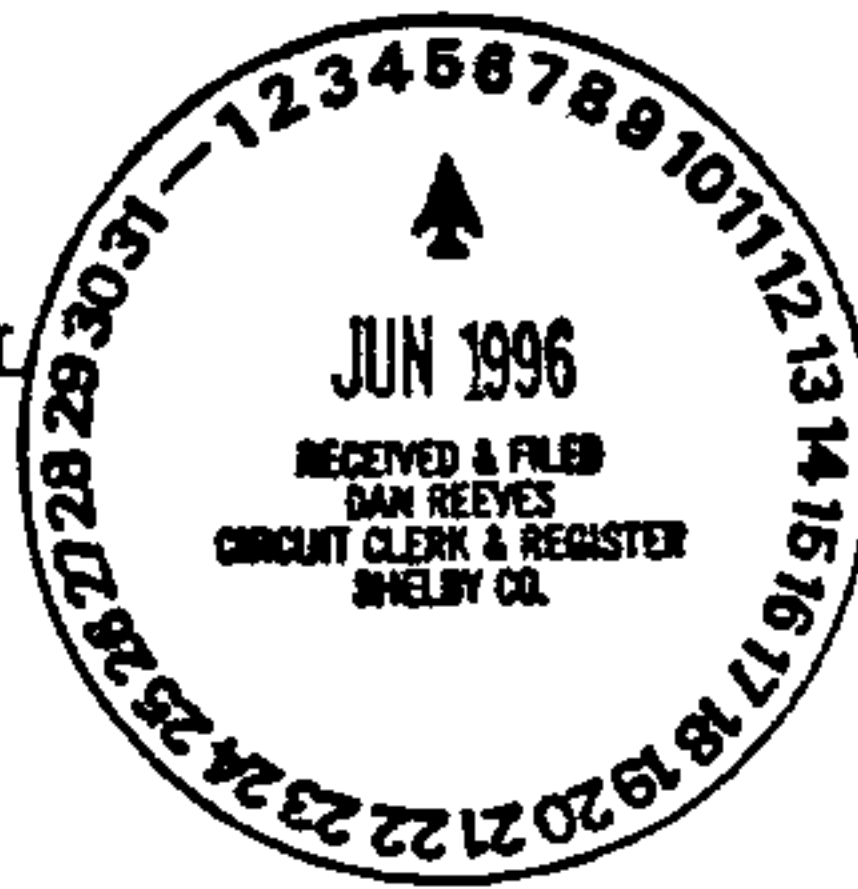


WALTER G. SMITH, HAZEL
SMITH, PAUL POOL and
MARY ALICE POOL,

Plaintiffs,

vs.

WALTER WELLS, JR., et al,
Defendants.



IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA
CASE NO. CV-93-403-J

CONSENT FINAL JUDGMENT

The parties to this cause have jointly requested that the Court enter the within Consent Final Judgment.

It is, therefore, ORDERED and ADJUDGED by the Court, by consent of the parties, as follows:

1. That the properties of the Plaintiffs and Defendants are served by an old roadway previously designated as the Old Shelby Springs Road. Said roadway has been in continuous existence for more than twenty (20) years next preceding the filing of Plaintiffs' complaint. The roadway is roughly outlined in blue in Exhibit "A" which is attached hereto and expressly made a part hereof.

2. The width of the roadway from Shelby County Highway 42 to its end on the property of the Plaintiffs, shall remain as it presently exists from ditch to ditch.

3. All parties to this cause shall cooperate in all matters and respects in the use and repair of the roadway and shall not interfere with the use, repair and maintenance of said roadway.

4. The court costs incurred in this cause are hereby taxed as paid.

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SHELBY COUNTY JUDGE OF PROBATE
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Walter G. Smith, et al.
vs
Walter Wells, Jr., et al.
CV-93-403

4th DONE and ORDERED, by consent of the parties, on this
day of June, 1996.


CIRCUIT JUDGE

ACCEPTED AND APPROVED:


Hewitt L. Conwill
Attorney for Walter G. Smith,
Hazel Smith, Paul Pool and
Mary Alice Pool


Frank C. Ellis, Jr.
Attorney for
Shelby County, Alabama


Jesse P. Evans, III
Attorney for Kim Marie Wells

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