

This Instrument was prepared by: Courtney H. Mason, Jr., Attorney At Law
P.O. Box 360187
Birmingham, Alabama 35236-0187

STATE OF ALABAMA
COUNTY OF SHELBY

MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, That Whereas the undersigned, Joe A. Scotch, Jr. and Wayne J. Scotch own property located in Section 13, Township 19 South, Range 2 West, Shelby County, Alabama, the subject property begin described as:

A parcel of land situated in the SE 1/4 of the NW 1/4 of Section 13, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the SW corner of above said 1/4 -1/4; thence N 2 deg. 33 min. 20 sec. W a distance of 668.86 feet; thence N 89 deg 46 min. 3 sec. E a distance of 822.21 feet to the point of beginning; thence along the last described course a distance of 82.94 feet; thence S 57 deg. 42 min. 04 sec. E a distance of 178.86 feet; thence S 29 deg. 43 min. 13 sec. W a distance of 48.59 feet; thence N 56 deg 48 min. 12 sec. W a distance of 251.00 feet to the point of beginning; being situated in Shelby County, Alabama.

ALSO:

A parcel of land situated in the SE 1/4 of the NW 1/4 of Section 13, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the SW corner of above said 1/4 1/4; thence N 2 deg. 33 min. 20 sec. W a distance of 668.86 feet; thence N 89 deg. 46 min. 3 sec. E a distance of 905.15 feet to the point of beginning; thence N 89 deg. 46 min. 03 sec. E a distance of 207.12 feet; thence S 30 deg. 00 min. 00 sec. W a distance of 111.46 feet; thence N 57 deg. 42 min. 04 sec. W a distance of 178.86 feet to the point of beginning; being situated in Shelby County, Alabama.

And whereas said property is served by a road more particularly described as follows:

A non-exclusive easement for ingress, egress and utilities; along the driveway from Highway 119 services both Parcel "A" and Parcel "B" as more particulary shown in the two surveys attached of Robert C. Farmer dated December 21, 2000.

Whereas, the parties hereto desire to reach an agreement for maintenance of said road, which serves their respective property;

NOW THEREFORE, the parties hereto agree as follows:

1. The easement described hereinabove shall be a perpetual non-exclusive easement for ingress, egress, and utilities, and shall enure to the benefit of the parties hereto, and to their heirs and assigns forever. These benefits shall enure to any mortgagee or lienholder of the undersigned so long as said lien exist.

2. Repairs shall be made to the road from the public road to the subject property at such times as maybe deemed necessary by the owners of both parcels (or their assigns) or any mortgagee or lienholder (or its assigns) of the property.

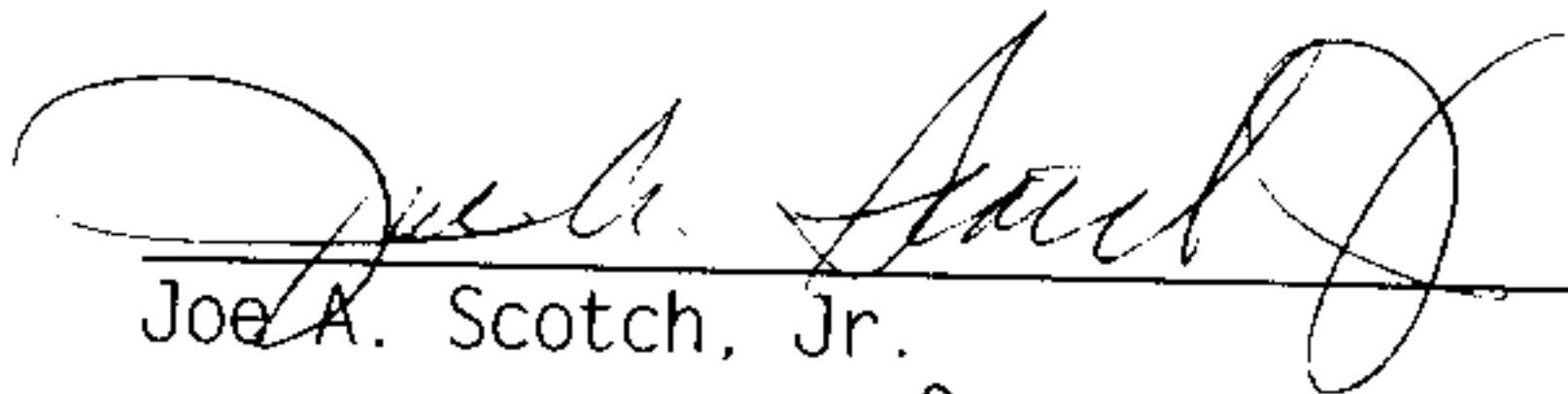
3. Upon such determination that repairs are necessary, the costs of such repairs shall be paid entirely by the owners of both parcels.

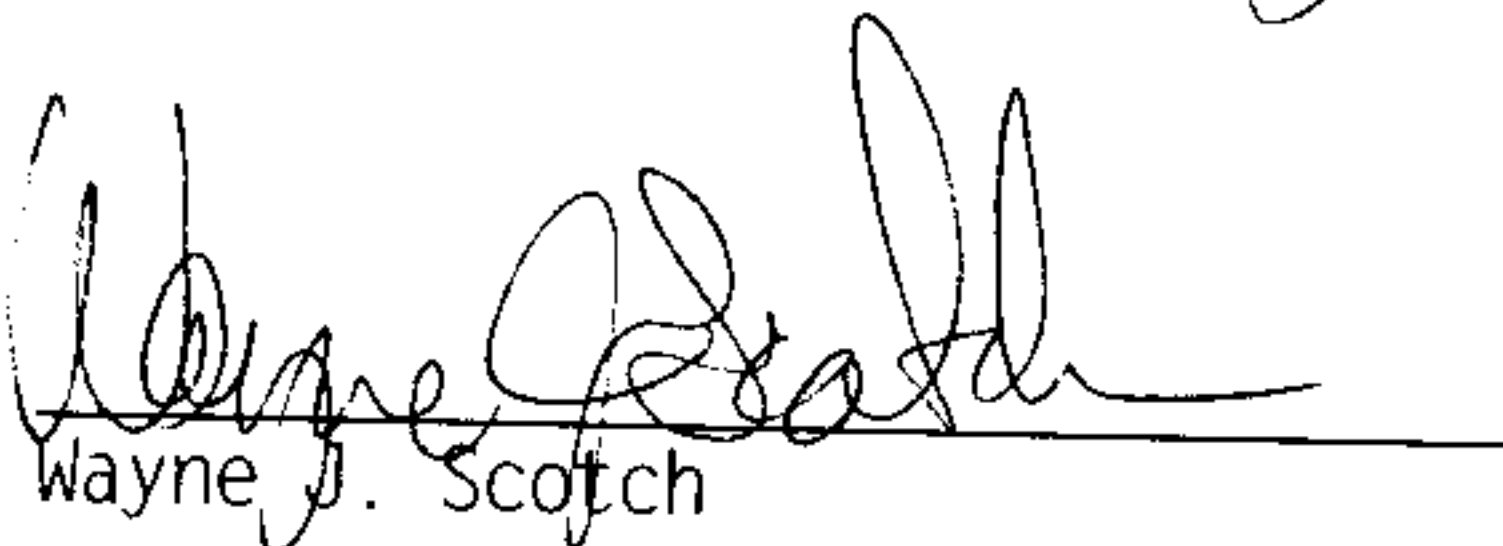
01/17/2001-01713
08:42 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 001 20.00

Inst # 2001-01713

4. This agreement shall terminate at such time upon the undersigned subsequent sale of their property served by the road and the full payment of all mortgages and/or lienholders on the property owned by the undersigned or upon the mutual consent of both property owners.

IN WITNESS WHEREOF, we have set our hands and seals, this the 15th day of January, 2001.


Joe A. Scotch, Jr.


Wayne J. Scotch

State of Alabama)

County of Shelby)

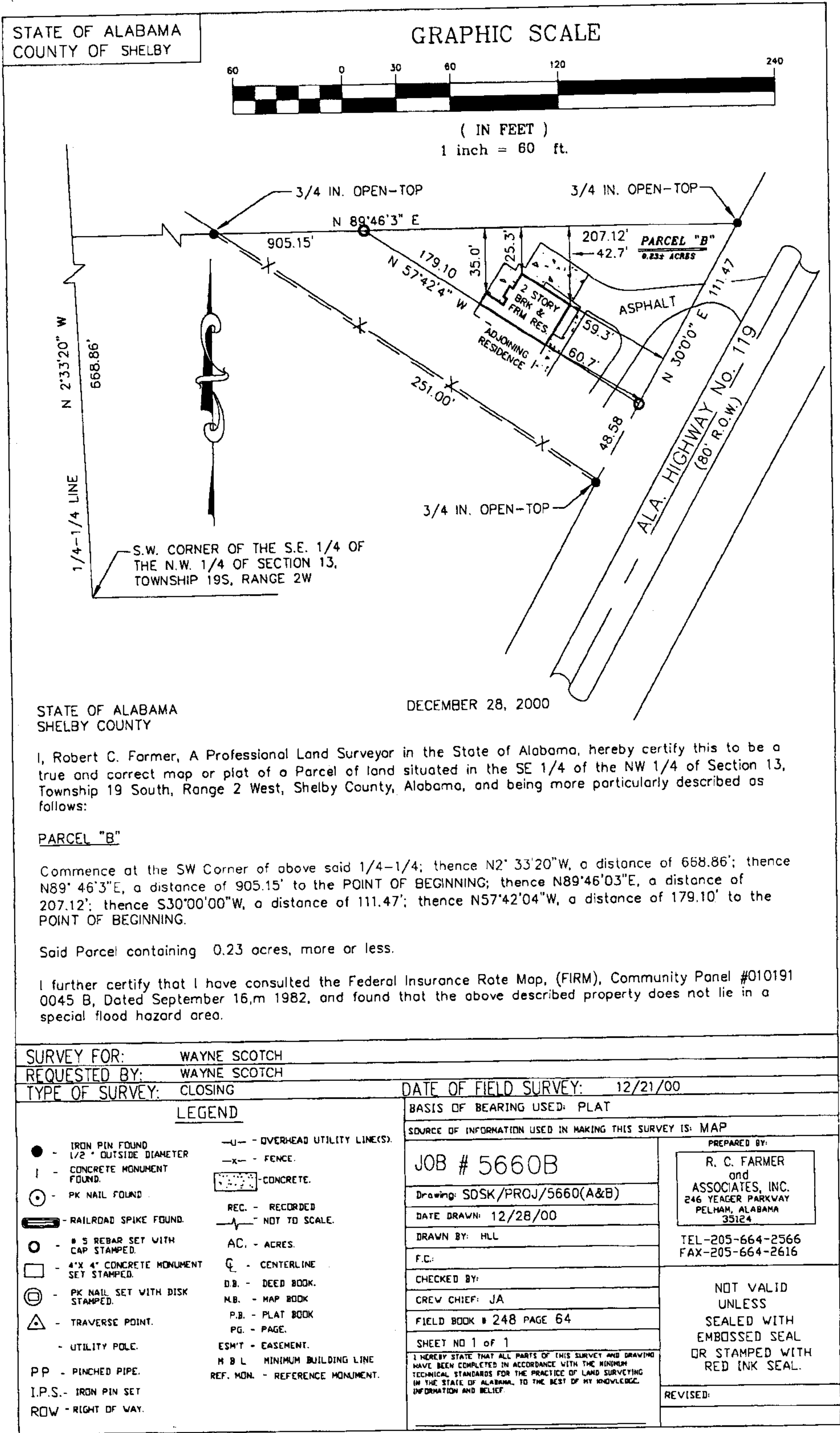
I, the undersigned, hereby certify that, Joe A. Scotch, Jr. and Wayne J. Scotch, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day of same bears date.

GIVEN UNDER MY HAND THIS 15th DAY OF JANUARY, 2001.

My Commission Expires:

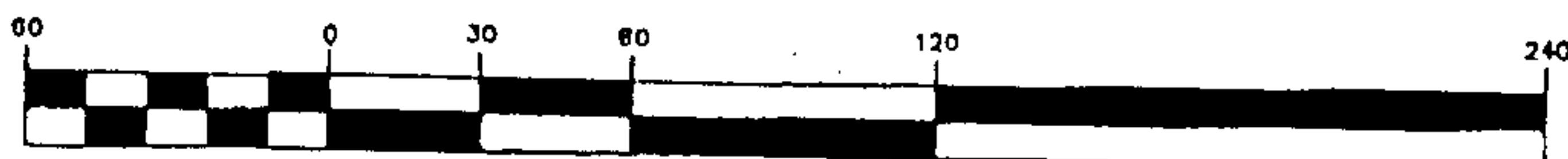


Notary Public



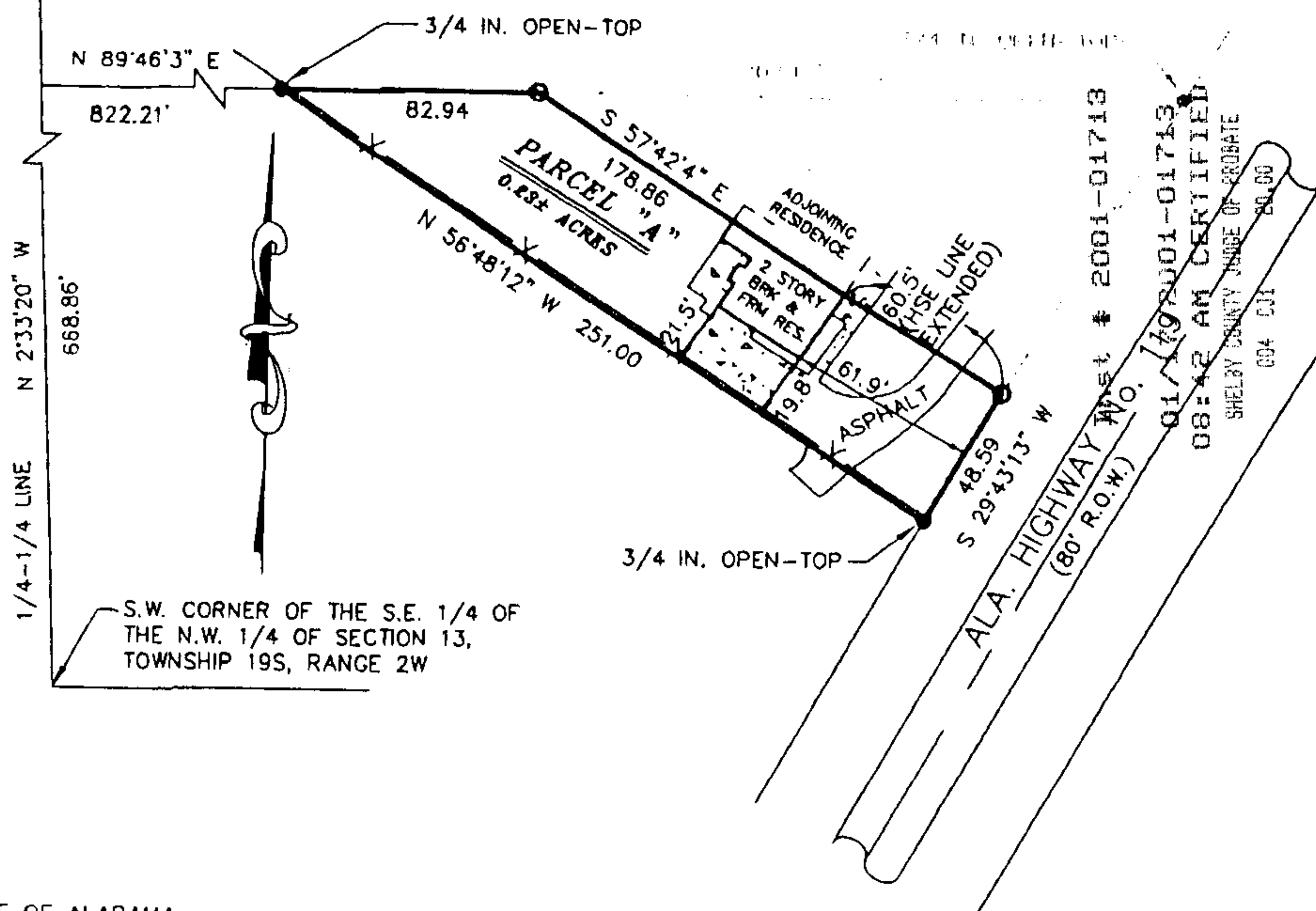
STATE OF ALABAMA
COUNTY OF SHELBY

GRAPHIC SCALE



(IN FEET)

1 inch = 60 ft.

STATE OF ALABAMA
SHELBY COUNTY

DECEMBER 28, 2000

I, Robert C. Farmer, A Professional Land Surveyor in the State of Alabama, hereby certify this to be a true and correct map or plat of a Parcel of land situated in the SE 1/4 of the NW 1/4 of Section 13, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

PARCEL "A"

Commence at the SW Corner of above said 1/4-1/4; thence N2°33'20"W, a distance of 668.86'; thence N89°46'3"E, a distance of 822.21' to the POINT OF BEGINNING; thence along the last described course, a distance of 82.94'; thence S57°42'04"E, a distance of 178.86'; thence S29°43'13"W, a distance of 48.59'; thence N56°48'12"W, a distance of 251.00' to the POINT OF BEGINNING.

Said Parcel containing 0.23 acres, more or less.

I further certify that I have consulted the Federal Insurance Rate Map, (FIRM), Community Panel #010191 0045 B, Dated September 16, 1982, and found that the above described property does not lie in a special flood hazard area.

SURVEY FOR: WAYNE SCOTCH

REQUESTED BY: WAYNE SCOTCH

TYPE OF SURVEY: CLOSING

DATE OF FIELD SURVEY: 12/21/00

BASIS OF BEARING USED: PLAT

SOURCE OF INFORMATION USED IN MAKING THIS SURVEY IS: MAP

LEGEND

- - IRON PIN FOUND 1/2" OUTSIDE DIAMETER
- - CONCRETE MONUMENT FOUND
- ⊙ - PK NAIL FOUND
- ⊠ - RAILROAD SPIKE FOUND
- - 8 3 REBAR SET WITH CAP STAMPED
- - 4'X 4' CONCRETE MONUMENT SET STAMPED
- ⊠ - PK NAIL SET WITH DISK STAMPED
- △ - TRAVERSE POINT
- UTILITY POLE
- PP - PINCHED PIPE
- I.P.S. - IRON PIN SET
- R.O.W. - RIGHT OF WAY
- U- - OVERHEAD UTILITY LINE(S)
- X- - FENCE
- CONCRETE
- REC. - RECORDED
- NOT TO SCALE
- AC. - ACRES
- CL - CENTERLINE
- DB. - DEED BOOK
- M.B. - MAP BOOK
- P.B. - PLAT BOOK
- PG - PAGE
- ESMT - EASEMENT
- M B L - MINIMUM BUILDING LINE
- REF. MON. - REFERENCE MONUMENT

JOB # 5660A

Drawing: SDSK/PROJ/5660(A&B)

DATE DRAWN 12/28/00

DRAWN BY: MLL

F.C.

CHECKED BY:

CREW CHIEF: JA

FIELD BOOK # 248 PAGE 64

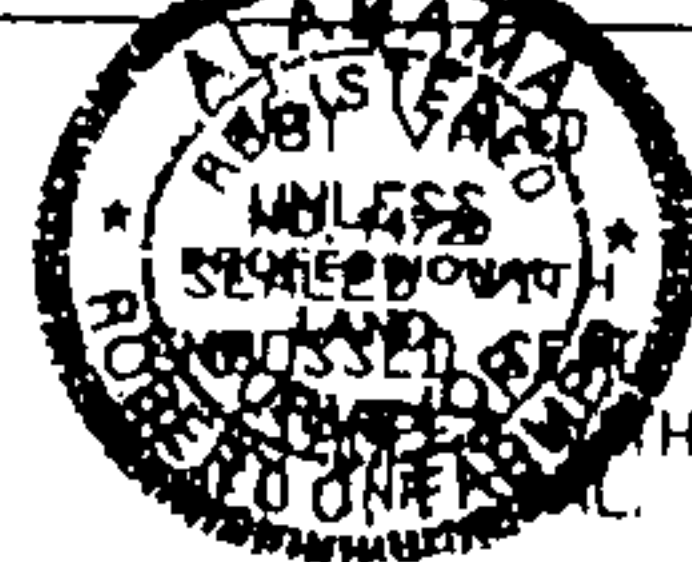
SHEET NO 1 of 1

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

PREPARED BY:

R. C. FARMER
and
ASSOCIATES, INC.
246 YEAGER PARKWAY
PELHAM, ALABAMA
35124

TEL-205-664-2566
FAX-205-664-2616



REVISED: