

STATE OF ALABAMA
SHELBY COUNTY

PRIVATE ROADWAY EASEMENT

WHEREAS, KENNETH W. WELDON and spouse, SHARON D. WELDON (WELDON); STEVE JOSEPH DARDEN a single person (S. DARDEN); PHILLIP RANDALL DARDEN and spouse TERESA D. DARDEN (P. DARDEN) and LARRY EUGENE DARDEN and spouse, SUZANNE C. DARDEN (L. DARDEN) are the Collective Owners of the properties over and upon which the subject Private Roadway Easement described on Exhibit "A" attached hereto, made a part hereof and incorporated herein for all purposes is described; and

WHEREAS, the Collective Owners have been sharing the use and maintenance of the real property described on Exhibit "A" as a Private Roadway Easement for many years, and are now desirous of reducing to writing their agreement for the use and maintenance of the said Private Roadway Easement for the benefit of the Collective Owners and their respective heirs, successors and assigns.

NOW THEREFORE, For and in consideration of the mutual benefit to be herefrom derived, KENNETH W. WELDON and spouse, SHARON D. WELDON (WELDON), STEVE JOSEPH DARDEN a single person (S. DARDEN), PHILLIP RANDALL DARDEN and spouse, TERESA D. DARDEN (P. DARDEN) and LARRY EUGENE DARDEN and spouse, SUZANNE C. DARDEN (L. DARDEN) do hereby agree and covenant one with the other as follows:

1. The land described on said Exhibit "A" will be used for purposes of pedestrian and vehicular ingress and egress to and from the property of each of the Collective Owners by each of the Collective Owners, their guests, business and social invitees their respective successors and assigns, and the U. S. Postal Service, law enforcement, fire and medical rescue forces. Also, there is confirmed the right to run in the ground or overhead on poles, utility lines, cables and pipes to serve the properties of the Collective Owners, their heirs, successors and assigns.

2. The maintenance of the roadway will be shared as it has been in the past among the Collective Owners. Any need for repair as the result of an intentional or grossly negligent act of any Owner will be the responsibility of said Owner.

10/01/1999-40998
01:54 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 CJI 21.50

Inst # 1999-40998

3. This Agreement is declared to be a Covenant Running with the Land.

IN WITNESS WHEREOF, this instrument has caused to be executed and delivered on this the 17th day of September, 1999.

Kenneth W. Weldon Seal
KENNETH W. WELDON

Sharon D. Weldon Seal
SHARON D. WELDON

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that KENNETH W. WELDON AND SHARON D. WELDON whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 22 day of September, 1999.

[Signature]
Notary Public

Print Name: GENE W. GRAY, JR.

Commission Expires: 11/09/02

Steve Joseph Darden
STEVE JOSEPH DARDEN

STATE OF FLORIDA
BAY COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that STEVE JOSEPH DARDEN whose names 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 the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 17th day of

September, 1999.

AFFIX SEAL



"OFFICIAL SEAL"

Linda B. Carter

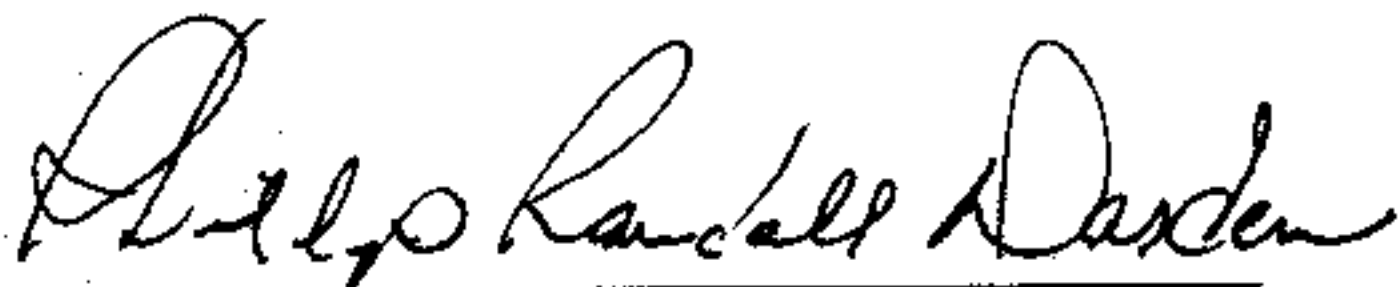
My Commission Expires 6/27/2001

Commission #CC 055844

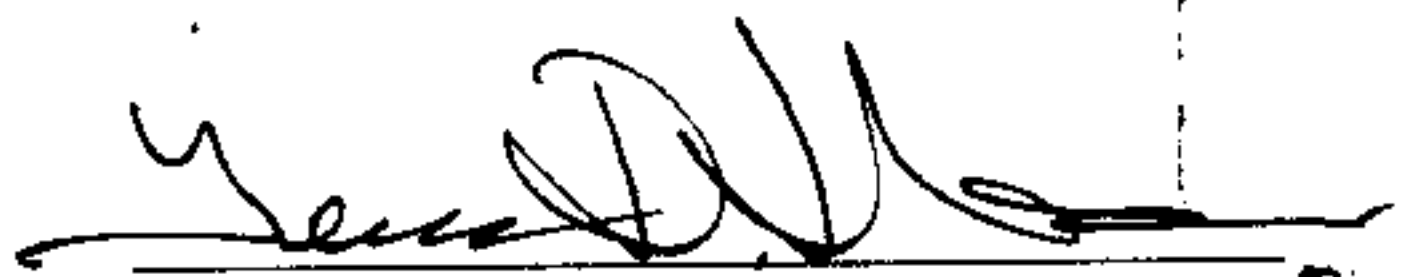
Linda B. Carter
Notary Public

Print Name: LINDA B CARTER

Commission Expires: 6/27/2001



PHILLIP RANDALL DARDEN

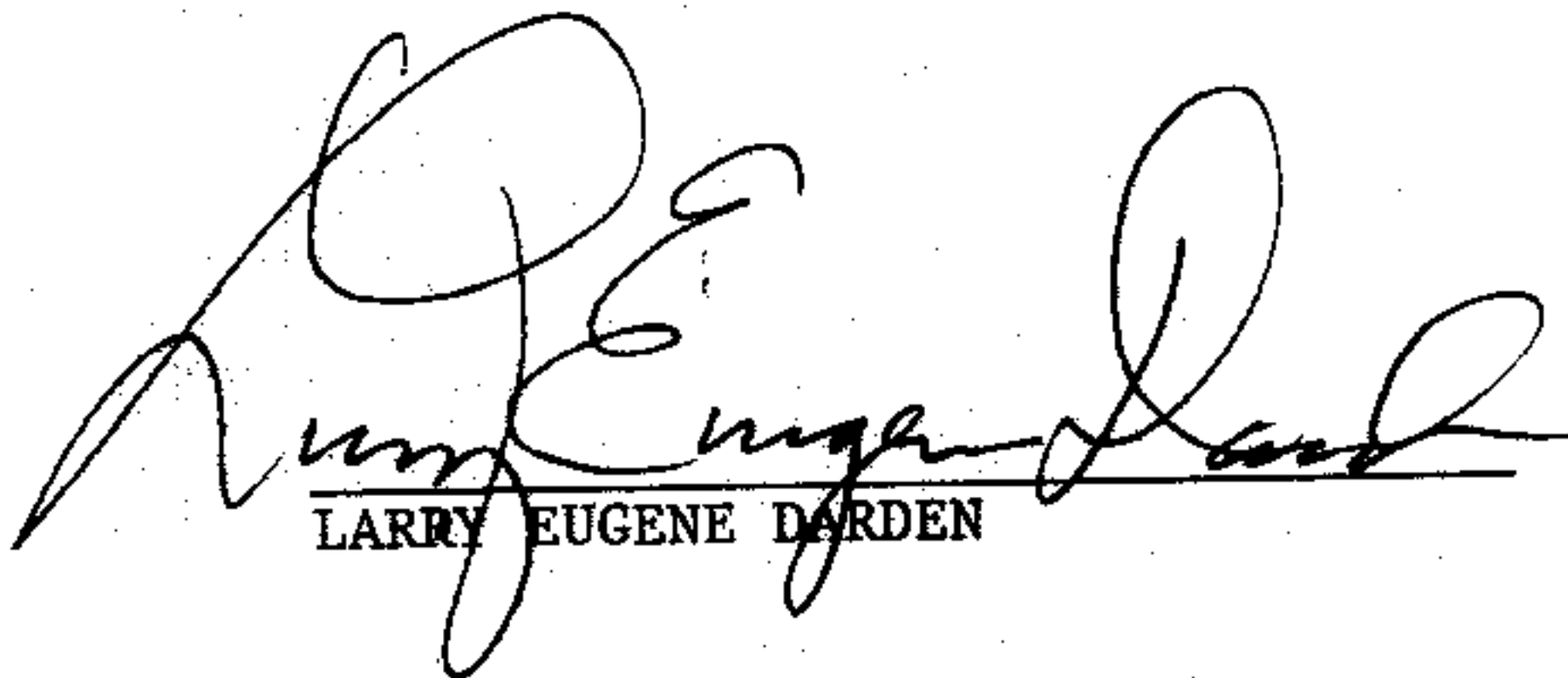


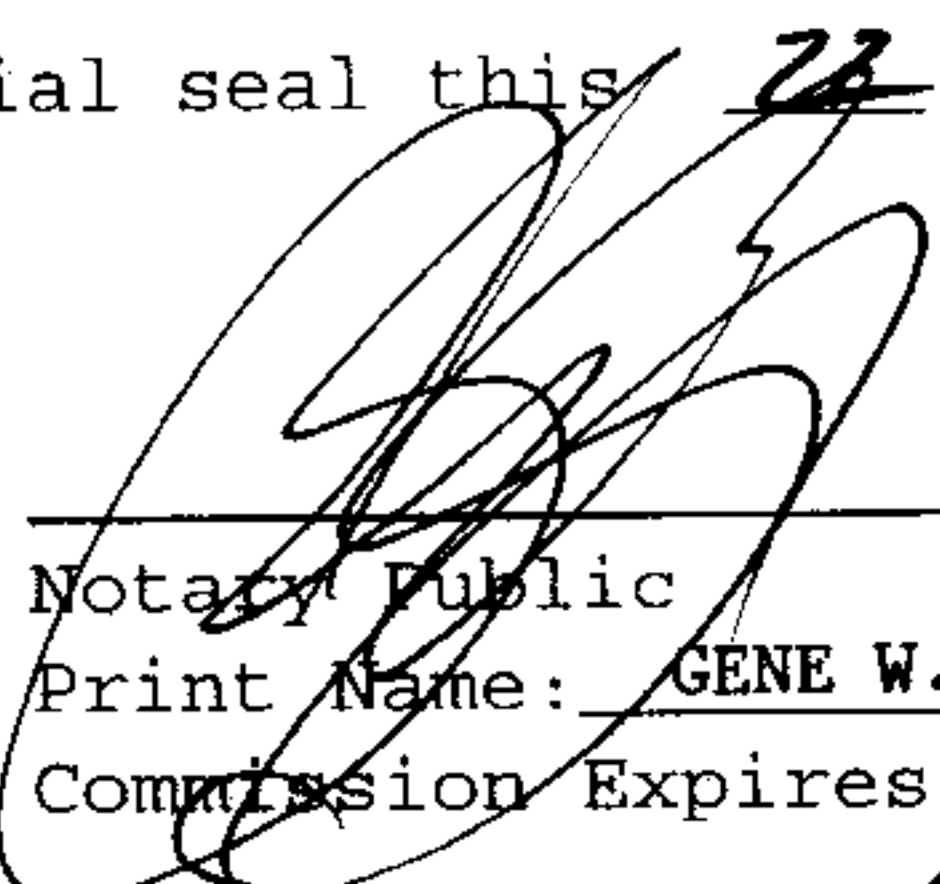
TERESA D. DARDEN

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that whose PHILLIP RANDALL DARDEN and spouse, TERESA D. DARDEN whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

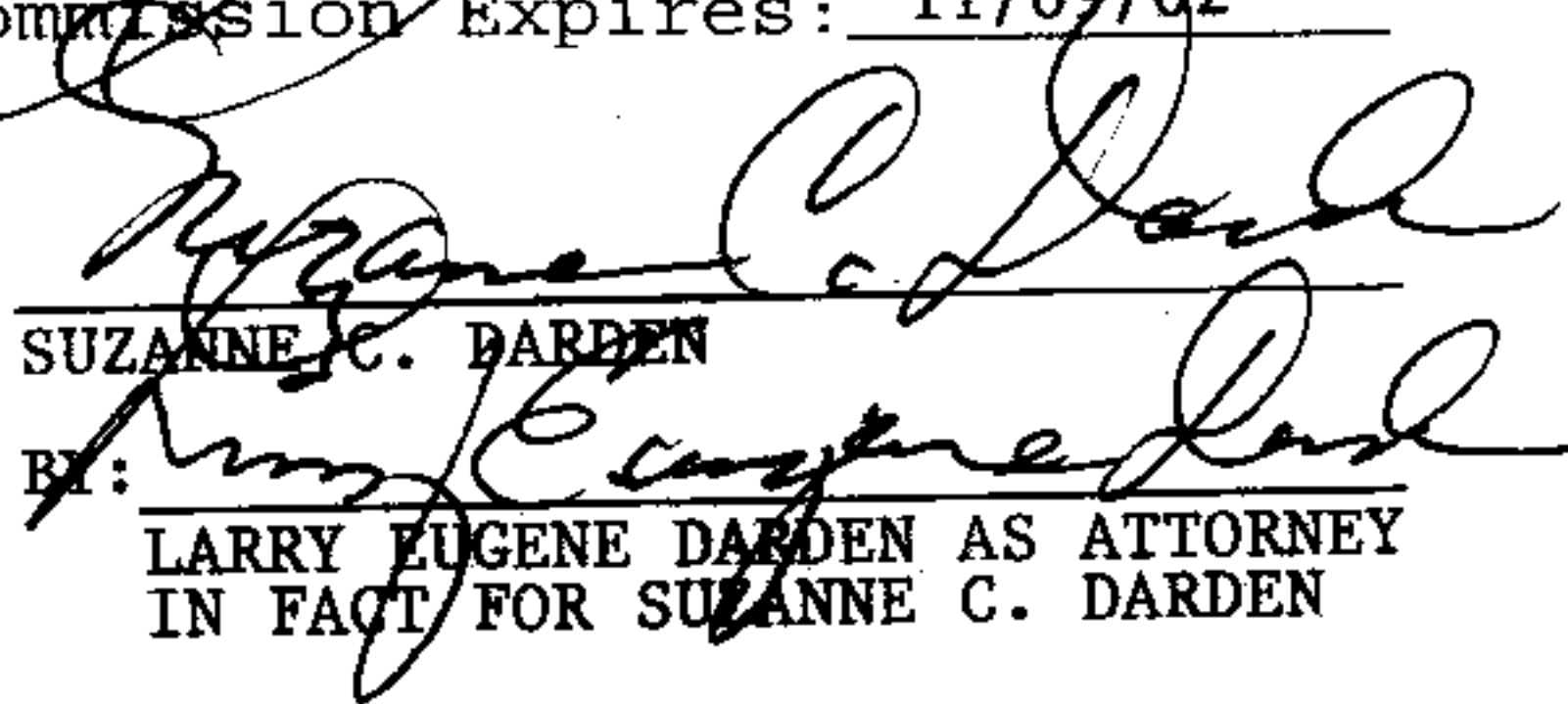
Given under my hand and official seal this 22 day of September, 1999.


LARRY EUGENE DARDEN

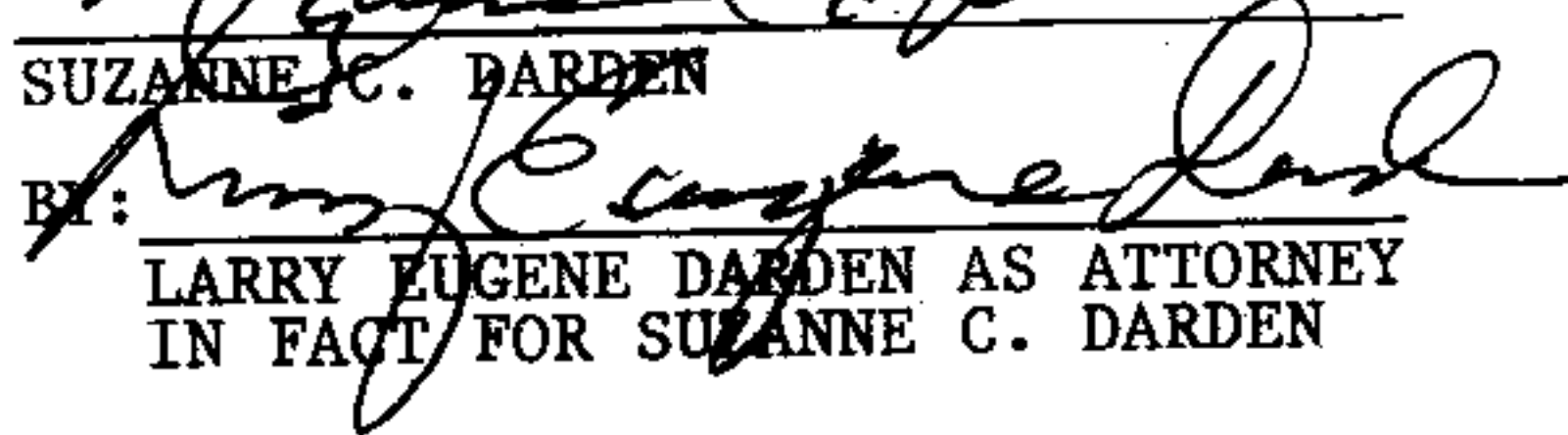

Notary Public

Print Name: GENE W. GRAY, JR.

Commission Expires: 11/09/02


SUZANNE C. DARDEN

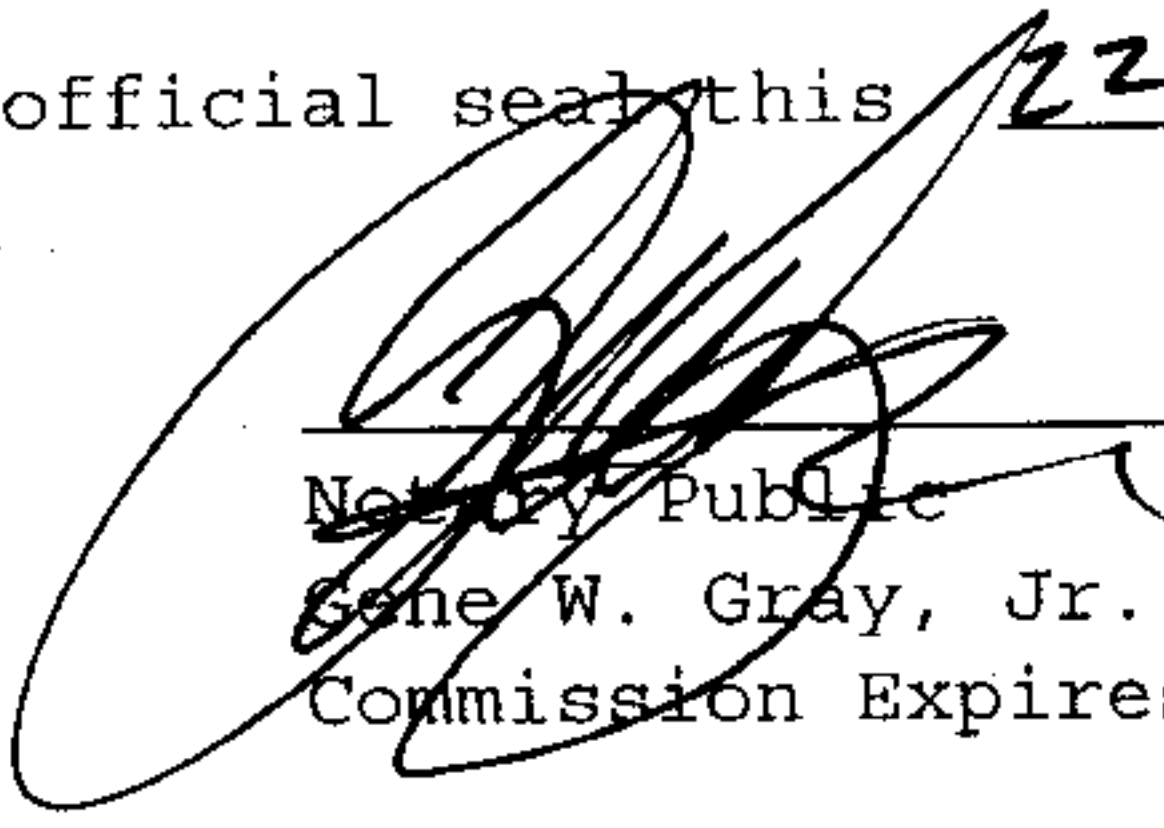
BY:


LARRY EUGENE DARDEN AS ATTORNEY
IN FACT FOR SUZANNE C. DARDEN

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that LARRY EUGENE DARDEN 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 the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 22 day of September, 1999.

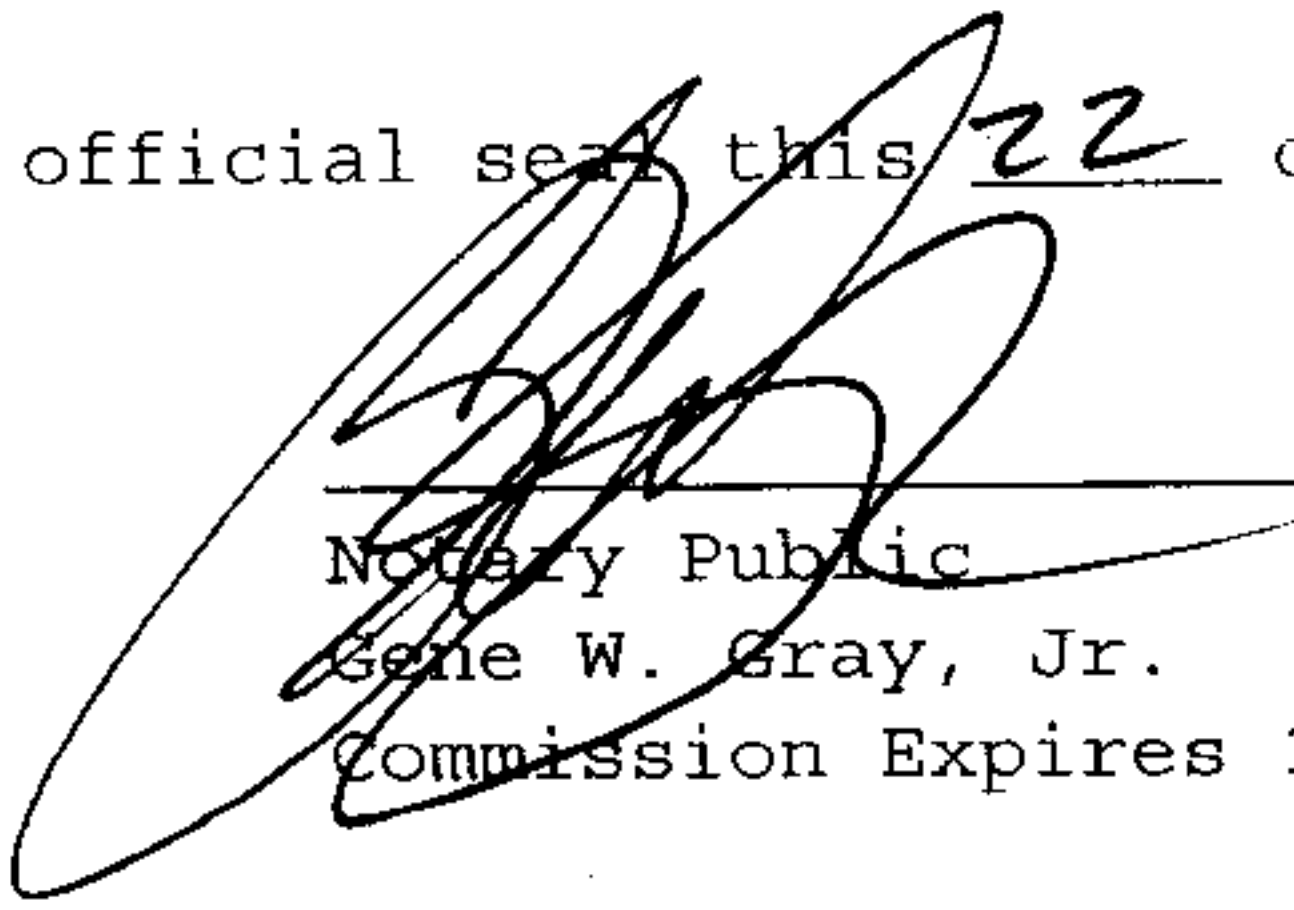


Notary Public
Gene W. Gray, Jr.
Commission Expires: 11/09/02

STATE OF ALABAMA
JEFFERSON COUNTY

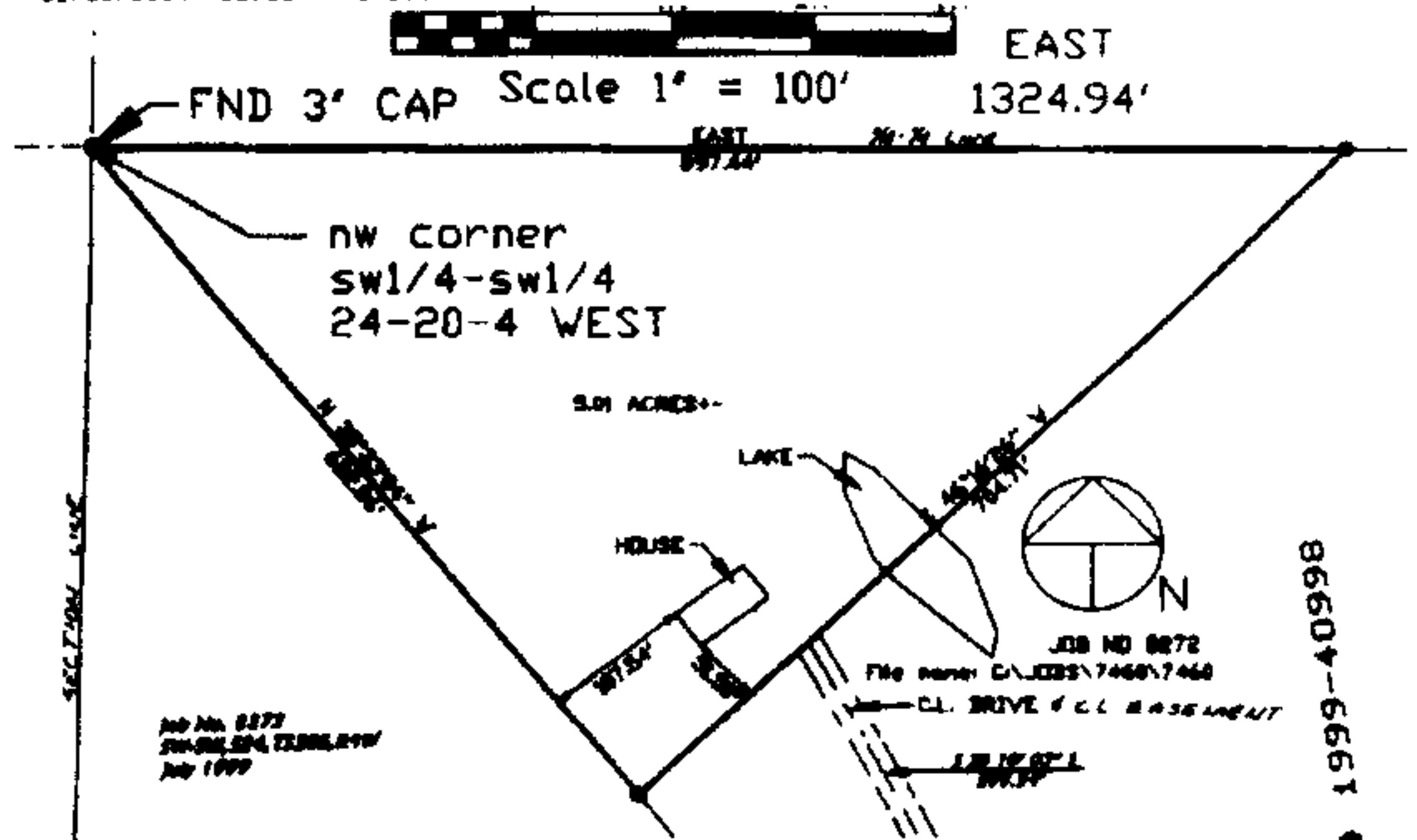
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that LARRY EUGENE DARDEN whose name as Attorney in Fact for SUZANNE C. DARDEN under that certain Durable Power of Attorney recorded on 10-1-99 in 1999 40996 in the Probate Office of SHELBY County, Alabama, is signed to the foregoing instrument and is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as such Attorney in Fact, executed the same voluntarily for and as the act of SUZANNE C. DARDEN on the day the same bears date.

Given under my hand and official seal this 22 day of September, 1999.



Notary Public
Gene W. Gray, Jr.
Commission Expires 11/09/02

Prepared by:
Gene W. Gray, Jr.
2100 South Bridge Parkway
Suite 638
Birmingham, AL 35209



STATE OF ALABAMA
COUNTY OF SHELBY

EXHIBIT "A" TO PRIVATE ROADWAY EASEMENT
CONCERNS PARCEL II ONLY

I, Joseph E. Conn, Jr., Registered Land Surveyor, State of Alabama, do hereby certify that this is a true and correct plat of my survey as shown herein. That there are no visible encroachments of any kind upon the subject property except as shown and noted herein including utility service lines, wires or pipes that serve the subject property only. That the house and all related improvements are within the bounds of the property as shown and depicted herein. That said plat shows where corners represent where substandard corners only. I further certify that I have examined the Federal Government's Aerial Photographs of the area and have determined that the subject property is not in a special flood hazard area and that this survey and this plat meet the minimum technical standards for the practice of land surveying in the State of Alabama, the correct legal description being as follows:

PARCEL I

Commence at the northeast corner of the southeast quarter of the southeast quarter of Section 24, Township 20 north, Range 4 west, Shelby County, Alabama and run thence North 90 degrees 00 minutes 00 seconds East along the north line of said quarter-quarter a distance of 897.44' to a steel stake corner; Thence run South 66 degrees 16 minutes 36 seconds West a distance of 704.71' to a steel stake corner; Thence run North 38 degrees 23 minutes 04 seconds West a distance of 652.86' to the point of beginning, containing 5.01 acres, more or less.

PARCEL II

PRIVATE ROADWAY EASEMENT

There is a proposed 20.0 wide access easement for ingress and egress to the property the corners of which is described as follows:

Commence at the northeast corner of the southeast quarter of the southeast quarter of Section 24, Township 20 north, Range 4 west, Jefferson County, Alabama; Thence run North 90 degrees 00 minutes 00 seconds East along the north line of said quarter-quarter a distance of 897.44' to a point; Thence run South 66 degrees 16 minutes 36 seconds West a distance of 704.71' to the point of beginning, on the southeast, of a twenty foot wide easement, being run first on each side of the following described easement: Thence run South 38 degrees 10 minutes 05 seconds East along easement a distance of 899.54' to a point; Thence run South 21 degrees 23 minutes 03 seconds East along easement a distance of 69.37' to a point; Thence run South 19 degrees 30 minutes 13 seconds East along the intersection of said easement a distance of 46.00' to a point; Thence run South 33 degrees 23 minutes 23 seconds East along said easement a distance of 43.79' to a point; Thence run South 83 degrees 34 minutes 13 seconds East along the intersection of easement a distance of 170.61' to a point; Thence run South 39 degrees 17 minutes 57 seconds East along easement a distance of 142.89' to a point; Thence run South 47 degrees 36 minutes 37 seconds East along the intersection of easement a distance of 222.09' to a point; Thence run South 66 degrees 23 minutes 40 seconds East along the intersection of easement a distance of 137.43' to the intersection of easement easement with the east line of the Southeast quarter of the southeast quarter and the end of easement across quarter-quarter; Thence run South 66 degrees 23 minutes 40 seconds East along easement of proposed easement across adjacent owners property a distance of 76.17' to the intersection of easement easement with the northerly right of way line of Shelby County Highway No. 13 and the end of easement.

According to my survey of July 28, 1999.

Joseph E. Conn, Jr.
Joseph E. Conn, Jr., Registered Land Surveyor Number 1044



CONN, ALLEN & CONN
2220 Parkway Parkway
Prichard, AL 36064
205-836-1000
205-836-1001



AS TO THE WIDTH OF THE EASEMENT
OVER THE PROPERTY OF THE
WELDON, THE WIDTH IS LIMITED TO
WHAT IS NOW EXISTING AND COVERED
WITH GRAVEL ENTERING AT THE
FIRST GATE OFF HIGHWAY 13.

Kenneth W. Weldon