

STATE OF ALABAMA)
SHELBY COUNTY)

This instrument prepared by
Frank C. Galloway III
Galloway & Moss L.L.C.
11 Oak Street
Birmingham, AL 35213

Inst. # 2000-15892

EASEMENT

COME NOW, Bobbie M. Bates and her husband, John Burdette Bates as Trustee for their daughter, Mary Ellen Bates under a trust agreement dated September 30, 1976 (referred to hereinafter as the "Grantors"), and in consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration paid by Anne Bates Gibbons (referred to hereinafter as the "Grantee") the receipt and sufficiency of which is hereby acknowledged, do hereby grant, bargain, sell and convey to Grantee the hereinbelow described permanent easement:

Grantors are the sole owners of the following described real property, located and situated in Shelby County, Alabama, to-wit (the "Property"):

See Exhibit A

and Grantors hereby grant, bargain, sell and convey to Grantee, her heirs and assigns a permanent easement over, through, across and under ~~that portion of the Property which is more particularly described as follows~~ (the "Easement Area"):

See

to

~~See Exhibit A~~

(also known as)

for the purposes of (i) ingress and egress to and from, and (ii) the installation, maintenance, repair and replacement of an underground water line running to both the 6.5 ± acre tract owned by Grantee which is more particularly described as:

A parcel of land located in the NW ¼ of the NW ¼ of Section 18, Township 19 South, Range 3 East Shelby County, Alabama, being more particularly described as follows:

Commence at the SW corner of the SE ¼ of the NW ¼ of said Section 18; thence N 88 deg-02'10" E and along said ¼ - ¼ section a distance of 271.09'; thence N 1 deg-57'50" W a distance of 629.65'; thence N 0 deg-11'27" E a distance of 431.50'; thence N 89 deg-48'33" W a distance of 485.00'; thence N 4 deg-57'00" E a distance of 352.05'; thence N 29 deg-49'11" E a distance of 96.29' to a point on the west bank of the Coosa River; thence N 56 deg-08'03" W and along said west bank a distance of 650.00' to the POINT OF BEGINNING; thence leaving said west bank, S 71 deg-12'34" W along a line parallel to said Railroad ROW a distance of 550.00'; thence N 26 deg-50'39" W a distance of 691.85'; thence N 71 deg-42'34" E along a line parallel to said Railroad ROW a distance of 290.00' to a point on the west bank of the Coosa River; thence S 42 deg-17'17" E along said west bank a distance of 180.45'; thence S 47 deg-25'49" E along said west bank a distance of 594.55' to the POINT OF BEGINNING. Containing 6.5 acres, more or less. (the "Gibbons Property")

and the adjoining 25 acres contemporaneously purchased by Grantee which is more particularly described as follows:

A parcel of land located in NW ¼ of Section 18, Township 19 South, Range 3 East, Shelby County, Alabama being more particularly described as follows:

Commence at the SW corner of the SE ¼ of the NW ¼ of said Section 18; thence N 88deg-02'10" E along said ¼ - ¼ section a distance of 271.09'; thence N 1deg-57'50" W a distance of 629.65' to the POINT OF BEGINNING; thence N 0deg-11'27" E a distance of 431.50'; thence N 89deg-48'33" W a distance of 485.00'; thence N 4deg-57'00" E a distance of 352.05'; thence N 29deg-49'11" E a distance of 96.29' to a point on the west bank of the Coosa River; thence N 56deg-08'03" W and along said west bank a distance of 650.00'; thence leaving said west bank, S 71deg-42'34" W along a line parallel to the Seaboard Coastline Railroad ROW a distance of 550.00'; thence S 40deg-27'16" E a distance of 257.14'; thence N 71deg-41'37" E a distance of 55.18'; thence S 52deg-12'17" E a distance of 95.51'; thence S 21deg-47'36" E a distance of 534.54'; thence S 12deg-23'41" E a distance of 589.63'; thence S 21deg-04'56" E a distance of 128.66'; thence N 88deg-16'35" E a distance of 173.47'; thence N 37deg-21'24" E a distance of 106.45'; thence N 46deg-57'39" E a distance of 106.12'; thence N 54deg-20'06" E a distance of 125.78'; thence N 70deg-24'11" E a distance of 407.10' to the POINT OF BEGINNING. Containing 25.0 acres, more or less. (the "Gibbons Acreage").

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11:44 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

2004 MMS 16.50

Such easement is not personal, but is instead a permanent one that runs with the land on the Property, the Gibbons Property and the Gibbons Acreage and shall be binding on Grantors' and Grantee's heirs and assigns. Should either Grantee or Grantors, or their heirs and assigns bring suit to enforce their respective rights to the easement, the prevailing party shall be entitled to their reasonable attorney fees and costs.

IN WITNESS WHEREOF, the Grantors have caused this instrument to be executed on this 2nd day of December, 1999.

GRANTORS

By: Bobbie M. Bates
Bobbie M. Bates

By: John Burdette Bates
John Burdette Bates
as Trustee for Mary Ellen Bates
under a trust agreement dated
September 30, 1976

13 The grantors represent that the Easement Area only abuts the Gibbons Acreage, and does not abut the Gibbons Property. By accepting this easement, Anne Bates Gibbons acknowledges that this representation is true and correct.

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Bobbie M. Bates, 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 content of said instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal of office this 2nd day of December, 1999.

[Signature]
Notary Public
My commission expires: 5/1/03

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that John Burdette Bates, whose name as Trustee for Mary Ellen Bates under a trust agreement dated September 30, 1976, 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 in his capacity as such Trustee, executed the same voluntarily and with full authority, on the day the same bears date.

Given under my hand and seal of office this 2nd day of December, 1999.

[Signature]
Notary Public
My commission expires: 5/1/03

Description of a 16 foot wide easement for ingress and egress lying 8.0 feet on either side of the centerline, said centerline being more particularly described as follows:

Beginning at an existing iron rebar set by Laurence D. Weygand and being the above described "Point B" in the aforementioned description, and looking in a northwesterly direction at "Point A", thence turn an angle to the left of 78 degrees 13 minutes 45 seconds and run in a westerly direction for a distance of 124.95 feet to a point in the centerline of an existing dirt road; thence turn an angle to the right of 22 degrees 04 minutes 33 seconds and run in a westerly direction for a distance of 98.99 feet to a point in the centerline of an existing dirt road; thence turn an angle to the left of 4 degrees 39 minutes 17 seconds and run in a westerly direction for a distance of 135.33 feet to a point in the centerline of an existing dirt road; thence turn an angle to the left of 1 degree 04 minutes 08 seconds and run in a westerly direction for a distance of 121.82 feet to a point in the centerline of an existing dirt road; thence turn an angle to the right of 0 degrees 36 minutes 05 seconds and run in a westerly direction for a distance of 133.27 feet to a point in the centerline of an existing dirt road; thence turn an angle to the right of 19 degrees 15 minutes 26 seconds and run in a northwesterly direction for a distance of 66.41 feet to a point in the centerline of an existing dirt road; thence turn an angle to the right of 38 degrees 47 minutes 13 seconds and run in a northwesterly direction for a distance of 23.46 feet to a point in the centerline of an existing dirt road; thence turn an angle to the right of 24 degrees 22 minutes 34 seconds and run in a northerly direction for a distance of 66.95 feet to a point in the centerline of an existing dirt road; thence turn an angle to the right of 8 degrees 03 minutes 17 seconds and run in a northerly direction for a distance of 108.79 feet to a point in the centerline of an existing dirt road; thence turn an angle to the left of 11 degrees 58 minutes 23 seconds and run in a northerly direction for a distance of 42.54 feet to a point in the centerline of an existing dirt road; thence turn an angle to the left of 17 degrees 42 minutes 08 seconds and run in a northwesterly direction for a distance of 82.38 feet to a point in the centerline of an existing dirt road; thence turn an angle to the left of 5 degrees 10 minutes 32 seconds and run in a northwesterly direction for a distance of 126.32 feet to a point in the centerline of an existing dirt road; thence turn an angle to the left of 22 degrees 29 minutes 13 seconds and run in a northwesterly direction for a distance of 33.33 feet to a point in the centerline of an existing dirt road; thence turn an angle to the left of 13 degrees 05 minutes 52 seconds and run in a northwesterly direction for a distance of 43.71 feet to a point in the centerline of an existing dirt road; thence turn an angle to the left of 10 degrees 42 minutes 04 seconds and run in a northwesterly direction for a distance of 80.33 feet to a point in the centerline of an existing dirt road; thence turn an angle to the left of 0 degrees 44 minutes 15 seconds and run in a northwesterly direction for a distance of 80.90 feet to a point in the centerline of an existing dirt road; thence turn an angle to the left of 0 degrees 14 minutes 42 seconds and run in a northwesterly direction for a distance of 85.02 feet to a point in the centerline of an existing dirt road; thence turn an angle to the left of 2 degrees 43 minutes 33 seconds and run in a northwesterly direction for a distance of 93.24 feet to a point in the centerline of an existing dirt road; thence turn an angle to the right of 0 degrees 04 minutes 18 seconds and run in a northwesterly direction along the centerline of an existing dirt road for a distance of 77.70 feet to a point at the end of an existing asphalt road known as Bates Loop Road, being the point of ending.

EXHIBIT "A"

ALSO:

Description of a 16 foot wide easement for ingress and egress lying 8.0 feet on either side of the centerline, said centerline being more particularly described as follows:

Beginning at an existing iron rebar set by Laurence D. Weygand and being the above described "Point B" in the aforementioned description, and looking in a northwesterly direction at "Point A", thence turn an angle to the right of $106^{\circ}-59'-30''$ and run in a northeasterly direction along the centerline of existing dirt road for a distance of 91.77 feet; thence turn an angle to the left of $10^{\circ}-13'-56''$ and run in a northeasterly direction along the centerline of an existing dirt road for a distance of 113.01 feet to an existing iron rebar set by Laurence D. Weygand and being the point of ending.

EXHIBIT A (cont.)

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