

STATE OF ALABAMA)  
COUNTY OF JEFFERSON)

LICENSE AGREEMENT AND EASEMENT

WHEREAS, Stephen R. Wald and Cathy M. Wald are the owners of the Lot 1729-A, according to a Re-subdivision of Highland Lakes, 17th Sector, an Eddleman Community, as recorded in Map Book 27, Page 90 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. and

WHEREAS, Rosewood, Inc. is the owner of Lot 1730-A, according to a Re-subdivision of Highland Lakes, 17th Sector, an Eddleman Community, as recorded in Map Book 27, Page 90 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama ; and

WHEREAS, As shown by the Survey attached hereto as Exhibit "A" which was prepared by Surveying Solutions, Inc. dated September 26, 2001, there is an encroachment of a driveway by 3.20 +/- feet, from said Lot 1729-A onto the Lot 1730-A, in particular the Northerly side of said Lot 1729-A onto the Southerly side of the Lot 1730-A, all as shown on the attached survey (a copy of which is attached hereto and made a part hereof as Exhibit "A"); and

WHEREAS, Stephen R. and Cathy M. Wald make no claim of ownership in and to the said Lot 1730-A, but requests only that Rosewood, Inc. grant to it a License and easement to permit the identified encroachment to remain undisturbed; and

WHEREAS, Rosewood, Inc. are willing to grant such License and easement upon certain terms and conditions as hereinabove set out.

NOW THEREFORE, FOR AND IN CONSIDERATION OF THE PREMISE AND ONE DOLLAR in hand paid by the Grantee, hereinafter named, Rosewood, Inc. (the GRANTOR), the receipt and sufficiency of which is acknowledged, the GRANTOR does grant, bargain and convey to Stephen R. Wald and Cathy M. Wald, their heirs and assigns, (the Grantee) a License and easement to permit the driveway, now encroaching from said Lot 1729-A onto the Lot 1730-A as shown by the survey of Surveying Solutions, Inc., dated September 26, 2001, and attached hereto as Exhibit "A" to remain in place. Also, granted with this License and easement is the right in the GRANTEE to enter onto the Lot 1730-A to perform all requisite and necessary maintenance and repair work as shall be required in the proper care and preservation of the driveway.

The GRANTEE, by the acceptance of this License and easement does hereby confirm that it does not make and will not make any claim of ownership in or to the Lot 1730-A by virtue of the aforesaid encroachment.

The granting of this License easement shall constitute a covenant running with the land and its terms shall be binding upon their respective successors and assigns forever.

Inst # 2001-43171

CLAYTON T. SWEENEY, ATTORNEY AT LAW

10/05/2001-43171  
07:32 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CH 17.50

In Witness Whereof this License Agreement has been executed this 28<sup>th</sup> day of September, 2001.

GRANTOR:  
Rosewood, Inc.

BY: Tammy Downard, President  
Tammy Downard,  
Its: President

GRANTEE:

Stephen R. Wald  
Stephen R. Wald

Cathy M. Wald  
Cathy M. Wald

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Tammy Downard, whose name as President of Rosewood, Inc., an Alabama 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, executed the same voluntarily and as an act of said corporation.

Given under my hand and official seal this 28<sup>th</sup> day of September, 2001.

[Signature]  
NOTARY PUBLIC

My Commission expires: 6-5-2003

STATE OF ALABAMA)  
JEFFERSON COUNTY)

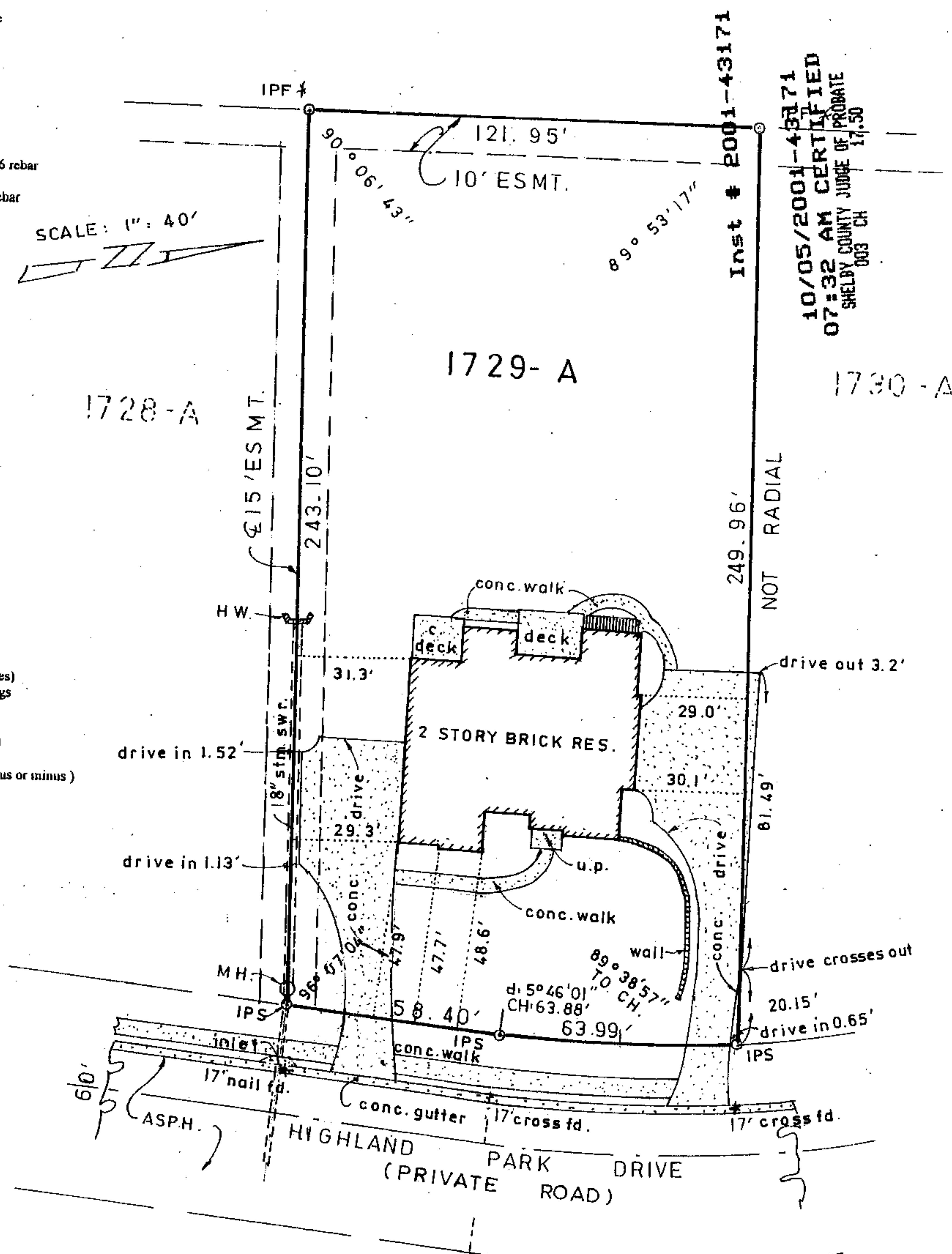
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stephen R. Wald and Cathy M. Wald, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28<sup>th</sup> day of September, 2001.

[Signature]  
NOTARY PUBLIC

My Commission expires: 6-5-2003

<u>LEGEND</u>	
ASPH	= asphalt
B.LDG	= building
CALC	= calculated
CAP	= capped iron
CH	= chord
C	= centerline
CONC.	= concrete
C	= covered
d	= deflection
Δ	= curve delta angle
dr.	= drive
E	= east
ESMT	= easement
FC	= fence
FD	= found
FND	= foundation
HW	= headwall
I.P.F.	= iron pin found
I.P.F.*	= iron pin found (#6 rebar with KBW cap)
I.P.S.	= iron pin set (#6 rebar with S S I cap)
MEAS	= measured
MIN	= minimum
M.H.	= manhole
N	= North
OH	= overhang
P	= porch
P.C.	= point of curve
P.P.	= power pole
P.T.	= point of tangent
PVMT	= pavement
PWR	= power
R	= radius
REBAR	= reinforcement bar
REC	= recorded
RES	= residence
R-O-W	= right of way
S	= south
SAN	= sanitary
STM	= storm
SWR	= sewer
SYN	= synthetic
TAN	= tangent
UTIL.	= utility
U	= uncovered
W	= west
o	= degree
.	= minutes
"	(in bearings or angles)
"	= seconds ( in bearings or angles)
"	= feet ( in distance)
"	= inches (in distance)
AC	= acres
+ w/	= more or less ( or plus or minus )
	= with



I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed Lot 1729 A, A RESUBDIVISION OF HIGHLAND LAKES 17TH SECTOR AN EDDLEMAN COMMUNITY, as recorded in Map Book 27, Page 90A-B, in the Office of the Judge of Probate, SHELBY County, Alabama; that this survey meets or exceeds the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama; that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is located in Zone c, according to FIRM Community Panel # 010191-0045 & 0050, SHELBY COUNTY, AL, Dated: 9-16-82; that the correct address is as follows: # 276 HIGHLAND PARK DRIVE, according to my survey of 9-26-01.

*Survey is not valid unless it is sealed with embossed seal or stamped in red.*

**SURVEYING SOLUTIONS, INC.**  
2233 Cahaba Valley Drive, Birmingham, AL 35242-2506  
Tel: (205) 991-8965 Fax: (205) 991-6032

Order No: 82563  
Purchaser: WALD  
Type Survey: MORTGAGE  
LOAN

Carl Daniel Moore  
Carl Daniel Moore, Reg. L.S. # 12159

