

*This Instrument Prepared By:*  
James W. Fuhrmeister  
ALLISON, MAY, ALVIS, FUHRMEISTER,  
KIMBROUGH & SHARP, L.L.C.  
P. O. Box 380275  
Birmingham, AL 35238

## ASSIGNMENT OF EASEMENTS

**KNOW ALL MEN BY THESE PRESENTS:** That **ROBERT J. DOW** ("Assignor"), in and for valuable consideration and the sum of Ten Dollars (\$10.00) in hand paid to it by **CREATION PROPERTIES, LLC, AN ALABAMA LIMITED LIABILITY COMPANY** ("Assignee") does hereby sell, assign, convey, transfer, and set over unto Assignee all of its right, title and interest in and to the following easements:

1. That certain ingress, egress and utilities easement by and between CARTER HOMES AND DEVELOPMENT, INC. and ROBERT J. DOW dated October 16, 2000 and recorded in the Office of the Probate Judge of Shelby County, Alabama on October 18, 2000 as **Instrument # 2000-36194**. The real property subject to said easement is more particularly described in Exhibit "A" attached hereto and incorporated by reference.
2. That certain easement for ingress, egress and all other purposes as the Grantee therein may elect by and between SAM ALLEN HUTCHINSON and ROBERT J. DOW dated September 25, 2002 and recorded in the Office of the Probate Judge of Shelby County, Alabama on September 25, 2002 as **Instrument # 20020926000463470**. The real property subject to said easement is more particularly described in Exhibit "B" attached hereto and incorporated by reference.

Assignee agrees expressly that it accepts this Assignment subject to the terms and conditions of the aforesaid easements, and that it assumes any and all of Assignor's obligations under the easements.

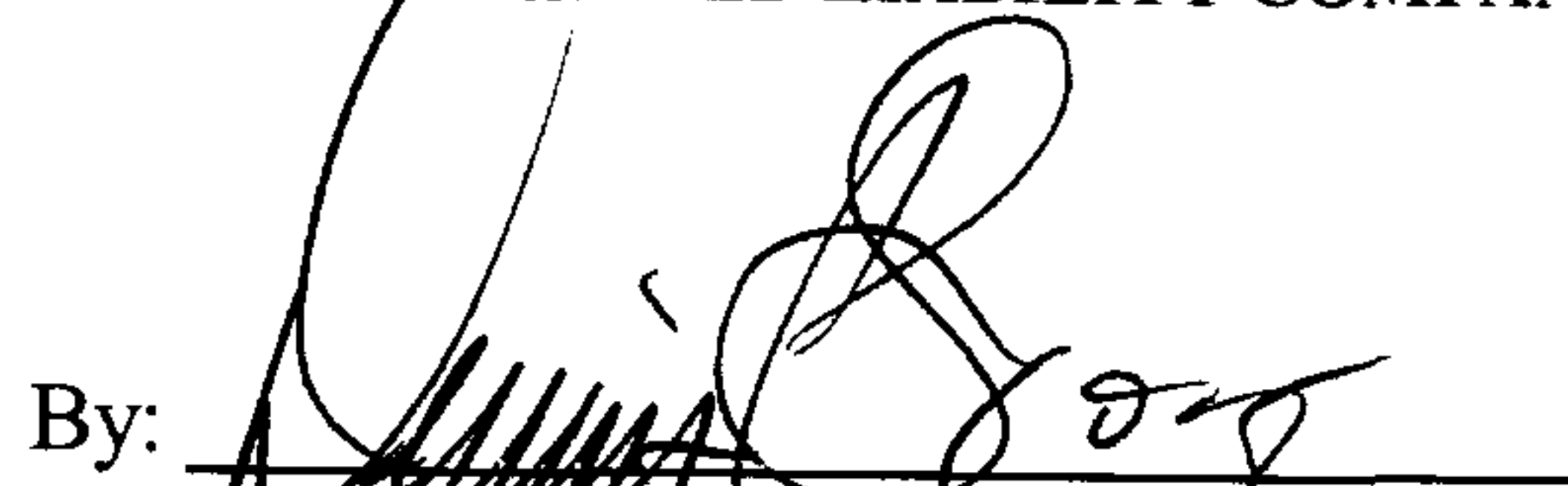
IN WITNESS WHEREOF, ASSIGNOR has caused this Assignment to be executed on this 24 day of JAN, 2003.

**ASSIGNOR:**

  
ROBERT J. DOW

**ASSIGNEE:**

**CREATION PROPERTIES, LLC, AN  
ALABAMA LIMITED LIABILITY COMPANY**

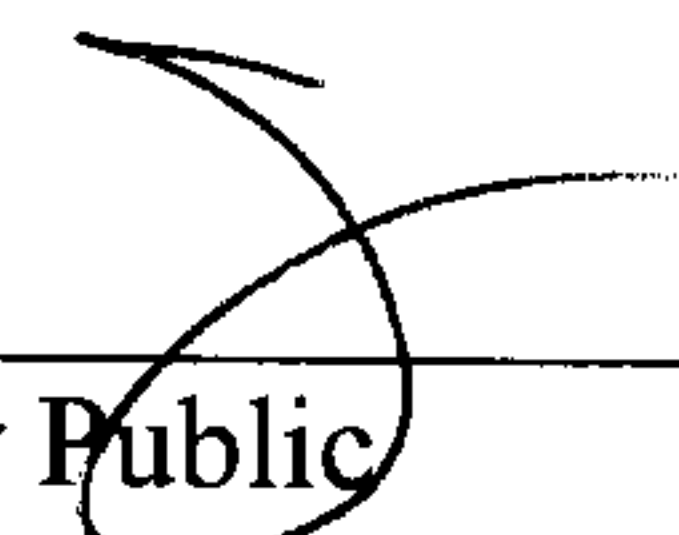
By:   
DENNIS R. LYONS, Member

By:   
PATRICIA D. LYONS, Member

STATE OF ALABAMA                    )  
  ) ss:  
COUNTY OF SHELBY                )

I, the undersigned authority, in and for said County, in said State, hereby certify that ROBERT J. DOW whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

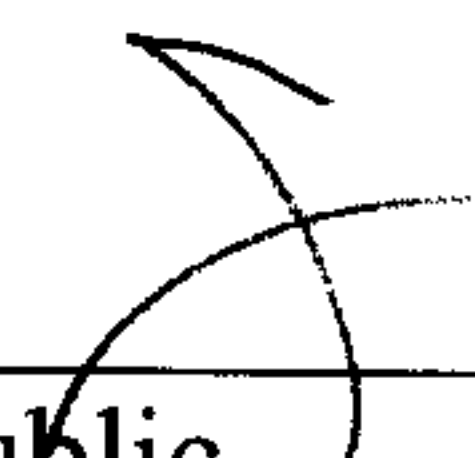
Given under my hand and official seal this 24 day of JAN., 2003.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 5/21/03

STATE OF ALABAMA                    )  
  ) ss:  
COUNTY OF SHELBY                )

I, the undersigned authority, in and for said County, in said State, hereby certify that DENNIS R. LYONS whose name as Member of CREATION PROPERTIES, LLC is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument and with full authority, he executed the same voluntarily on the day the same bears date as the act of said limited liability company.


Given under my hand and official seal this 24 day of JAN, 2003.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 5/21/03

STATE OF ALABAMA                    )  
  ) ss:  
COUNTY OF SHELBY                )

I, the undersigned authority, in and for said County, in said State, hereby certify that PATRICIA D. LYONS whose name as Member of CREATION PROPERTIES, LLC is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument and with full authority, she executed the same voluntarily on the day the same bears date as the act of said limited liability company.

Given under my hand and official seal this 24 day of JAN, 2003.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 5/21/03

## **EXHIBIT A**

An access easement across Lot 1 of Saginaw Industrial park, as recorded in MB. 25, PG. 54 in the Office of the Judge of Probate of Shelby County, Alabama, the centerline of which being more particularly described as follows:

Commence at the Westernmost corner of Lot 1 of Saginaw Industrial Park, as recorded in MB. 25, PG. 54 in the Office of the Judge of Probate of Shelby County, Alabama, which is an iron pin located on the Easterly right of way of Shelby County highway # 26; thence proceed Southeasterly along the South boundary of said Lot 1 for 79.30 ' to the POINT OF BEGINNING of the centerline of a 30 ' wide access easement lying 15 ' to each side of said centerline, said point being on a curve to the West, said curve having a radius of 85.46 ' and a central angle of 57 degrees 47 ' 47 " ; thence turn a deflection angle to the left of 137 degrees 30 ' 45 " to the tangent of said curve and proceed Northwesterly along the arc of said curve for 86.21 ' to the POINT OF ENDING, said point being on the East right of way margin of Shelby County Highway # 26. Said easement contains 2568 sq ft or 0.06 acres.



## EXHIBIT B

A proposed access easement lying in and being a part of the Southeast quarter of Section 12, Township 21 South, Range 3 West, Shelby County, Alabama, said easement lying in Lot 1 of "SAGINAW INDUSTRIAL PARK" as recorded in Map Book 25, Page 54, in the Office of the Judge of Probate, Shelby County, Alabama, said easement being more particularly described as follows:

Commence at an iron pin found at said Southeast corner of Section 12, Township 21 South, Range 3 West; thence proceed Northerly along the East line of said Section 12 for 751.84 feet to an iron pin found at the Northeast corner of Lot 2-C of "RESUBDIVISION OF LOTS 2 & 3 SAGINAW INDUSTRIAL PARK" as recorded in Map Book 27, Page 58, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn a deflection angle left of  $82^{\circ}48'22''$  and proceed Northwesterly along the Northerly line of said subdivision for 686.04 feet to an iron pin found at the Northwest corner of Lot 2-B of "RESUBDIVISION OF LOTS 2 & 3 SAGINAW INDUSTRIAL PARK", said point also lying on the Easterly right of way margin of Shelby County Highway No. 26, said point also lying in a curve to the right, said curve having a central angle of  $23^{\circ}37'08''$  and a radius of 994.93 feet; thence turn a deflection angle left of  $84^{\circ}53'57''$  to the tangent of said curve and proceed Southwesterly along the arc of said curve and along said Easterly right of way margin of Shelby County Highway No. 26 for 410.13 feet to a point, said point being the POINT OF BEGINNING of the herein described easement; thence leaving said right of way margin of Shelby County Highway No. 26, turn a deflection angle left of  $87^{\circ}38'28''$  from the tangent of the last described curve and proceed Southeasterly along the Southerly line of said Lot 1 of "SAGINAW INDUSTRIAL PARK" for 142.30 feet to a point; thence turn a deflection angle left of  $26^{\circ}42'46''$  and proceed Southeasterly along the Southerly line of said Lot 1 of "SAGINAW INDUSTRIAL PARK" for 26.62 feet to a point; thence turn a deflection angle left of  $38^{\circ}52'58''$  and proceed Northeasterly along the Southeasterly line of said Lot 1 of "SAGINAW INDUSTRIAL PARK" for 32.62 feet to a point; thence leaving said Southeasterly line of Lot 1 turn a deflection angle left of  $111^{\circ}29'38''$  and proceed Northwesterly for 183.21 feet to a point on said Easterly right of way margin of Shelby County Highway No. 26, said point also lying in a curve to the right, said curve having a central angle of  $2^{\circ}56'33''$  and a radius of 994.93 feet; thence turn a deflection angle left of  $98^{\circ}12'42''$  to the tangent of said curve and proceed Southwesterly along the arc of said curve and along said Easterly right of way margin of Shelby County Highway No. 26 for 51.10 feet to the POINT OF BEGINNING.

Said easement contains 0.181 acres, more or less.