

This form furnished by: **Cahaba Title, Inc.**

Eastern Office
(205) 833-1571
FAX 833-1577

Riverchase Office
(205) 988-5600
FAX 988-5905

This instrument was prepared by:

(Name) Courtney Mason & Associates
(Address) 1904 Indian Lake Drive, Suite 100
Birmingham, Alabama 35244

Send Tax Notice to:

(Name) Scotch Building & Development Co., Inc
(Address) 503-C Cahaba Park Circle
Birmingham, AL 35043

Temporary Construction Easement

STATE OF ALABAMA

Shelby

COUNTY }

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Ten & no/100th (\$10.00) DOLLARS

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt of which is hereby acknowledged, I or we,

Albert R. Coman, III and wife Kimberly A. Coman

(herein referred to as grantor, whether one or more), do grant, bargain, sell and convey unto

Scotch Building & Development Co., Inc

(herein referred to as grantee, whether one or more), the following described real estate, situated in

Shelby

County, Alabama, to-wit:



20030502000269440 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
05/02/2003 08:07:00 FILED/CERTIFIED

A temporary Construction easement more particularly showed on a survey prepared by R.C. Farmer dated April 22, 2003 and attached hereto as exhibit "A" and incorporated herein by reference. Said temporary construction easement is on the South side of lot 45 as shown on the survey. During construction of the proposed dam, grantee may remove trees and vegetation within this temporary construction easement as well as ingress and egress for equipment in the course of construction of a dam on the rear of lot 45.

The temporary construction easement shall expire upon the first occurrence as of the following events: (1) construction of a permanent dam on the rear of lot 45 or (2) October 30, 2004.

TO HAVE AND TO HOLD, To the said GRANTEE, his, her or their heirs, or its successors and assigns forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said grantee, his, her or their heirs and assigns, or its successors and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I (we) have good right to sell and convey the same as aforesaid; that I (we) will, and my (our) heirs, executors and administrators shall warrant and defend the same to the said grantee, his, her or their heirs and assigns, or its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this 29
day of April, 19x 2003

____ (Seal)

Albert R. Coman III (Seal)

____ (Seal)

Kimberly A. Coman (Seal)

____ (Seal)

____ (Seal)

STATE OF ALABAMA

Shelby

County }

General Acknowledgment

I, The undersigned, a Notary Public in and for said County, in said State, hereby certify that Albert R. Coman, III and Kimberly A. Coman, whose name(s) 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 conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 29th day of April, 19 2003

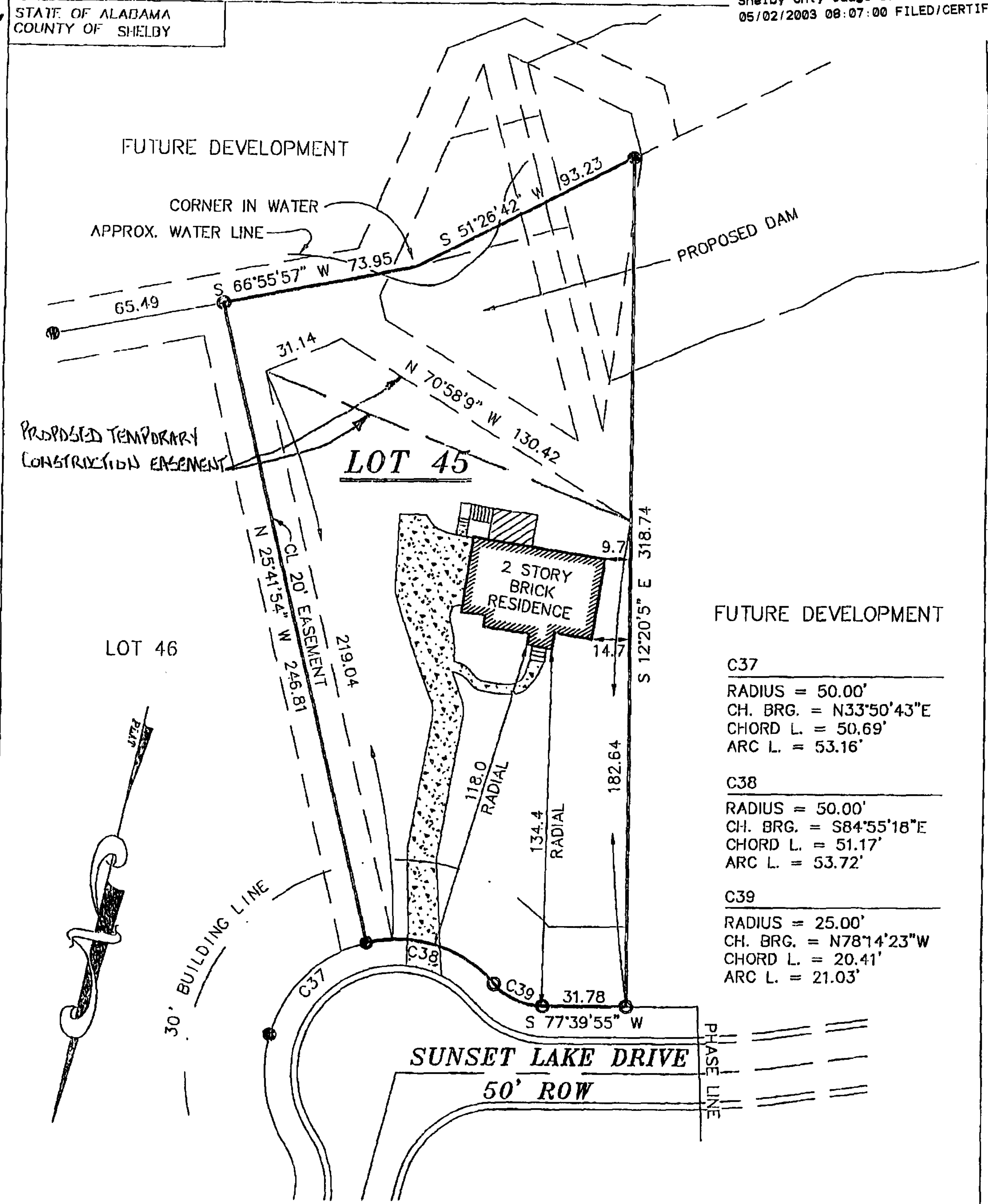
2.20.07
My Commission Expires:

PEGGY I. MANN
COMMISSION EXPIRES FEB. 20, 2007

Notary Public

EXHIBIT "A"

20030502000269440 Pg 2/2 14.00
Shelby Cnty Judge of Probate, AL
05/02/2003 08:07:00 FILED/CERTIFIED



Survey of Lot 45, Block according to FINAL PLAT - SUNSET LAKE
PHASE 1, as recorded in the Office of the Judge of
Probate of afore-said County in Plat Book 29, Page 68: The address based on
reliable information and sources of said Lot is 161 SUNSET LAKE DRIVE
 , Alabama and is the corporate limits of
the SHELBY COUNTY: That said lot lies in Zone 'C', according to
F.I.R.M. Community-Panel Number 010191 0075 B Dated SEPT. 16, 1982

SURVEY FOR: ALBERT R. & KIMBERLY A. COMEN
REQUESTED BY: SONYA @ REALTY SOUTH
TYPE OF SURVEY: MORTGAGE SURVEY DATE OF FIELD SURVEY: 4/22/03

- LEGEND**
- 1 - CONCRETE MONUMENT FOUND.
 - - PK NAIL FOUND
 - - # 5 REBAR SET WITH CAP STAMPED.
 - - PK NAIL SET
 - - UTILITY POLE.
 - - BRICK WALL
 - - WOOD DECK
 - - COVERED WOOD DECK
 - - SCREENED IN DECK
 - - IRON PIN FOUND 1/2" OUTSIDE DIAMETER
 - U— - OVERHEAD UTILITY LINE(S).
 - X— - FENCE.
 - - CONCRETE.
 - - NOT TO SCALE.
 - - ACRES.
 - - CENTERLINE
 - - EASEMENT.
 - - MINIMUM BUILDING LINE
 - - RIGHT OF WAY.
 - - CONCRETE BLOCK WALL
 - - BRICK WALL

SCALE 1" = 50'

BASIS OF BEARING USED: PLAT

SOURCE OF INFORMATION USED IN MAKING THIS SURVEY IS: RECORD MAP

JOB # 7356
DATE: 4/24/03
DRAWN: SDM
CHECKED: RCF
SHEET NO 1 of 1

PREPARED BY:
R. C. FARMER
and
ASSOCIATES, INC.
246 YEAGER PARKWAY
PELHAM, ALABAMA 35124
TEL-205-664-2566
FAX-205-664-2616

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

REVISOR:

