

**STATE OF ALABAMA
SHELBY COUNTY**

For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid to Interstate Restaurant Investors and Frank C. Ellis, Jr., (owner of Parcel 1 as described in attached Exhibits "A" and "B"), hereinafter referred to as Dedicators, by the City of Alabaster, Alabama, a municipal corporation, hereinafter referred to as Dedicatee, the undersigned Dedicators have and do hereby dedicate to the Dedicatee an easement over and across the hereinafter described property, dedicated to public use as a road right of way.

Said property dedicated as a public road easement by this document is more particularly described as Parcel 1 on Exhibits "A" and "B" attached hereto and made part and parcel hereof as fully as if set out herein.

Title to the property dedicated by this easement is expressly and specifically reserved in and to Dedicators and a public easement is given to Dedicatee for public highway purposes and the installation of utilities as herein provided. In the event any portion of the property dedicated by this instrument shall not be used and maintained for any of the stated public purposes, or if any portion of such property shall be used for other purposes inconsistent with such purposes, then all the right, title and interest in and to the described property and the improvements on such property shall revert to and reinvest in Dedicators, or Dedicators' heirs, successors and assigns.

It is expressly understood and agreed by and between the parties to this instrument that a paved public street will be constructed to city specifications by Interstate Restaurant Investors and Frank C. Ellis, Jr., whereupon said paved public street shall be opened and maintained by Dedicatee for public use over and along said property.

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

In Witness Whereof, we have hereunto set our hands and seals this 23RD day of SEPTEMBER, 1996.

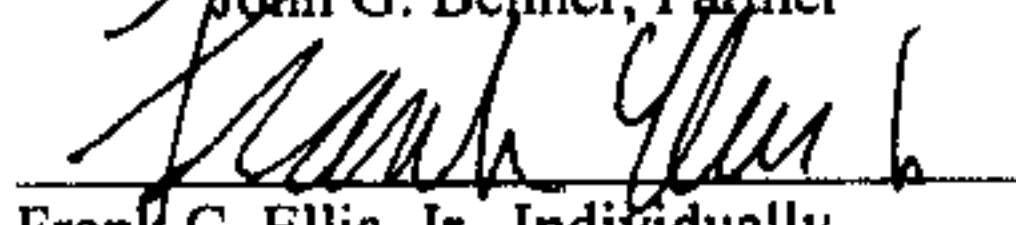
INTERSTATE RESTAURANT INVESTORS

BY:


John McGeever, Partner


William R. Robertson, Partner


John G. Benner, Partner


Frank C. Ellis, Jr., Individually

Inst # 1996-32900

10/03/1996-32900
12:43 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 MCD 18.50

Inst # 1996-32900

STATE OF ALABAMA

Jefferson COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John McGeever, whose name as Partner of Interstate Restaurant Investors, a Partnership, 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 such instrument, he, as such partner and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal, this the 23rd day of September, 1996.

Nona G M Henderson
Notary Public

May 15, 2000
My Commission Expires

STATE OF ALABAMA

Jefferson COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William R. Robertson, whose name as Partner of Interstate Restaurant Investors, a Partnership, 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 such instrument, he, as such partner and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal, this the 23rd day of September, 1996.

Nona G M Henderson
Notary Public

May 15, 2000
My Commission Expires

STATE OF ALABAMA

Jefferson COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John G. Benner, whose name as Partner of Interstate Restaurant Investors, a Partnership, 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 such instrument, he, as such partner and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal, this the 23rd day of September, 1996.

Nona G M Henderson
Notary Public

May 15, 2000
My Commission Expires

STATE OF ALABAMA

Shelby COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Frank C. Ellis, Jr., whose name 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 such instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 24 day of September, 1996.

Dorothy Jackson
Notary Public

10-25-97
My Commission Expires

STATE OF ALABAMA

Shelby COUNTY

The above and foregoing dedication of public road is hereby accepted by the City of Alabaster according to the terms thereof.

ATTEST:

CITY OF ALABASTER, ALABAMA

Marsha Massey
Clerk/Secretary

Roger N. Wheeler
By: Roger N. Wheeler, Mayor

Exhibit "A"

ORIGINAL

COPY

The following is a description of a centerline of the right of way for a frontage road being 27 feet wide, more or less, which frontage road extends between and joins 4th Place S.W. to State Hwy 119, being in two parcels as described below and crossing two separate land owners. Said frontage road right of way is situated in the SW 1/4 of the NE 1/4 of Section 2, Township 21 South, Range 3 West, Shelby County, Alabama and also within the City Limits of Alabaster:

Parcel 1

Commence at the Southwest corner of the SE 1/4 of the NE 1/4 of Section 2, Township 21 South, Range 3W, thence run in an easterly direction along the south line of said quarter-quarter section line 314.50 feet; thence $148^{\circ}-27'-00''$ left run northwesterly 484.98 feet to the point of beginning of said centerline, said point of beginning being on a curve to the left with a central angle of $10^{\circ}-21'-42''$ and a radius of 1298.39 feet thence left $51^{\circ}-26'-56''$ to the tangent of said curve run along the arc of said curve 234.81 feet to the point of tangency; thence continue along the tangent 205.17 feet to a curve to the right, said curve having central angle of $11^{\circ}-29'-33''$ and a radius of 150.0 feet, thence continue along the arc 30.09 feet to the right of way of 4th Place S.W. and to the westerly end of this dedication.

Parcel 2

Commence at the Southwest corner of the SE 1/4 of the NE 1/4 of Section 2, Township 21 South, Range 3W, thence run in an easterly direction along the south line of said quarter-quarter section line 314.50 feet; thence $148^{\circ}-27'-00''$ left run northwesterly 484.98 feet to the point of beginning of said centerline, said point of beginning being on a curve to the right with a central angle of $02^{\circ}-31'-35''$ and a radius of 1298.39 feet, thence $128^{\circ}-33'-04''$ right to the tangent of said curve run along the arc of said curve 57.25 feet; thence turn left and radial to said curve run in a northwesterly direction 14.0 feet to the right of way of State Hwy 119 and to the easterly end of this dedication.

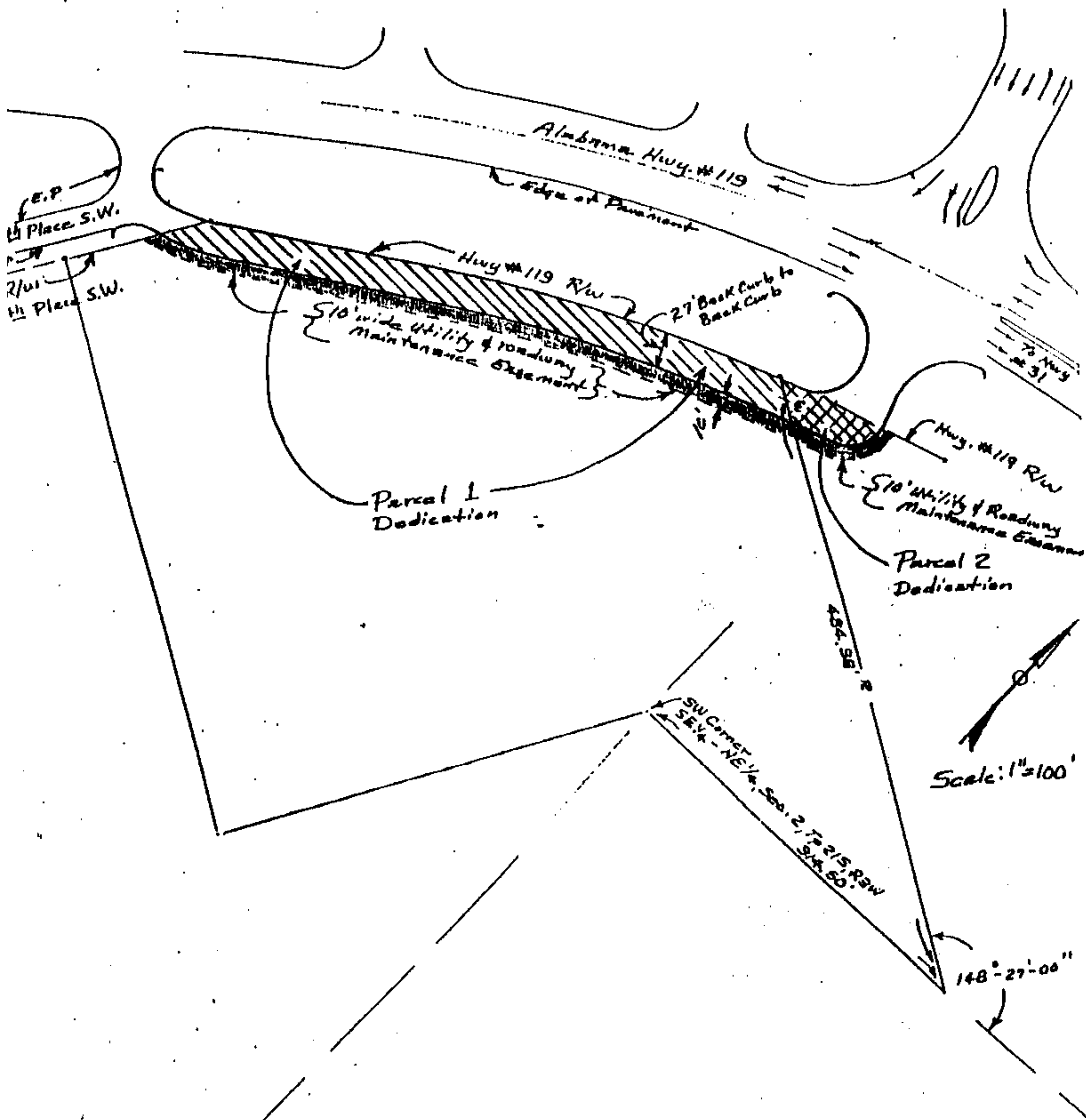
Said frontage road right of way is approximately 27 feet in width, measuring 13.5 feet from centerline on the southerly side and 13.5 feet more or less on the northerly side, which northerly boundary is the existing right of way line for recently relocated State Highway #119. Excepted from this 27 foot frontage road right of way dedication is any portion included in the pre-existing right of way for relocated State Hwy #119. In addition, this dedication includes a ten (10) foot wide utility and roadway maintenance easement adjoining the southerly and easterly sides of said footage road right of way.

See attached map which depicts the outline of this dedication of said frontage road right of way and the adjoining ten (10) foot easement.

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Exhibit "B"

ORIGINAL
COPY



Parcel 1 Dedication
Parcel 2 Dedication
Utility & Roadway Maintenance Easement (10' wide)
Inst # 1996-32900

10/03/1996-32900
12:43 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DGS MCD 18.50