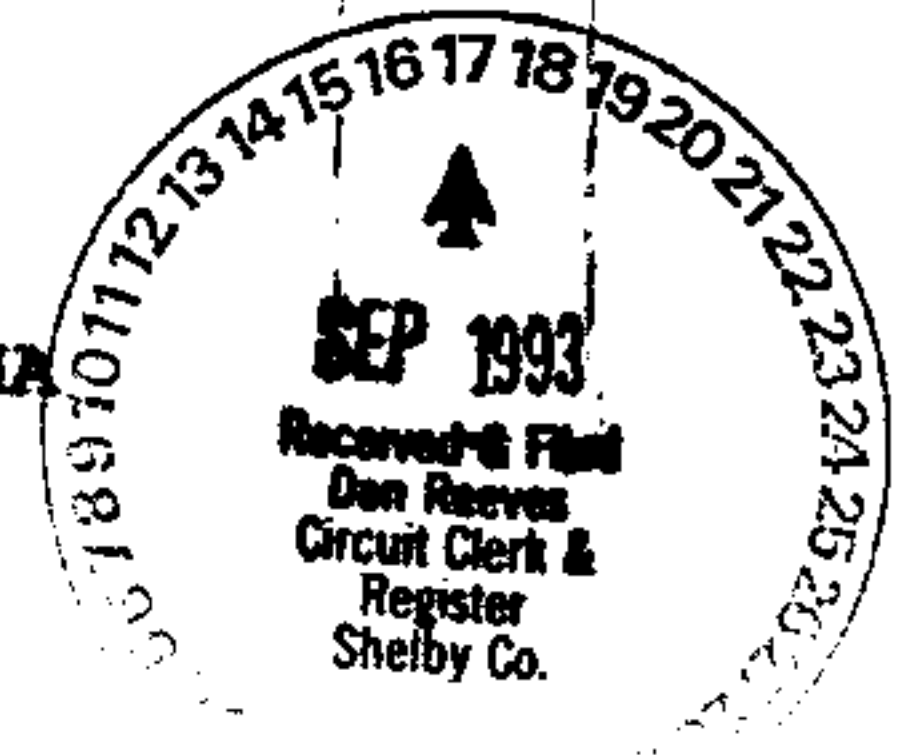


IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA



SHELBY COUNTY, ALABAMA,

Plaintiff,

vs.

JAMES W. MARTIN, et al.,

Defendants.

CIVIL ACTION NO. CV 87-065

ORDER

WHEREAS, the Court has previously been advised of the dismissal of the above-styled cause as between Shelby County and James Martin (hereinafter referred to as "Martin"), which action has been dismissed with prejudice; and

WHEREAS, certain specified landowners (hereinafter referred to as "Landowners") had filed a Motion to Intervene, which motion had been granted; and

WHEREAS, said Landowners and James Martin have reached a settlement as to the issues raised in said intervention; and

WHEREAS, in consideration for the dismissal with prejudice of all claims by said Landowners against Martin, Martin has agreed to grant to said Landowners a non-exclusive easement for the sole purpose of ingress and egress as a public road surrounding the perimeter of property in which he has an interest and in which he is alleged to have an interest, located in Shelby County, Alabama (which is described in the map attached hereto as Exhibit "1"); and

WHEREAS, a default judgment has been taken against Rickey Wayne Seale in favor of said Landowners.

10/19/1999-43161  
09:00 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE

003 NMS .00

Inst # 1999-43161

IT IS HEREBY ORDERED, DECREED and ADJUDGED as follows:

1. Martin grants to Landowners a non-exclusive thirty foot easement for the sole purpose of ingress and egress as a public road across the west side of lots 02.23 and 02.06 on the map attached hereto as Exhibit "1"; Martin also grants to Landowners a non-exclusive fifteen foot easement for the sole purpose of ingress and egress as a public road across the east side of lot 02.06 on the map attached hereto as Exhibit "1"; Martin further grants to Landowners a non-exclusive thirty foot easement for the sole purpose of ingress and egress as a public road across the east and southeast side of Section A on the map attached hereto as Exhibit "1"; and Martin also grants to Landowners a non-exclusive easement for the sole purpose of ingress and egress as a public road across such other property as he personally owns within that map attached hereto as Exhibit 1 to the extent he has any right, title, interest or claim therein.

Said grants by Martin are to run with the land and shall inure as an obligation and/or benefit to the successors, heirs or assigns of Martin and/or the Landowners.

2. To the extent that Rickey Wayne Seale owns any property contained on the map attached hereto as Exhibit "1", said property shall be burdened by a thirty foot non-exclusive easement for the sole purpose of ingress and egress as a public road which shall run with the land and inure as an obligation and/or benefit to the successors, heirs or assigns of Rickey Wayne Seale and/or the Landowners.

3. All actions by Landowners against Martin are hereby dismissed with prejudice, each party to bear its own cost.

4. This Order is being entered as a final order in this cause.

DONE and ORDERED this the 17<sup>th</sup> day of September, 1993.

  
HONORABLE D. AL CROWSON  
CIRCUIT COURT JUDGE

Inst # 1999-43161

3

10/19/1999-43161  
09:00 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 HWS .00