

Birmingham Realty Company
Established 1870

2118 First Avenue, North
Birmingham, Alabama 35203
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June 28, 2002

Mr. Mike Hill
Cahaba Title, Inc.
1900 Indian Lake Drive
Birmingham, AL 35244

Dear Mike:

This letter is to confirm that Birmingham Realty Company agrees that as of June 26, 2002, the Access Easement recorded as Instrument #1999-03820 dated January 25, 1999, by and between Birmingham Realty Company and J. Allen Chesser and Betty S. Chesser has not been terminated by the operation of Item 5(i) of said Agreement (abandonment and non-use for a continuous six month period).

However, this letter in no way changes any term or provision of said Agreement in any way, and is given only to confirm that said Item 5(i) has not been applied by Birmingham Realty Company to terminate the said Access Easement.

Sincerely,



Charles M. Miller, Jr.
Executive Vice President

CMM/jp