

FORM 1-70

State of Alabama

County of SHELBY

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of One Dollar (\$1.00) and other good and valuable considerations unto the undersigned Grantor 3-M Development, LLC

..... a corporation (hereinafter at times referred to as the "Grantor"), in hand paid by ALABAMA GAS CORPORATION, an Alabama corporation, the receipt and sufficiency of which considerations are hereby acknowledged, the said Grantor does hereby grant, bargain, sell and convey unto the said Alabama Gas Corporation, its successors, assigns and lessees from the date hereof a right-of-way and easement for any one or more or all of the following purposes: Laying, constructing, erecting, setting, installing, renewing, repairing, inspecting, replacing, maintaining, operating, removing, changing the size of, modifying and relocating one or more of its pipe or pipelines, mains, conduits and appliances and appurtenances thereto over, under, upon and across a strip of land Ten

..... (10) feet wide, the centerline of which strip is described as follows:

Commence at the southwest corner of Lot 99, Ivy Brook, Phase Two, Third Addition, as recorded in Map Book 21 Page 20, in the Office of the Judge of Probate of Shelby County, Alabama and run thence along a curve of Shelby County Highway 52 to the left having a central angle of 11 31' 48" and a radius of 658.89'; Thence run northwesterly along the arc of said curve an arc distance of 132.59' to the P.T. of said highway curve; Thence run N 69 21' 45" W a distance of 267.18' to a point; Thence run N 17 27' 19" W a distance of 40.07' to the point of beginning, on the centerline, of the easement being described; Said easement being five feet on each side of the following described centerline or ten feet in total width; Thence run South 72 32' 41" W a distance of 20.30' to the end of required easement.

SEE EXHIBIT "A"

Situated in SHELBY County, Alabama.

Together with the right of ingress to and egress from said strip of land across adjacent lands of the Grantor and all the rights and privileges necessary or convenient for the full enjoyment and use of said right-of-way and easement for the purposes above designated.

TO HAVE AND TO HOLD the said right-of-way and easement perpetually unto the said ALABAMA GAS CORPORATION, its successors, assigns and lessees, provided, however, that the Grantor herein expressly reserves for itself and its successors and assigns the right to use and enjoy the premises above described in so far as such use and enjoyment by the Grantor, its successors and assigns shall not unreasonably interfere with the use of said easement and right-of-way by the said ALABAMA GAS CORPORATION, its successors, assigns and lessees under the grant herein set forth, and provided further that the Grantor and its successors and assigns will place no permanent structures upon the said right-of-way and easement. The Grantor expressly covenants that it is the owner in fee of the real property herein conveyed and has a good right to execute this agreement and to grant said easement and right-of-way.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed for and in its corporate name and behalf and its corporate seal hereunto to be affixed and attested all by its proper officials who are thereunto duly authorized, on this the 24TH day of APRIL, 2001

[CORPORATE SEAL]

ATTEST:

By

Its

3-M Development
By Joy L. Marks
Its Member GRANTOR

06/13/2001-24206
11:11 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MB 20.50

Inst # 2001-24206

EASEMENT DEED

ALABAMA GAS CORPORATION

TO

STATE OF ALABAMA

County of

Office of the Judge of Probate

I hereby certify that the within deed was filed

in this office for record on the day of

at

O'clock M., and was duly recorded

in Volume of Deeds at page

Judge of Probate.

State of Alabama

County of

I, Brenda H. Clayton, a Notary Public in and for said County, in said State,

hereby certify that Roy L. Martin whose name as Member of

3-M Development, LLC, a corporation, is

signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this 24th day of April, 2001

Brenda H. Clayton
NOTARY PUBLIC

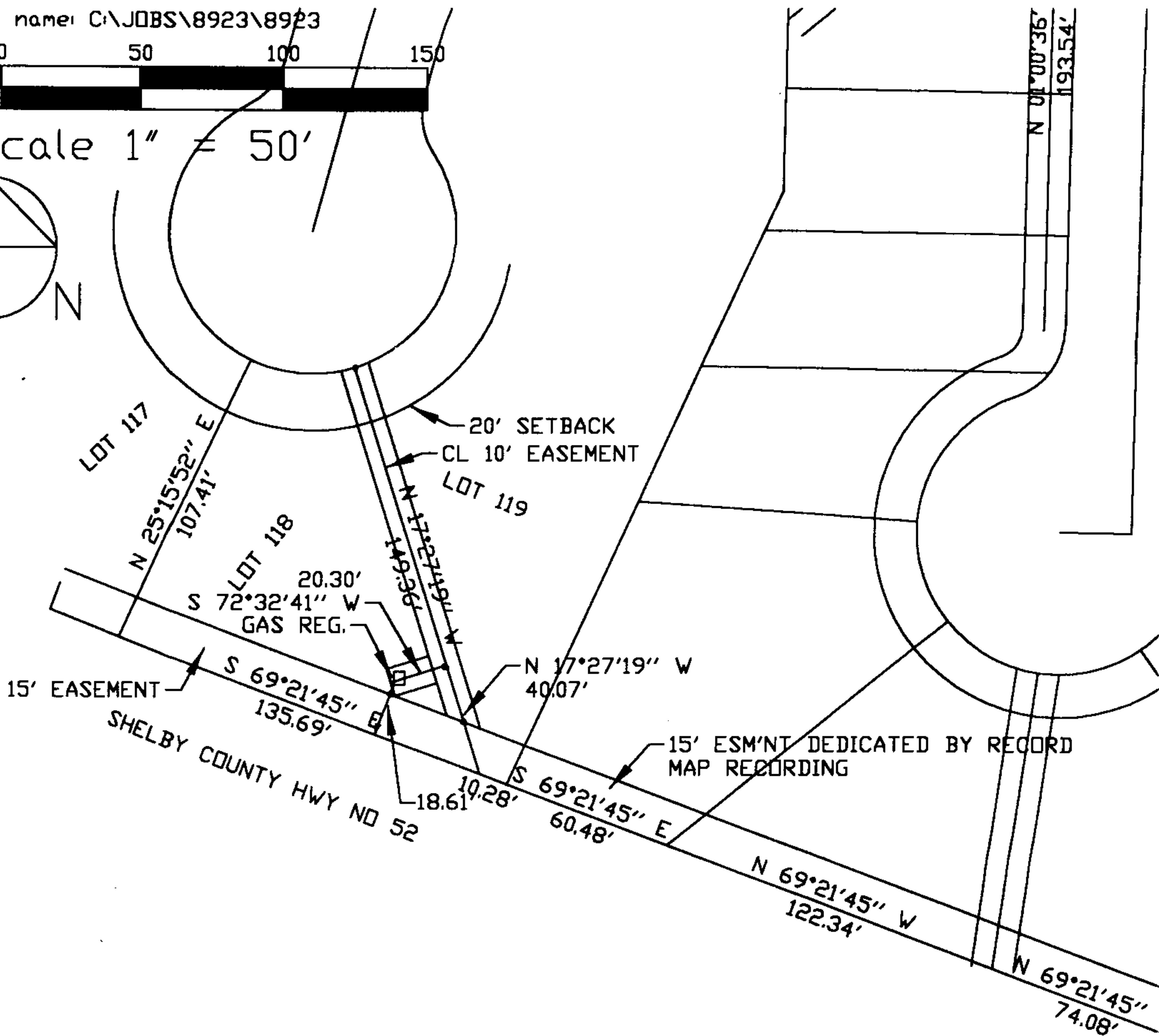
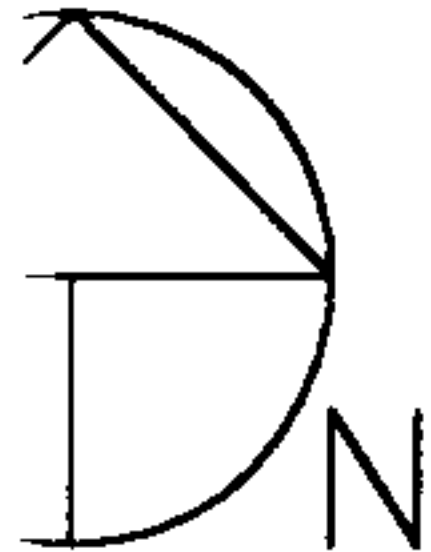
My Commission Expires 4-27-2001

[NOTARY SEAL]

file name: C:\JOBS\8923\8923



Scale 1" = 50'



CONN & ALLEN

ENGINEERING - LAND SURVEYING
MORTGAGE SURVEYS - PERC TESTS
TOPOGRAPHICAL BOUNDARIES

JOSEPH E. CONN, JR.

STEVEN M. ALLEN

2850 HIGHWAY 31 SOUTH
PELHAM, AL 35124

PHONE: (205) 663-4251
FAX: (205) 663-7694

EMAIL: LEFTAHAIR@BELLSOUTH.NET

CA 11°31'41"
R 658
L 132
CD N 63°35'51"
LC 132

IVY R

Commence at the southWest corner of Lot 99, Ivy Brook, Phase Two, Third Addition, as recorded in Map Book 21 Page 20, in the Office of the Judge of Probate of Shelby County, Alabama and run thence along a curve of Shelby County Highway 52 to the left having a central angle of 11 31' 48" and a radius of 658.89'; Thence run north-westerly along the arc of said curve an arc distance of 132.59' to the P.T. of said highway curve; Thence run N 69 21' 45" W a distance of 267.18' to the point of beginning, on the centerline, of the easement being described; Said easement being five feet on each side of the following described centerline or ten feet in total width; Thence run N 17 27' 19" W a distance of 149.36' to the southerly property line of a cul-de-sac section of street and the end of required easement.

06/13/2001-24206
11:11 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 HB 20.50