

State of Alabama)

Shelby County)

RIGHT OF WAY EASEMENT

This Right of Way Easement made and entered into as of the 24th day of June, 1998, but made effective as of the 4th day of June, 1992 (the "Effective Date"), by Metro Industries, Inc., (hereinafter referred to as "Grantor") for the benefit of Vulcan Engineering Co., an Alabama corporation, (hereinafter referred to as "Grantee"). The parties have entered into this Right of Way Easement to make clear in the chain of title that Grantor granted and Grantee received the easement contained herein as of the Effective Date, which is the date on which the Grantee acquired the Grantee's Real Estate, notwithstanding the date this Right of Way Easement is being recorded.

The Grantor is the owner of a certain parcel of real estate located in Shelby County, Alabama, more particularly described on **Exhibit A** hereto (hereinafter called the "Grantor's Real Estate"). The Grantee is the owner of an adjacent parcel of real estate located in Shelby County, Alabama, more particularly described on **Exhibit B** hereto (hereinafter called the "Grantee's Real Estate"). It is the desire of the parties hereto to provide a right of way for ingress and egress over and across the Grantor's Real Estate to and from the Grantee's Real Estate subject to the terms, conditions and requirements set forth herein.

Now, Therefore in consideration of the above recitals and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does grant to the Grantee a non-exclusive perpetual easement for ingress and egress over and across the Grantor's Real Estate in Shelby County, Alabama, described as follows:

Part of the East one half of Section 15, Township 20 South, Range 3 West, more particularly described as beginning at the intersection of the South line of the L & N Railroad right-of-way and the centerline of Prairie Branch,, run East along said South line of the railroad right of way for 730.5 feet to the Point of Beginning of a 30 foot wide easement lying southerly of and abutting the South line of the railroad right-of-way, thence run easterly 280 feet to the westerly limit of Mullins Drive, a public road.

The aforesaid easement shall be used by the Grantee and future fee owners of Grantee's Real Estate as a private road for ingress and egress to Grantee's Real Estate and shall run with the land. The Grantor, its successors and assigns, the future owners of Grantor's Real Estate and their tenants, may use the said right of way in conjunction with the Grantee and the future fee owners of Grantor's Real Estate and their tenants, may use the said right-of-way in conjunction with the Grantee and the future fee owners of Grantee's Real Estate, provided such use does not unreasonably interfere with the use thereof by Grantee, but said easement shall not be deemed to

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Caroline J. Hill

be a public right-of-way. The Grantor and the Grantee, their respective successors, assigns, and tenants, shall keep the same in repair with each being responsible for one-half of the expense of maintenance and repair thereof. The Grantor, its successors or assigns, shall not hereby assume any liability or responsibility to the Grantee or any person using said right of way.

To Have and To Hold to the Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, Metro Industries, Inc. has caused this Right-of-Way Easement to be executed by its duly authorized officer on this the 24th day of June, 1998, but made effective as of the Effective Date.

METRO INDUSTRIES, INC.

By: Ronald L. Jones
Its: President

State of Alabama)

Shelby County)

I the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Ronald L. Jones whose name as President of Metro Industries, Inc., 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 officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 24th day of June, 1998.

Francine Alessi
Notary Public

(Seal)

My Commission Expires: April 22, 2001

EXHIBIT A

Part of the east half of Section 15, Township 20 South, Range 3 West, Shelby County, Alabama, said part being more particularly described as follows: From the intersection of the south line of the L. & N. Railroad right of way and the centerline of Prairie Branch, run east along said south line of the railroad right of way for 730.5 feet to a point of beginning, thence continue east along said south line of the railroad right of way for 280 feet, thence right 98 degrees 42 minutes and south for 404 feet, thence right 99 degrees 27 minutes and west for 250 feet, thence right 75 degrees 11 minutes and northerly for 355.64 feet to the point of beginning, containing 2.29 acres, more or less.

EXHIBIT B

Part of the East one-half of Section 15, Township 20 South, Range 3 West, Shelby County, Alabama, said part being more particularly described as follows: Beginning at the intersection of the South line of the L & N Railroad right-of-way and the centerline of Prairie Branch, run East along said South line of the railroad right-of-way a distance of 720.5 feet; thence right 86 deg. 20 min. and Southeasterly for 299.73 feet; thence right 93 deg. 31 min. and Westaly for 470 feet, more or less, to the centerline of Prairie Branch; thence West and North along the centerline of Prairie Branch to the point of beginning; being situated in Shelby County, Alabama.

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