

This Instrument Prepared by Isaac P. Espy
Espy, Nettles, Scogin and Brantley, P.C.
2728 Eighth Street
Tuscaloosa, Alabama 35401

RIGHT OF WAY

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Ten Dollars and other valuable consideration to **The Heart of Dixie Railroad Museum, Inc.**, the Grantor herein, in hand paid by **Gary Garner**, the Grantee, the receipt whereof is acknowledged, the said Grantor does by these presents Grant, Bargain, Sell and Convey unto the Grantee:

A non-exclusive perpetual easement for a right-of-way, for ingress and egress to the following described property:

Beginning at the Southeast Corner of the Northwest Quarter of the Southeast Quarter of Section 18, Township 22 South, Range 1 West of the Huntsville Meridian, Shelby County, Alabama; thence run Westerly along the South boundary line of said Quarter Quarter for a distance of 1362.50 feet to the Southwest corner of said Quarter Quarter, thence continue Westerly along the South boundary line of the Northeast Quarter of the Southwest Quarter of said Section 18 for a distance of 243.10 to a point on the Northeast margin of the right-of-way for County Highway 86, thence turn an angle of 59° 04' 00" to the right and run along said right-of-way margin for 5.95 feet, more or less, to a point on the South boundary of the Railroad Property, thence turn an angle of 114° 46' 15" to the right and run along the South boundary of said Railroad property along a curve to the left, with a radius 1004.93 feet and a central angle of 6° 25' 11" for an arc distance of 112.60 feet, thence continue along Railroad Property line along a tangent for 1332.52 feet, thence continue along South Railroad Property line along a curve to the left with a radius of 1004.93 feet and central angle of 12° 31' 44" for an arc distance of 219.75 feet to a point on the East boundary line of the Northwest Quarter of the Southeast Quarter, thence turn an angle of 116° 39' 52" to the right and run Southerly along the East boundary of said Northwest Quarter of the Southeast Quarter for a distance of 384.73 feet to the Point of Beginning, lying in the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 18, Township 22 South, Range 1 West, and comprising in area 6.66 acres, more or less;

Said easement being described as all that part of a strip of land 25 feet in width that lies within the Railroad Property, said strip of land lying East of County Highway 86 and on the South side of the Northeast Quarter of the Southwest Quarter of Section 18, Township 22 South, Range 1 West; and said easement being roughly triangular in shape, lying about 23 feet along the East margin of County Highway 86, being about 85 feet on the North side, and the Southeast side being the Southeast margin of said Railroad Property;

Said easement being appurtenant to and running with the land of the Grantee, his heirs, and assigns, for the use of the land of the Grantee for ingress and egress for residential purposes, and for such utilities, drainage, and other uses to which such right-of-way may be made, including, but not limited to electrical, water, sewer, cable services, and natural gas; provided

Said easement granted herein shall be subject to the use of the Grantor's use of its right-of-way for a railroad and all of its common requirements; and

Said easement granted herein shall be improved, constructed, and maintained solely at the expense of the Grantee, his heirs and assigns, and nothing herein shall prohibit the Grantor, its successors and assigns from any use of the land burdened by this easement so long as the purposes of this easement are not defeated.

To have and to hold to the said Grantee, and to his heirs and assigns forever, together with every contingent remainder and right of reversion.

In Witness Whereof, we have hereto set our hands and seals on this the 7 day of May, 2002.

Heart of Dixie Railroad Museum, Inc.

Ralph Honeycutt
by: President
its:

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned Notary Public in and for said County in said State, hereby certify that Ralph Honeycutt, whose name as Pres. of the Heart of Dixie Railroad Museum, Inc., 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 on the day the same bears date.

Given under my hand and official seal this 7 day of May, 2002.

Roy A. Hawkins
Notary Public

My Commission expires: **NOTARY PUBLIC STATE OF ALABAMA AT LARGE**
MY COMMISSION EXPIRES: Jun 24, 2005
BONDED THIRD NOTARY PUBLIC UNDERWRITERS