

THIS INSTRUMENT PREPARED BY:
BOARDMAN, CARR, WEED & HUTCHESON, P.C.
400 BOARDMAN DRIVE
CHELSEA, ALABAMA 35043

GRANTEE'S ADDRESS:
F. P. Chesser

STATE OF ALABAMA)

**WARRANTY DEED
EASEMENT**

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of ONE THOUSAND AND NO/100THS (\$1,000.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTOR, **Samuel Earl Niven, Sr. and wife, June C. Niven** (hereinafter referred to as GRANTOR), the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEE, **F. P. Chesser and wife, Ester Chesser**, (hereinafter referred to as GRANTEE), for and during their joint lives and upon the death of either, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, an easement for ingress, egress and utilities across the following described Real Estate, lying and being in the County of SHELBY, State of Alabama, to-wit:

See Attached Exhibit A for Legal Description

Subject to existing easements, current taxes, restrictions, set-back lines and rights of way, if any, of record.

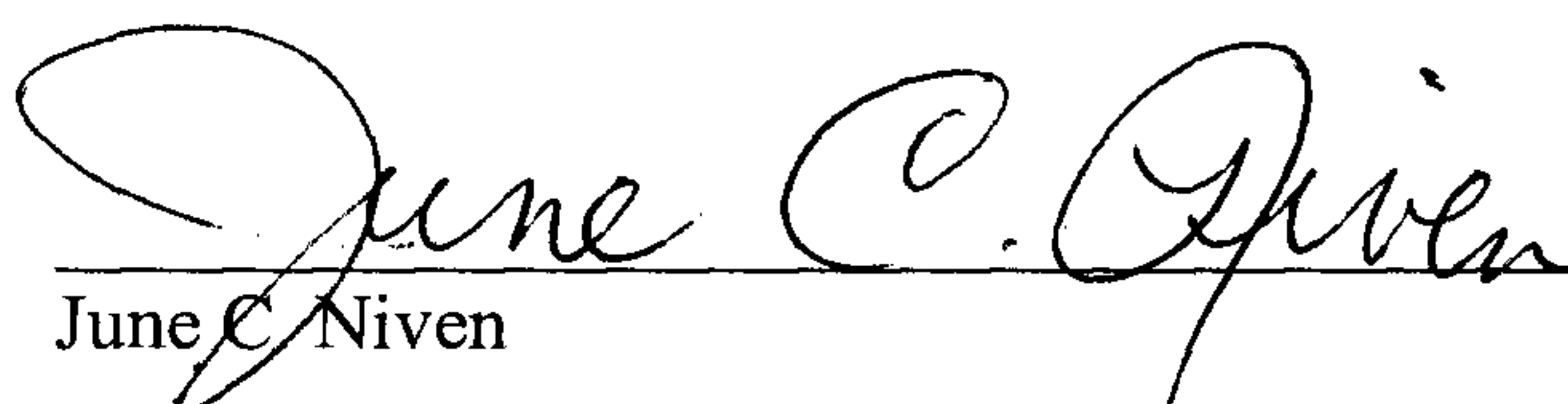
TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEE, as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the GRANTEE herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and, if one does not survive the other, then the heirs and assigns of the GRANTEE herein shall take as tenants in common, forever.

AND SAID GRANTOR, for said GRANTOR, GRANTOR'S heirs, successors, executors and administrators, covenants with GRANTEE, and with GRANTEE'S heirs and assigns, that GRANTOR are lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any Restrictions pertaining to the Real Estate of record in the Probate Office of said County; and that GRANTOR will, and GRANTOR'S heirs, executors and administrators shall, warrant and defend the same to said GRANTEE, and GRANTEE'S heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said GRANTOR has hereunto set their hand and seal this the 15th day of January, 2003.



Samuel Earl Niven, Sr.

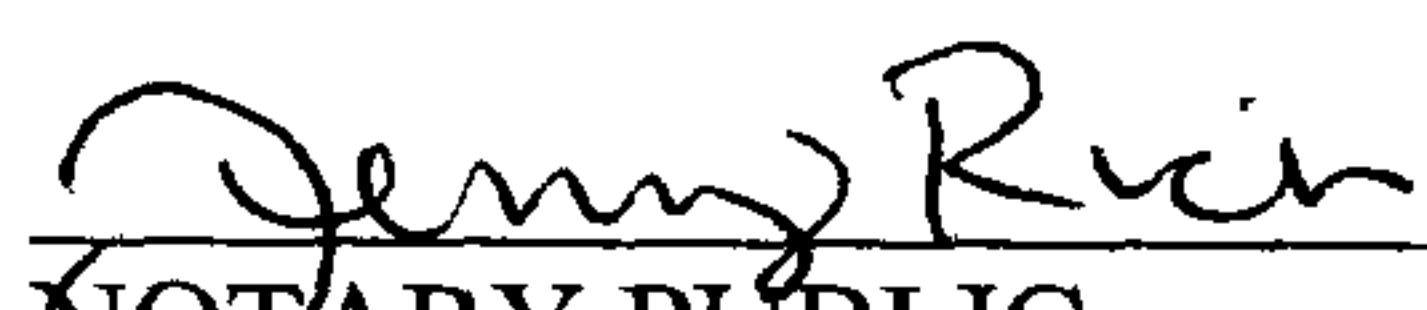


June C. Niven

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Samuel Earl Niven, Sr. and wife, June C. Niven, 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 Instrument signed their name voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 15th day of January, 2003.



NOTARY PUBLIC
My Commission Expires: **MY COMMISSION EXPIRES OCT. 2, 2006**

EXHIBIT A
LEGAL DESCRIPTION

AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES ACROSS THE FOLLOWING
DESCRIBED PROPERTY:

Commencing at the Northwest Corner of Section 26, Township 19 South, Range 1 West; thence South 0 degrees 42 minutes 23 seconds East, a distance of 576.18 feet to the POINT OF BEGINNING; thence South 46 degrees 29 minutes 34 seconds West, a distance of 40.89 feet; thence South 0 degrees 42 minutes 23 seconds East, a distance of 218.01 feet; thence South 39 degrees 00 minutes 51 seconds West, a distance of 205.34; thence South 73 degrees 27 minutes 27 seconds West, a distance of 216.84 feet; thence South 16 degrees 32 minutes 33 seconds East, a distance of 60 feet; thence North 73 degrees 27 minutes 27 seconds East, a distance of 235.44 feet; thence North 39 degrees 00 minutes 51 seconds East, a distance of 245.61 feet; thence North 0 degrees 42 minutes 23 seconds West, a distance of 213.47 feet; thence North 30 degrees 06 minutes 31 seconds West, a distance of 61.91 feet to the POINT OF BEGINNING.