

This Instrument Prepared By:
Kevin K. Hays, PC
Attorney at Law
200 Canyon Park Drive
Pelham, AL 35124

**STATE OF ALABAMA
COUNTY OF SHELBY**

EASEMENT

This Indenture, made the 26th day of May, 1999, between Royal Construction & Development Co., Inc., an Alabama Corporation, hereinafter referred to as "Grantor," and American Homes and Land Corporation, hereinafter referred to as "Grantee."

WITNESSETH

Whereas, the Grantor is seized of an estate in fee simple of a parcel of land situated the Shelby County, Alabama, described as follows, to-wit:

Lots 15 and 16, Balentree Lake First Addition, as recorded in Map Volume 22, page 80, in the Office of the Judge of Probate of Shelby County, Alabama.

Whereas, Grantee is the proposed purchaser of said real property as described above for the purpose of construction of single family residential dwellings thereupon.

Whereas, Grantor has agreed, in consideration of the covenants contained herein, to grant to the Grantee an easement over, across, through and under Grantor's lands described herein for the purpose of construction, maintaining, operating and repairing underground field lines for the operation of a septic tank system, which shall convey various substances to Grantor's lands described herein.

NOW THEREFORE, in consideration of the sum of one dollar, receipt of which hereby acknowledged, the Grantor hereby grants to Grantee, its successors and assigns:

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SHELBY COUNTY JUDGE OF PROBATE

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The perpetual right to enter onto the real estate described herein at anytime that Grantee may see fit, and construct, maintain, operate, and repair underground field lines for the operation of a septic tank system, over across, through and under the real property described herein, together with the right to excavate and refill ditches and trenches for the location of such field lines, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering with the location, construction, and maintenance of such field lines.

The real property affected by the grant of this easement is located in Shelby County, Alabama, and is more particularly described as follows:

See Attached "Exhibit A" and "Exhibit B"

It is understood that said easement or right of way is so given upon the express understanding and condition that the same may be used in conjunction with the use of the Grantor, its successors, assigns and tenants; also that the Grantor, its successors, assigns and tenants will be in no way bound to construct the easement or to keep the same in repair; nor does the Grantor, its successors or assigns, assume any liability or responsibility to the Grantee, its agents, employees, assigns, or any person using said easement by invitation expressed or implied, or otherwise.

Grantee, its successors and assigns, shall during its use of the easement repair and maintain said easement in a proper, substantial and workmanlike manner, at their own cost and expense.

In Witness Whereof, the said ROYAL CONSTRUCTION & DEVELOPMENT CO., INC., by its Vice-President, Greg Gilbert, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 26th day of May, 1999.

ROYAL CONSTRUCTION & DEVELOPMENT
COMPANY, INC.

By:


Greg Gilbert, Vice President

**STATE OF ALABAMA
COUNTY OF SHELBY**

I, Kevin K. Hays, a Notary Public in and for said County, in said State, hereby certify that GREG GILBERT, whose name as Vice-President of ROYAL CONSTRUCTION & DEVELOPMENT COMPANY, INC., an Alabama Corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he as such officer and with full authority executed the same voluntarily for and as the act of the Corporation.

Given under my hand this the 26th day of May, 1999.



NOTARY PUBLIC

Commission Expires: November 15, 2000

EXHIBIT A

Description of Easement for Lot 15

Beginning at the Northwest corner of Lot 15, Balentree Lake 1st Addition as recorded in the Office of the Judge of Probate, Shelby County, Alabama in Map Book 22, Page 80, run in a Northeasterly direction along the North line of said Lot 15 for a distance of 118.58 feet to an existing iron rebar being the most Northerly corner of said Lot 15; thence turn an angle to the left of 90 degrees and run in a Northwesterly direction for a distance of 90.0 feet; thence turn an angle to the left of 99 degrees 59 minutes 23 seconds and run in a Southwesterly direction for a distance of 81.35 feet; thence turn an angle to the left of 53 degrees 07 minutes 54 seconds and run in a Southerly direction for a distance of 85.08 feet, more or less, to the point of beginning.

EXHIBIT B

Description of field line Easement for Lot 16

Beginning at the Northeast corner of Lot 16, Balentree Lake 1st Addition as recorded in the Office of the Judge of Probate, Shelby County, Alabama in Map Book 22, Page 80, run in a Northwesterly direction along the North line of said Lot 16 for a distance of 155.37 feet to an existing iron rebar being the Northwest corner of said Lot 16; thence turn an angle to the right of 146 degrees 47 minutes 50 seconds and run in an Easterly direction for a distance of 130.0 feet; thence turn an angle to the right of 90 degrees and run in a Southerly direction for a distance of 85.08 feet, more or less, to the point of beginning.

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