, being informed of the contents of said Grant of Drainage Easement, she/he has executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 20<sup>th</sup> day of FEB., 1995.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 6-20-96

# EXHIBIT A

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A parcel of land located in the Southwest Quarter of Section 31, Township 19 South; Range 2 West and the Northwest Quarter of Section 6, Township 20 South, Range 2 West, Shelby County, Alabama; more particularly described as follows:

Commence at the Southeast corner of the Southwest Quarter of Section 31; thence run North along the Quarter line 506.79 feet; thence left  $121^{\circ}25'36''$ , 1325.96 feet; thence right  $129^{\circ}39'13''$ , 359.51 feet to the point of beginning; thence left  $90^{\circ}00'$ , 319.00 feet to the easterly right of way of U.S. Highway 31; thence right  $90^{\circ}00'$ , 271.39 feet northerly along said right of way; thence right  $45^{\circ}59'33''$ , 110.03 feet to the right of way of Alabama Highway No. 119; thence an interior angle left of  $140^{\circ}45'20''$  to the chord of a curve to the left with a radius of 1949.89 feet and a central angle of  $7^{\circ}04'37''$ ; thence run along the arc of said curve 240.84 feet along the Highway 119 right of way; thence an interior angle left from said chord of  $85^{\circ}14'14''$ , 367.82 feet to the point of beginning.

Johnson. entire parcel

# EXHIBIT B

Storm Water Easement from the Johnson Estate  
to I.R.I.

The following is a legal description of a blanket  
storm water easement on the property as described:

A parcel of land containing 4.71 Acres, more or less, located in the SW Quarter of Section 31, Township 19 South, Range 3 West and the NW Quarter of Section 6, Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southeast corner of the Southwest Quarter of said Section 31; thence run Northerly along the Quarter line 506.80 feet; thence left  $121^{\circ}25'36''$  Southwesterly, 816.37 feet to the Point of Beginning; thence continue along the same course Southwesterly 509.59 feet; thence right  $129^{\circ}39'13''$ , 727.32 feet to the Southerly Right-of-Way of Alabama Highway No. 119; thence right  $77^{\circ}47'41''$  to the chord of a curve to the left with a central angle of  $7^{\circ}49'07''$ , a radius of 1949.89 feet and a chord length of 265.88; thence run along said R.O.W. and the arc of said curve 266.09 feet; thence an interior angle left of  $93^{\circ}55'$  from said chord, 477.12 feet to the Point of Beginning.

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