

STATE OF ALABAMA)  
SHELBY COUNTY )

### GRANT OF EASEMENT AND IMPOSITION OF OBLIGATIONS

KNOWN BY ALL MEN BY THE PRESENTS; that, JWS, L.L.C., hereby imposes upon Lot 8 Tara Subdivision Sector One as recorded in Map Book 24, Page 72A Probate Office of Shelby County, Alabama (Lot 8) and upon Lot 9A, Tara Subdivision Sector One as set out in Map Book 25, Page 121 Office of the Judge of Probate of Shelby County, Alabama (Lot 9A) the following easements which shall run with the land in favor of Lot 1A Tara Subdivision Sector Two as recorded in Map Book 25, Page 121 Office of the Judge of Probate of Shelby County, Alabama (Lot 1A) and in favor of the owners and their heirs, successors and assigns of the said Lot 1A.

There exists on Lot 8 and Lot 9A a pond. Said pond is referred to as Pond 1 in the Declaration of Restrictive Covenants for Tara Subdivision Sector One as recorded in Instrument No. 1998-32485 Probate Office of Shelby County (the Sector One Covenants) and as amended by First Amendment to Declaration of Restrictive Covenants for Tara Subdivision Sector One as recorded in Instrument No. 1998-39153 Office of the Judge of Probate Shelby County, Alabama (the First Amendment to the Sector One Covenants). Lot 1A and the owners thereof and their respective heirs, successors and assigns shall have the perpetual, non-exclusive right to use the entire surface of Pond 1, however, Lot 1A and the owners thereof and their respective heirs, successors and assigns shall hereby be specifically obligated to comply with all of the provisions of Article IV of the Sector One Covenants as amended by the First Amendment to the Sector One Covenants.

Further, Lot 1A and the owners thereof and their respective heirs, successors and assigns shall have a perpetual, exclusive easement running with the land over and across that portion of Lot 8 which is not located in Pond 1 and which is west and north of Pond 1 (the easement area). The easement area is visually depicted as the cross-hatched area on Exhibit A attached hereto and incorporated by reference herein. Lot 1A and the owners, their heirs, successors and assigns thereof shall be specifically obligated to maintain the easement area in a manner which complies with the provisions of the Sector One Covenants.

TO HAVE AND TO HOLD unto the said Lot 1A and to the owners thereof and to said owners respective heirs, successors and assigns forever.

Done this 10<sup>th</sup> day of January, 2000.

JWS, L.L.C.

By:

  
Anthony Joseph, Its Managing Member

Inst # 2000-01327

01/12/2000-01327  
10:03 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

003 CJ1 14.00

STATE OF ALABAMA)

Shelby COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Anthony Joseph as managing member of JWS, L.L.C., 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 this instrument, he, in his capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 10<sup>th</sup> day of January, 2000.

  
Notary Public

My Commission Expires 6-5-2003

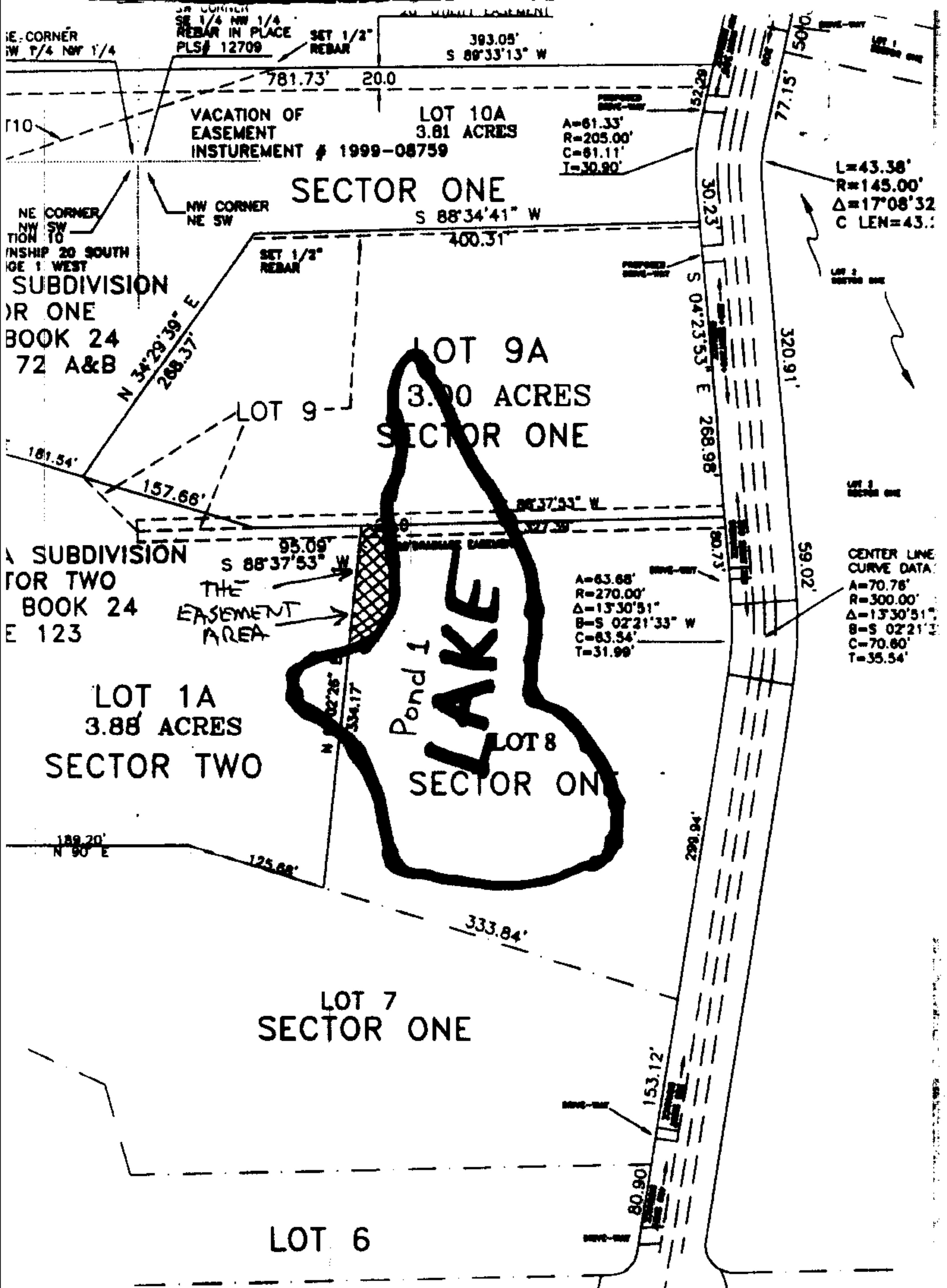


EXHIBIT A

01/12/2000-01327  
10:03 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
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