

DECLARATION OF RESTRICTION

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS; that the undersigned, Randall H. Goggans, a married man, does hereby restrict that certain real property described on Exhibit A attached hereto and incorporated by reference herein, the portion of which is west of the interstate 65 right of way to the following restriction:

No gasoline or diesel fuel shall be sold on any of the restricted property.

Exempted from the restricted property is the following described property:

Lot 1, of the Amended Plat of Final Plat, McCullough Oil Company's Resurvey of Parts of Lots 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15 and 16, Block 194 of Dunstan's Map of Calera, as recorded in Map Book 31 page 9, as recorded in Map Book 31 page 27, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama Described on Exhibit A.

The property concerned by this restriction is not the homestead of Randall H. Goggans or his spouse.

Done this 31st of March, 2003,

Randall H. Goggans
Randall H. Goggans

STATE OF ALABAMA)
Jefferson COUNTY)

I, the undersigned, a Notary Public for the State of Alabama at Large do hereby certify that Randall H. Goggans, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me this day that, being informed of the contents of said conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 31st day of March, 2003.

Jennifer C. Cline
Notary Public
My Commission Exp. 12.22.06

PARCEL I:

A portion of Lots 14, 15 and 16, all in Block 193, according to the Survey of Dunstan's Map of Calera, being more particularly described as follows:

Beginning at the SW corner of Lot 16, Block 193 of Dunstan's Map (Survey) of Calera, thence run Northerly along the East margin of 4th Street a distance of 150.00 feet to a steel pin corner; thence turn 90° right and run Easterly along the North line of Lot 14 of said Block 193 a distance of 150.00 feet to a steel pin corner; thence turn 90° right and run Southerly a distance of 150.00 feet to a steel pin on the North margin of Alabama Highway No. 25; thence turn 90° right and run Westerly along said margin of said Highway a distance of 150.0 feet to the point of beginning.

PARCEL II:

All of the West ½ of Block 193 of Dunstan's Map (Survey) of Calera, less and except a 150.00 foot by 150.00 foot square of land known on the Plat as Parcel I, said Parcel II, being described by metes and bounds as follows:

Beginning at the SE corner of Lot 16, Block 193, of Dunstan's Map (Survey) of Calera and run thence Northerly along the West line of a 20 foot wide alleyway a distance of 400.00 feet to a steel pin marking the NE corner of Lot 9 of same said Block 193; thence turn 90° left and run Westerly along the North line of said Lot 9 a distance of 190.00 feet to a Steel pin marking the NW corner of same said Lot 9; thence turn 90° left and run Southerly along the East margin of 4th Street a distance of 250.00 feet to a steel pin corner marking the SW corner of Lot 13 of Block 193 of same said Dunstan's Map of Calera; thence turn 90° left and run Easterly distance of 150.00 feet to a steel pin corner; thence turn 90° right and run Southerly a distance of 150.00 feet to a point on the Northerly margin of Alabama Highway No. 25; thence turn 90° left and run Easterly along the said margin of said Highway a distance of 40.0 feet to the point of beginning.

PARCEL III:

All of the East ½ of Block 193 of Dunstan's Map of Calera, less and except a 40 foot by 30 foot section of property taken out by Highway 25, Parcel III is herewith described by metes and bounds as follows:

Beginning at the SW corner of Lot 1, Block 193 of Dunstan's Map (Survey) of Calera and run thence Northerly along the East line of a 20 foot wide alleyway a distance of 400.00 feet to a steel pin marking the NW corner of Lot 8 of same said Block 193; thence turn 90° right and run Easterly along the North line of said Lot 8 a distance of 190.00 feet to a steel pin marking the NE corner of same said Lot 8; thence turn 90° right and run Southerly along the West line of 3rd Street a distance of 370.00 feet to a steel pin marking the North margin of Alabama Highway No. 25; thence turn 90° right and run Westerly along said margin of said Highway 40.0 feet to a steel pin; thence turn 90° left and run Southerly a distance of 30.0 feet to a point on the same said Northerly margin of same said Highway No. 25; thence turn 90° right and run Westerly along said margin of said Highway a distance of 150.00 feet to the point of beginning.

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PARCEL IV:

All of the West $\frac{1}{2}$ of Block 194 of Dunstan's Map (Survey) of Calera, less and except that part of subject block that is within the right of way of Alabama Highway No. 25, subject parcel described by metes and bounds as follows:

Beginning at the NW corner of Lot 9, Block 194 of Dunstan's Map (Survey) of Calera and run thence Southerly along the East line of 3rd Street a distance of 369.40 feet to a steel pin set on the North margin of Alabama Highway No. 25; thence turn $96^{\circ}00'30''$ left and run East-Northeasterly along said right of way line a distance of 191.12 feet to a steel pin set on the West line of a 20 foot wide alleyway; thence turn $83^{\circ}59'30''$ left and run Northerly along the West line of said alleyway a distance of 350.00 feet to a steel pin marking the Northeast corner of Lot 9, Block 194 of Dunstan's; thence turn 90° left and run Westerly along the North line of said Lot 9 of said Block 194 a distance of 190.0 feet to the point of beginning.

LESS AND EXCEPT the following:

Commencing at the SE corner of the West $\frac{1}{2}$ of Block 194, according to Dunstan's Map and Survey of the Town of Calera, running West 30 feet; thence North 100 feet; thence East 30 feet; thence South 100 feet to the point of beginning.

PARCEL V:

A parcel of land in Block 194, of Dunstan's Map of Calera, more particularly described as follows:

Commencing at the Southeast corner of Block 194, thence North $00^{\circ}08'52''$ East along the East line of said Block 194, a distance of 108.27 feet to a $\frac{1}{2}$ " rebar set, with a cap stamped "S. Wheeler RPLS 16165" on the North right of way of Highway No. 25, as it existed in 1928, and the point of beginning; thence North $00^{\circ}08'52''$ East, along the East line of said Block 194, a distance of 291.73 feet to a $\frac{1}{2}$ " rebar set, with a cap stamped "S. Wheeler RPLS 16165" on the Northeast corner of said Block 194; thence North $88^{\circ}26'08''$ West, along the North line of Block 194, a distance of 190.00 feet to a $\frac{1}{2}$ " rebar set, with a cap stamped "S. Wheeler RPLS 16165" on the Northwest corner of the East half of Block 194; thence South $00^{\circ}08'52''$ West, along the West line of the East half of Block 194, a distance of 250.00 feet to a $\frac{1}{2}$ " rebar set, with a cap stamped "S. Wheeler RPLS 16165", on the Southwest corner of Lot 4; thence South $88^{\circ}26'08''$ East along the South line of Lot 4, a distance of 50.02 feet, to a $\frac{1}{2}$ " rebar set, with a cap stamped "S. Wheeler RPLS 16165" thence South $00^{\circ}08'52''$ West a distance of 96.07 feet to a $\frac{1}{2}$ " rebar set, with a cap stamped "S. Wheeler RPLS" on the North right of way of Highway No. 25 as it existed in 1928; thence along a curve to the left, in said right of way having a radius of 1105.92 feet and a chord bearing of North $70^{\circ}09'56''$ East and arc length of 149.02 feet to the point of beginning.

LESS AND EXCEPT:

Commencing at the Southeast corner of Block 194; thence North $00^{\circ}08'52''$ East, along the East line of said Block 194, a distance of 108.27 feet to a $\frac{1}{2}$ " rebar set, with a cap stamped "S. Wheeler RPLS 16165", on the North right of way of Highway No. 25, as it existed in 1928, and the point of beginning; thence North $00^{\circ}08'52''$ East along the East line of said Block 194, a distance of 291.73 feet to a $\frac{1}{2}$ " rebar set, with a cap stamped "S. Wheeler RPLS 16165" on the Northeast corner of said Block 194; thence North $88^{\circ}26'08''$ West along the North line of Block 194, a distance of 54.86 feet to a point; thence South $00^{\circ}55'14''$ East a distance of 82.81 feet to a point; thence South $31^{\circ}24'44''$ West a distance of 56.42 feet to a point; thence South $00^{\circ}55'14''$ East a distance of 193.43 feet to a point on the North right of way of Highway No. 25 as it existed in 1928; thence along a curve to the left in said right of way having a radius of 1105.92 feet and a chord bearing of North $68^{\circ}30'25''$ East and arc length of 84.99 feet to the point of beginning.

According to the Survey of Sid Wheeler, dated 4-30-98.

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PARCEL VI:

A parcel of land in Block 194, of Dunstan's Map of Calera, being more particularly described as follows:

Commencing at the Southeast corner of Block 194; thence North 88°26'08" West along the South line of said Block 194, a distance of 190.00 feet to the Southwest corner of the East half of said Block 194; thence North 00°08'52" East along the West line of said East half of Block 194, a distance of 43.93 feet to a ½" rebar set, with a cap stamped "S. Wheeler, RPLS 18185", on the North right of way of Highway No. 25 and the point of beginning; thence North 00°08'52" East along the West line of said East half of Block 194, a distance of 106.07 feet to a ½" rebar set, with a cap stamped "S. Wheeler RPLS 18185" on the Northwest corner of Lot 3; thence South 88°26'08" East along the North line of said Lot 3, a distance of 50.02 feet, to a ½" rebar set, with a cap stamped "S. Wheeler RPLS 18185"; thence South 00°08'52" West a distance of 96.07 feet to a ½" rebar set, with a cap stamped "S. Wheeler RPLS 18185" on the North right of way of Highway No. 25 as it existed in 1928; thence along a curve to the right in said right of way having a radius of 1105.92 feet and a chord bearing of South 74°39'54" West and arc length of 24.68 feet to a point on the North right of way of Highway No. 25 as it presently exists; thence along a curve, to the right in said right of way having a radius of 5679.35 feet and a chord bearing of South 85°24'10" West and arc length of 26.30 feet to the point of beginning.

All being situated in Shelby County, Alabama.

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Shelby Cnty Judge of Probate, AL
04/07/2003 09:26:00 FILED/CERTIFIED