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20040107000011990 Pg 1/17 59.00  
Shelby Cnty Judge of Probate, AL  
01/07/2004 12:14:00 FILED/CERTIFIED

44.50

Instrument prepared by and  
to be returned to:  
Timothy D. Davis, Esq.  
Sirote & Permutt, P.C.  
P. O. Box 55727  
Birmingham, Alabama 35255-5727  
(205) 930-5132

### NON-ENCUMBRANCE AGREEMENT

This Agreement is entered into as of the 19th day of December, 2003, by and between RIVERCHASE COUNTRY CLUB, a non-profit corporation (the "Borrower") and SOUTHTRUST BANK, an Alabama banking corporation (the "Bank").

#### WITNESSETH:

WHEREAS, the Borrower has requested the Bank make a loan (the "Loan") to the Borrower in the principal amount of up to \$3,600,000.00, as evidenced by that certain Promissory Note (together with any and all amendments thereto at any time made, and together with any and all promissory notes at any time given in extension or renewal of, or in substitution or replacement for, such Promissory Note, the "Note") of the Borrower in said principal amount of even date herewith, and all as more specifically set forth in that certain Loan Agreement of even date herewith (together with any and all amendments thereto at any time made, the "Loan Agreement"); and

WHEREAS, the Bank is willing to make said Loan and extend said credit as described above on condition that the Borrower execute and deliver this Agreement.

NOW, THEREFORE, in consideration of the Bank's agreement to make the Loan and extend the credit as described above and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Borrower hereby agrees as follows:

1. Unless the Bank shall otherwise agree in writing, the Borrower will not sell, transfer, lease, mortgage, pledge, grant or permit to exist a security interest or lien upon, or otherwise dispose of any of the assets and/or property described on Exhibit A attached hereto, except as follows:

(a) Liens for taxes, assessments or similar charges, incurred in the ordinary course of business that are not yet due and payable (provided that Borrower agrees that all such amounts owing by Borrower will be paid on or before the due date thereof);

(b) Liens of mechanics, materialmen, warehousemen, carriers, or other like liens, securing obligations incurred in the ordinary course of business that are not yet due and payable (provided that Borrower agrees that all such amounts owing by Borrower will be paid on or before the due date thereof);

(c) Encumbrances consisting of zoning restrictions, easements or other restrictions on the use of real property, none of which materially impairs the use of such property by the Borrower, and none of which is violated in any material respect by existing or proposed structures or land use; and

(d) Liens in favor of the Bank.

2. The Borrower will maintain insurance with an insurance company reasonably satisfactory to the Bank on each of its properties in such amounts and against such risks as is customarily maintained in its business, including insurance on its fixed assets and other properties, workmen's compensation and similar insurance required by law, adequate public liability insurance, and such additional insurance as the Bank reasonably may request. The Borrower shall furnish to the Bank such evidence of insurance as the Bank may require.

3. This Agreement shall not be terminated until one of the Bank's officers signs a written termination agreement, and Bank agrees to sign such a termination agreement upon Borrower paying in full all amounts owing to Bank in connection with the Loan; provided, however, that in no event shall the Bank be obligated to terminate this Agreement if there shall be existing any Event of Default under the Loan Agreement or any other matter of default in any other agreement between Bank and Borrower, and (i) until payment in full of all amounts owing to Bank in connection with the Loan and (ii) the expiration of the applicable period for avoiding or setting aside such payment under bankruptcy or insolvency laws (provided that Bank agrees that the execution and delivery of the termination agreement shall not be delayed if Borrower provides to Bank such evidence as Bank may reasonably require to assure Bank that such payment will not be so set aside). Even if the Borrower should pay all amounts owing to Bank in connection with the Loan, this Agreement will continue until the written termination agreement referred to above has been executed by the Bank. No termination of this Agreement shall in any way affect or impair the representations, warranties, agreements, covenants, obligations, duties and liabilities of the Borrower or the powers, rights and remedies of the Bank under the Loan Agreement or any documents and instruments executed in connection therewith, all of which shall survive such termination.

IN WITNESS WHEREOF, the Borrower and the Bank have executed this Agreement as of the day and year first above written.


BORROWER:

RIVERCHASE COUNTRY CLUB

By:   
Its: President

BANK:

SOUTHTRUST BANK

By:   
Its: V. P.

STATE OF ALABAMA )  
COUNTY OF Shelby )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that L. Ray Estep, whose name as President of Riverchase Country Club, an Alabama non-profit corporation, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 19th day of Dec., 2003.

(SEAL)

[Signature]  
Notary Public

My Commission Expires: 2-13-07

STATE OF ALABAMA )  
COUNTY OF Shelby )

Beth Wilson I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Beth Wilson V.P., whose name as Beth Wilson V.P. of SouthTrust Bank, an Alabama banking corporation, 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 said instrument, (s)he, as such officer and with full authority, executed the same voluntarily for and as the act of said banking corporation.

Given under my hand and official seal, this the 19th day of Dec., 2003.

(SEAL)

[Signature]  
Notary Public

My Commission Expires: 2-13-07



EXHIBIT A,  
LEGAL DESCRIPTION

TRACT 1:

The following is a description of a tract of land situated in the SW 1/4 of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the SW corner of Section 35, Township 19 South, Range 3 West; thence South 88 deg. 42' 32" East along the South Section line 1,559.21 feet; thence 90 deg. 00' 00" left, 487.66 feet to an existing iron pin, being the point of beginning; thence North 86 deg. 44' 02" West, 70.12 feet to an existing iron pin; thence North 25 deg. 01' 02" West, 231.78 feet to an existing iron pin, being on the Easterly line of Lot 55, Third Addition Riverchase Country Club Residential Subdivision as recorded in Map Book 7, Page 53, in the Office of the Judge of Probate, Shelby County, Alabama; thence North 19 deg. 27' 18" West along the Easterly line of said subdivision for 657.48 feet to an existing iron pin; thence North 03 deg. 26' 58" East along the Easterly line of said subdivision 332.60 feet to an existing iron pin; thence North 30 deg. 47' 00" West, 58.56 feet to an existing iron pin, being on the Southerly right-of-way of Country Club Circle; thence North 59 deg. 13' 00" East, 199.81 feet along said right-of-way to a curve to the right, said curve having a central angle of 90 deg. 00' 00" and a radius of 25.00 feet; thence along the arc of said curve and right-of-way 39.27 feet to an existing iron pin; thence South 30 deg. 47' 00" East tangent to said curve and along said right-of-way, 17.16 feet to a curve to the left, said curve having a central angle of 28 deg. 07' 00" and a radius of 260.00 feet; thence along the arc of said curve and right-of-way 127.59 feet to an existing iron pin; thence South 58 deg. 54' 00" East, tangent to said curve and along said right-of-way 22.33 feet, to an existing iron pin on the most Northerly corner of Lot 2334 Riverchase Country Club 23rd Addition as recorded in Map Book 10, Page 11, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 02 deg. 56' 58" West, along the Westerly line of said Lot 2334, and along the Westerly line of Lot 2401, Riverchase Country Club 24th Addition, as recorded in Map Book 10, Page 64, in the Office of the Judge of Probate, Shelby County, Alabama, 310.60 feet; thence South 11 deg. 01' 02" East, along the Westerly line of said Riverchase Country Club, 24th Addition, 251.46 feet; thence South 10 deg. 27' 02" East, along the Westerly line of said subdivision for 573.52 feet; thence South 40 deg. 21' 58" West, 95.80 feet to the point of beginning.

TRACT 2:

The following is a description of a tract of land situated in the South 1/4 of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the NE corner of the SW 1/4 of the SE 1/4, Section 35, Township 19 South, Range 3 West; thence South 00 deg. 07' 20" West along the 1/4 line 40.35 feet to a point; thence 90 deg. 00' 00" right 278.28 feet to an existing iron pin, being the point of beginning; thence North 44 deg. 30' 51" West, 166.87 feet to an existing iron pin being on the Southwest corner of Lot 2736

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

Riverchase Country Club 27th Addition, as recorded in Map Book 11, Page 56, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 68 deg. 42' 09" West along the Southerly line of said subdivision 170.65 feet to an existing iron pin; thence South 30 deg. 26' 20" West along the Southerly line of said subdivision 92.78 feet to an existing iron pin; thence South 85 deg. 04' 31" West along the Southerly line of said subdivision 116.42 feet to an existing iron pin; thence South 84 deg. 16' 09" West along the Southerly line of said subdivision and along the Southerly line of Riverchase Country Club 24th Addition as recorded in Map Book 10, Page 64, in the Office of the Judge of Probate, Shelby County, Alabama, 831.20 feet to an existing iron pin; thence South 72 deg. 23' 30" West, 436.44 feet to an existing iron pin; thence South 74 deg. 18' 37" West, 212.96 feet to an existing iron pin; thence South 61 deg. 42' 52" West, 123.87 feet to an existing iron pin; thence South 49 deg. 20' 49" West, 139.29 feet to an existing iron pin; thence South 10 deg. 27' 02" East, 96.70 feet to an existing iron pin; thence North 89 deg. 00' 30" East, 354.31 feet to an existing iron pin; thence South 00 deg. 38' 57" East, 179.01 feet to an existing iron pin; thence North 83 deg. 35' 09" East, 179.11 feet to an existing iron pin; thence North 80 deg. 23' 03" East, 640.01 feet to an existing iron pin; thence South 86 deg. 57' 57" East, 715.98 feet to an existing iron pin; thence North 19 deg. 48' 09" East, 357.00 feet to an existing iron pin; thence North 15 deg. 34' 09" East, 309.43 feet to the point of beginning.

TRACT 3:

The following is a description of a tract of land situated in the South 1/2 of the SW 1/4 of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

BOOK 159 PAGE 125  
Commence at the SW corner of Section 35, Township 19 South, Range 3 West; thence North 00 deg. 16' 14" East along the West Section line 125.02 feet; thence South 88 deg. 42' 32" East, 526.61 feet to an existing iron pin, being the point of beginning, said point also being on the North line of an Alabama Power Company right-of-way; thence South 88 deg. 42' 32" East, along said right-of-way, 1,479.46 feet to an existing iron pin; thence North 11 deg. 58' 14" East, leaving said right-of-way, 192.11 feet to an existing iron pin; thence North 31 deg. 57' 14" West, 89.14 feet to an existing iron pin; thence North 87 deg. 26' 11" West, 536.52 feet to an existing iron pin; thence North 89 deg. 40' 11" West, and along the South line of Lots 56-A, 701, 702, and 703, Riverchase Country Club 7th Addition as recorded in Map Book 8, Page 176, in the Office of the Judge of Probate, Shelby County, Alabama, 805.19 feet to an existing iron pin; thence South 26 deg. 46' 08" West, 289.95 feet to the point of beginning.

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

TRACT 4:

The following is a description of a tract of land situated in the SW 1/4 of the SW 1/4 of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the SW corner of Section 35, Township 19 South, Range 3 West; thence North 00 deg. 16' 14" East, along the West section line 125.02 feet; thence South 88 deg. 42' 32" East, 245.69 feet to an existing iron pin being the point of beginning, said point also being on the North line of an Alabama Power Company right-of-way, said point also being the Southeast corner of Lot 707 Riverchase Country Club 7th Addition as recorded in Map Book 8, Page 176, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 88 deg. 42' 32" East, 214.46 feet to an existing iron pin; thence North 26 deg. 46' 08" East, leaving said right-of-way 634.46 feet to an existing iron pin being on the Southerly right-of-way of Fairway View Drive and a curve to the left, said curve having a central angle of 35 deg. 57' 59" and a radius of 220.00 feet; thence an angle of 81 deg. 01' 38" left to tangent of said curve and along the arc of said curve and right-of-way, 138.10 feet to an existing iron pin being the Northeast corner of Lot 704 in said Riverchase Country Club 7th Addition; thence South 40 deg. 34' 07" West along the Southeast line of Lots 704, 705, and 706, 484.64 feet to an existing iron pin; thence South 24 deg. 52' 25" West, along the Southeast line of Lot 706, 121.25 feet to an existing iron pin; thence South 02 deg. 06' 25" West along the Easterly line of Lot 707 in said subdivision, 125.00 feet, more or less, to the point of beginning.

TRACT 5:

The following is a description of a tract of land situated in the SW 1/4 of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama, and in the SE 1/4 of Section 34, Township 19 South, Range 3 West, Jefferson County, Alabama, and being more particularly described as follows:

Commence at the SW corner of Section 35, Township 19 South, Range 3 West; thence North 00 deg. 16' 14" East, along the West Section line 1,337.34 feet to a point; thence 90 deg. 00' 00" right, 215.64 feet to an existing iron pin, being the point of beginning, said point being the most Northerly corner of Lot 718 Riverchase Country Club Seventh Addition, as recorded in Map Book 8, Page 176, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 32 deg. 57' 19" East and along the Northeasterly lines of Lots 718, 719, 720, and 723, in said subdivision, 626.31 feet, to an existing iron pin; thence South 22 deg. 14' 24" East, along the Northeasterly line of Lot 723, 33.98 feet to an existing iron pin on the Northerly right-of-way of Fairway View Drive and a curve to the right, said curve having a central angle of 54 deg. 57' 48" and a radius of 280.00 feet; thence an angle of 76 deg. 27'

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

36" left to tangent of said curve and along the arc of said curve and right-of-way, 268.60 feet to an existing iron pin being on the Northwestern line of Lot 724 in said Riverchase Country Club 7th Addition; thence North 46 deg. 15' 48" East along said Northwestern line of Lot 724, 45.35 feet; thence North 59 deg. 34' 41" East, along the Northwestern line of said Lot 724, 116.49 feet to an existing iron pin being on the Southwesterly line of Lot 2, Third Addition Riverchase Country Club Residential Subdivision, as recorded in Map Book 7, Page 53, in the Office of the Judge of Probate, Shelby County, Alabama; thence North 17 deg. 15' 19" West and along the Southwesterly line of said Lot 2, 90.51 feet to an existing iron pin; thence North 46 deg. 34' 19" West and along the Southwest line of Lots 3 and 4 in said subdivision, 185.50 feet to an existing iron pin; thence North 36 deg. 07' 19" West and along the Southwest line of Lots 4, 5, 7, 8, 9, and 10, in said subdivision, 600.43 feet to an existing iron pin; thence North 48 deg. 19' 19" West along the Southwest line of Lots 10, 11, 12, 13, and 14, in said subdivision, 478.34 feet to an existing iron pin; thence North 00 deg. 38' 41" East along the Westerly line of said Lot 14, 106.74 feet to an existing iron pin on the Southerly right-of-way line of Lake Forest Circle; thence South 75 deg. 34' 00" West, 14.52 feet along said right-of-way to a curve to the right, said curve having a central angle of 59 deg. 08' 00" and a radius of 180.00 feet; thence along the arc of said curve and right-of-way, 185.77 feet; thence North 45 deg. 18' 00" West, tangent to said curve and along said right-of-way, 99.21 feet to an existing iron pin on the most Easterly corner of Lot 10, Fourth Addition Riverchase Country Club, as recorded in Map Book 7, Page 85, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 47 deg. 02' 41" West along the Southeasterly line of said Lot 10, 150.22 feet to an existing iron pin; thence South 15 deg. 56' 19" East along the Easterly line of Lot 11, in said subdivision, 94.64 feet to an existing iron pin; thence South 44 deg. 14' 19" East along the Northeasterly line of Lot 60, in said subdivision and Lots 716 and 717, in the aforesaid Riverchase Country Club 7th Addition, 688.25 feet to the point of beginning.

TRACT 6:

The following is a description of a tract of land situated in the SE 1/4 of Section 34, Township 19 South, Range 3 West, Jefferson County, Alabama, and the W 1/2 of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama, and the SW 1/4 of Section 26, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows: Commence at the NW corner of the SW 1/4 of Section 35, Township 19 South, Range 3 West; thence South 00 deg. 16' 14" West along the West Section line 102.94 feet; thence 90 deg. 00' 00" right, 26.86 feet to an existing iron pin being the point of beginning, said point being on the Easterly line of Lot 7, Fourth

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

Addition to Riverchase Country Club as recorded in Map Book 7, Page 85, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 17 deg. 25' 01" West along the Easterly line of Lots 7 and 8 in said subdivision, 160.32 feet to an existing iron pin; thence South 15 deg. 41' 01" West along the Easterly line of Lots 8 and 9, in said subdivision, 203.58 feet to a existing iron pin; thence South 58 deg. 49' 01" West along the Southeast line of Lot 9, 48.87 feet to an existing iron pin being on the Northerly right-of-way of Lake Forest Circle; thence South 45 deg. 18' 00" East along said right-of-way 138.51 feet to a curve to the left, said curve having a central angle of 59 deg. 08' 00" and a radius of 120.00 feet; thence along the arc of said curve and right-of-way 123.85 feet; thence North 75 deg. 34' 00" East, tangent to said curve and along said right-of-way 95.05 feet to a curve to the right, said curve having a central angle of 11 deg. 11' 01" and a radius of 280.00 feet; thence along the arc of said curve and right-of-way 54.65 feet to an existing iron pin being on the Southwest corner of Lot 15, Third Addition Riverchase Country Club Residential Subdivision; thence North 01 deg. 10' 01" East, along the Westerly line of said Lot 15, 148.60 feet to an existing iron pin; thence North 17 deg. 04' 06" East along the Northwest line of Lots 15, 23 and 24, in said subdivision, 276.21 feet to an existing iron pin; thence North 20 deg. 46' 01" East, 411.71 feet to an existing iron pin; thence South 86 deg. 41' 59" East, 312.47 feet to an existing iron pin; thence South 01 deg. 12' 50" West, 232.22 feet to an existing iron pin on the Easterly line of Lot 29 in the aforesaid Third Addition Riverchase Country Club Residential Subdivision; thence South 36 deg. 50' 51" East along the Northeasterly line of Lots 29, 30, 31, 32, and 33, in said subdivision, 453.38 feet to an existing iron pin; thence South 29 deg. 37' 13" East along the Northeasterly line of Lots 33, 34, 35, and 42 in said subdivision, 465.07 feet to an existing iron pin on the Northerly right-of-way of Country Club Circle; thence North 59 deg. 13' 00" East, 150.42 feet along said right-of-way to a curve to the left, said curve having a central angle of 04 deg. 05' 48" and a radius of 280.00 feet; thence along the arc of said curve and right-of-way 20.02 feet to an existing iron pin on the Southwest corner of Lot 43 in said subdivision; thence North 23 deg. 05' 00" West along the Southwesterly line of said Lot 43 and along the Southwesterly line of Lots 28, 27, and 25, Amended Riverchase Country Club Phase II, as recorded in Map Book 8, Page 59, and Lot 26, Riverchase Country Club, as recorded in Map Book 7, Page 31, all in the Office of the Judge of Probate, Shelby County, Alabama, 792.96 feet to an existing iron pin; thence North 05 deg. 00' 00" East along the Westerly line of lot 25 in said Amended Riverchase Country Club Phase II, 172.63 feet to an existing iron pin; thence North 55 deg. 02' 00" East along the Northwesterly line of said Lot 25, 101.35 feet to the West right-of-way of Club Drive; thence North 34 deg. 58' 00" West, 34.78 feet along said right-of-way to a curve to

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

the right, said curve having a central angle of 38 deg. 21' 00" and a radius of 280.00 feet; thence along the arc of said curve and right-of-way 187.41 feet; thence North 03 deg. 23' 00" East, 89.12 feet along said right-of-way to the end of Club Drive; thence South 86 deg. 37' 00" East, leaving said right-of-way and running along the North line of Lot 24 in said subdivision, 228.65 feet to an existing iron pin; thence South 11 deg. 08' 00" West along the Easterly line of said Lot 24, 101.03 feet to an existing iron pin; thence South 81 deg. 53' 00" East along the Northerly line of Lots 23 and 22 in said subdivision, 269.00 feet to an existing iron pin; thence South 04 deg. 05' 00" West along the Easterly line of Lot 22 in said subdivision, 114.17 feet to an existing iron pin; thence South 11 deg. 03' 00" East along the Northeasterly line of Lot 22 and 21 in said subdivision 114.17 feet to an existing iron pin; thence South 70 deg. 03' 00" East along the Northerly line of Lot 16 in said subdivision, 178.40 feet to an existing iron pin being on the West right-of-way of Riverchase Parkway West; thence North 13 deg. 12' 00" East, 39.39 feet along said right-of-way to a curve to the right, said curve having a central angle of 14 deg. 38' 00" and a radius of 600.00 feet; thence along the arc of said curve and right-of-way 153.24 feet; thence tangent to said curve North 27 deg. 50' 00" East, along said right-of-way 128.93 feet to an existing iron pin on the Southwest corner of Lot 15 Riverchase Country Club, as recorded in Map Book 7, Page 31, in the Office of the Judge of Probate, Shelby County, Alabama; thence North 47 deg. 21' 00" West, along the Southwesterly line of said Lot 15, 260.33 feet to an existing iron pin being the Southeast corner of Lot 302, Riverchase Country Club Residential Subdivision Tenth Addition, as recorded in Map Book 8, Page 47, in the Office of the Judge of Probate, Shelby County, Alabama; thence North 70 deg. 37' 49" West along the Southerly line of Lot 302 in said subdivision, 135.68 feet to an existing iron pin; thence North 13 deg. 40' 52" West, and along the Southwest line of Lots 303 and 304 in said subdivision, 690.96 feet to a point on elevation 419.0 contour (mean sea level datum); thence along said 419.0 contour in a Northeasterly and Southeasterly direction 1,533.69 feet, more or less, to an existing iron pin being on the Northeast corner of Lot 308 in the aforesaid Riverchase Country Club Residential Subdivision Tenth Addition; thence South 77 deg. 41' 00" East, leaving said contour elevation 98.18 feet; thence North 84 deg. 03' 28" East, 36.60 feet; thence North 65 deg. 56' 28" East, 28.00 feet; thence North 00 deg. 13' 28" East, 73.80 feet; thence North 89 deg. 16' 36" West, 50.10 feet to a point on the 419.0 feet contour (mean sea level datum); thence Northwesterly along said contour 1,290.82 feet, more or less, to a point on the most Westerly corner of Lot 508, Riverchase Country Club 12th Addition, as recorded in Map Book 8, Page 140, in the Office of the Judge of Probate, Shelby County, Alabama; thence North 42 deg. 11' 46" East along the Northwesterly line of Lots 508, 507, 506, 505, 504, and 503, in said subdivision, 775.97 feet to an

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

existing iron pin; thence North 12 deg. 31' 32" West along the Westerly line of Lot 502 in said subdivision 54.94 feet to an existing iron pin; thence North 63 deg. 02' 38" West, 108.91 feet to a point on the Southeast corner of Lot 271 Ninth Addition Riverchase Country Club, as recorded in Map Book 8, Page 46, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 80 deg. 55' 28" West along the Southerly line of said Lot 271, 50.65 feet to an existing iron pin; thence South 62 deg. 11' 28" West along the Southerly line of said Lot 272 in said subdivision, 62.18 feet to an existing iron pin; thence South 51 deg. 17' 28" West and along the Southeast line of Lots 273, 274, and 275, in said subdivision, 703.58 feet; thence South 33 deg. 01' 12" West, 412.67 feet; thence South 10 deg. 44' 38" West, 118.92 feet; thence South 89 deg. 07' 48" West, 88.38 feet; thence North 66 deg. 51' 21" West, 56.19 feet; thence North 46 deg. 33' 27" West, 55.21 feet; thence North 17 deg. 56' 08" West, 25.36 feet; thence North 02 deg. 47' 24" East, 123.15 feet; thence North 14 deg. 48' 24" East, 680.66 feet; thence North 28 deg. 00' 08" East, 560.01 feet to an existing iron pin on the Northwest corner of Lot 279, in said subdivision, said point being on a curve to the left, said curve having a central angle of 38 deg. 27' 18" and a radius of 380.00 feet; thence an angle of 98 deg. 50' 10" left to tangent of said curve and along the arc of said curve and right-of-way, 255.04 feet to an existing iron pin; thence South 38 deg. 40' 43" West, leaving said right-of-way and along the Southeast line of Lot 280 in said subdivision 74.23 feet to an existing iron pin; thence South 34 deg. 37' 25" West along the Southeast line of Lots 280, 281, 282, and 283, in said subdivision, 478.77 feet to an existing iron pin; thence South 06 deg. 28' 50" West and along the Easterly line of Lots 284, 285, and 286, 465.18 feet to an existing iron pin; thence South 15 deg. 13' 19" East, 50.45 feet to a point on elevation 419.0 contour (mean sea level datum); thence along said 419.0 contour in a Southwesterly and Westerly direction 1,741.47 feet, more or less, to a point; thence North 70 deg. 00' 00" West, leaving said contour elevation, 22.17 feet to an existing iron pin being on the East right-of-way of Lake Forest Circle; thence South 20 deg. 00' 00" West, 245.69 feet along said right-of-way to an existing iron pin on the North line of Lot 61, Fifth Addition Riverchase Country Club, as recorded in Map Book 7, Page 54, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 83 deg. 25' 20" East along said Northerly line of said Lot 61, 39.12 feet to a point on elevation 419.0 contour (mean sea level datum); thence along said 419.0 contour in an Easterly and Southerly direction and along the Easterly boundary of Fifth Addition Riverchase Country Club, as recorded in Map Book 7, Page 54, in the Office of the Judge of Probate, Shelby County, Alabama, 1,162.52 feet, more or less, to a point; thence South 28 deg. 27' 01" West, 475.52 feet to the point of beginning.

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

TRACT 7:

The following is a description of a tract of land situated in the South 1/2 of Section 26, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

Commencing at the NW corner of the NE 1/4 of the SE 1/4 of Section 26, thence South 00 deg. 08' 45" East along the 1/4 Section line 717.56 feet; thence 90 deg. 00' 00" right, 871.64 feet to an existing iron pin, being the point of beginning, said point being on the Northeasterly line of Lot 290, Ninth Addition Riverchase Country Club as recorded in Map Book 8, Page 46, in the Office of the Judge of Probate, Shelby County, Alabama; thence North 22 deg. 23' 19" West along said Northeasterly line of Lot 290, 48.00 feet to an existing iron pin; thence North 80 deg. 07' 14" West along the Northeasterly line of Lot 290, 140.66 feet to an existing iron pin; thence North 61 deg. 07' 39" West along the Northeasterly line of Lot 290, 122.19 feet to an existing iron pin being the most Easterly corner of Lot 290-A in said subdivision; thence North 46 deg. 26' 57" West along the Northeasterly line of said Lot 290-A, 111.76 feet to an existing iron pin; thence North 72 deg. 18' 16" West along the Northeasterly line of said Lot 290-A, 49.33 feet to an existing iron pin; thence South 69 deg. 52' 25" West along the Northwesternly line of said Lot 290-A and along the Northerly line of Lot 5, Hunters Addition to Riverchase as recorded in Map Book 8, Page 147, in the Office of the Judge of Probate, Shelby County, Alabama, 215.15 feet to an existing iron pin; thence South 33 deg. 33' 22" West along the Northwesternly line of Lot 5 and Lot 4 in said subdivision, 317.59 feet to an existing iron pin; thence South 25 deg. 47' 35" West along the Northwesternly line of Lots 4, 3, and 2, in said subdivision, 374.54 feet to an existing iron pin; thence South 15 deg. 32' 29" West along the Northwesternly line of Lot 2, 85.47 feet to an existing iron pin; thence South 36 deg. 43' 27" West along the Northwesternly line of Lot 1, 74.53 feet to an existing iron pin; thence South 46 deg. 33' 40" West along the Northwesternly line of said Lot 1 and along the Northwesternly line of Lots 234, 233, 232, 231, and 230, Ninth Addition Riverchase Country Club, as recorded in Map Book 8, Page 46, in the Office of the Judge of Probate, Shelby County, Alabama, 674.82 feet to an existing iron pin; thence South 62 deg. 18' 07" West, along the Northwesternly line of Lot 230 in said subdivision, 79.93 feet to an existing iron pin; thence South 18 deg. 53' 20" West along the Northwesternly line of said lot, 23.83 feet to an existing iron pin being on the Northerly right-of-way line of Lake Forest Circle and a curve to the left, said curve having a central angle of 11 deg. 37' 19" and a radius of 440.00 feet; thence an angle of 90 deg. 00' 00" right to tangent of said curve and along the arc of said curve and right-of-way 89.25 feet to an existing iron pin on the Southeast corner of Lot 11, The Oaks, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 10, Page 89; thence North 19 deg. 18' 53"

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

West along the Easterly line of Lots 11 and 10 in said subdivision, 117.12 feet to an existing iron pin; thence North 42 deg. 15' 27" East along the Southeast line of Lots 10, 9, 8, 7, 6, 5, 4, 3, 2, 1, and 44, 551.50 feet to an existing iron pin; thence North 03 deg. 58' 25" West, 282 feet, more or less, to the center line of the Cahaba River; thence Northeasterly and Southeasterly along said river center line, following the meander of the river, 1,880 feet, more or less, to a point; thence South 22 deg. 24' 19" West, 255 feet, more or less, to the point of beginning.

TRACT 8:

The following is a description of a tract of land situated in the E 1/2 of Section 26 and the NW 1/4 of Section 25, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows: Commence at the NW corner of the NE 1/4 of the SE 1/4 of Section 26; thence South 00 deg. 08' 45" East along the 1/4 Section line 205.76 feet; thence 90 deg. 00' 00" left, 95.61 feet to the point of beginning; thence North 77 deg. 50' 17" East, 498.45 feet to an existing iron pin; thence North 76 deg. 40' 05" East, 154.61 feet to an existing iron pin being the most Southeasterly corner of Lot 26, Chase Plantation 4th Sector, as recorded in Map Book 9, Page 156; thence North 29 deg. 39' 47" East along the Southeasterly line of Lot 26, 25, and 24, in said subdivision, 267.68 feet to an existing iron pin; thence North 27 deg. 20' 37" East along the Southeasterly line of Lots 24, 23, 22, 21, and 20 in said subdivision, 203.91 feet; thence North 41 deg. 20' 59" East along the Southeasterly line of Lots 20, 19, 18, 17, 16, 15, 14, and 13, in said subdivision, 200.00 feet to an existing iron pin; thence North 54 deg. 03' 22" East along the Southeasterly line of Lots 13, 12, 11, 10, 9, 8, 7, 6, 5, and 4 in said subdivision, 242.02 feet to an existing iron pin; thence North 75 deg. 23' 25" East along the Southeasterly line of Lots 4, 3, 2, and 1, in said subdivision and Lots 58, 57, 56, 55, 54, 53, and 52, in Chase Plantation 3rd Sector, as recorded in Map Book 9, Page 47, in the Office of the Judge of Probate, Shelby County, Alabama, 248.34 feet to an existing iron pin; thence South 69 deg. 51' 32" East along the Southwesterly line of Lots 52, 51, and 50-A, in said subdivision 211.94 feet to an existing iron pin being on the Westerly line of Lot 25, Amended Map Chase Plantation 2nd Sector, as recorded in Map Book 8, Page 159, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 01 deg. 39' 32" East along the Westerly line of said Lot 25, 172.07 feet to an existing iron pin on the Northwest corner of Lot 2204, 22nd Addition Riverchase Country Club as recorded in Map Book 9, Page 124, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 53 deg. 54' 29" West along the Northwesternly line of Lot 2205 in said subdivision 118.74 feet; thence South 72 deg. 03' 28" West along the Northwest line of Lots 2206 and 2207, 285.93 feet; thence South 51 deg. 59' 30" West along the North-

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

West line of Lots 2207, 2208, 2209, 2210, 2211, 2212, and 2213, in said subdivision, 703.13 feet to an existing iron pin; thence South 30 deg. 07' 34" West along the Northwest line of Lot 2213, 129.47 feet to an existing iron pin; thence South 71 deg. 21' 43" West, 478.30 feet to an existing iron pin; thence South 53 deg. 48' 53" West 616.83 feet; thence South 09 deg. 27' 53" West, 91.21 feet; thence South 82 deg. 14' 53" West, 126.10 feet; thence North 02 deg. 55' 29" East, 58.08 feet; thence North 65 deg. 34' 31" West, 60.38 feet to an existing iron pin on the most Southeasterly corner of Lot 252 Ninth Addition to Riverchase Country Club, as recorded in Map Book 8, Page 46, in the Office of the Judge of Probate, Shelby County, Alabama; thence North 06 deg. 23' 31" West along the Easterly line of said Lot 252, 180 feet, more or less, to the center line of the Cahaba River; thence along said river center line, following the meander of the river, Easterly and Northerly 330 feet, more or less, to a point; thence North 39 deg. 25' 53" East, 395 feet, more or less, to the point of beginning.

LESS AND EXCEPT: Pump Station "A":

Part of the NE 1/4 of SE 1/4 of Section 26, Township 19 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows: From the Southwest corner of Lot 2213, Riverchase Country Club 22nd Addition, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 9, Page 124 A & B, run in a Northeasterly direction along the Northwest line of said Lot 2213 for a distance of 51.91 feet to the point of beginning; thence continue along last mentioned course for a distance of 57.99 feet; thence turn an angle to the left of 142 deg. 15' 04" and run in a Southwesterly direction for a distance of 89.72 feet; thence turn an angle to the left of 72 deg. 09' 20" and run in a Southerly direction for a distance of 44.19 feet; thence turn an angle to the left of 114 deg. 21' 55" and run in a Northeasterly direction for a distance of 57.78 feet, more or less, to the point of beginning.

TRACT 9:

The following is a description of a tract of land situated in the SE 1/4 of Section 26 and the SW 1/4 of Section 25, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows: Commence at the SE corner of the SW 1/4 of the SE 1/4 of Section 26; thence North 00 deg. 08' 45" West along 1/4 Section line, 1,270.66 feet; thence 90 deg. 00' 00" right, 249.91 feet to an existing iron pin being the point of beginning; thence North 11 deg. 26' 43" West, 240.00 feet to an existing iron pin; thence North 59 deg. 19' 33" East, 490.12 feet to an existing iron pin; thence North 76 deg. 53' 28" East, 168.00 feet to an existing iron pin; thence North 61 deg. 56' 03" East, 554.52 feet to an existing iron pin being on the Southeast line of Lot 2220, 22nd Addition to Riverchase Country Club, as

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 9, Page 124; thence South 80 deg. 27' 24" East along the Southerly line of Lot 2220 and 2221 in said subdivision, 108.52 feet to an existing iron pin; thence North 47 deg. 00' 36" East along the Southeast line of Lots 2221, 2222, and 2230, in said subdivision, 343.11 feet to an existing iron pin; thence North 57 deg. 12' 36" East along the Southeast line of Lots 2230 and 2231 in said subdivision 301.03 feet to an existing iron pin; thence North 89 deg. 59' 36" East along the Southerly line of Lots 2232 and 2233 in said subdivision, 90.97 feet to an existing iron pin being on the Westerly line of Lot 1111, Riverchase Country Club, 18th Addition, as recorded in Map Book 9, Page 86, in the Office of the Judge of Probate, Shelby County, Alabama; thence South 04 deg. 37' 24" East along the Westerly line of said Lot 1111, 99.33 feet to an existing iron pin on the most Westerly corner of Lot 1112 in said subdivision; thence South 37 deg. 47' 36" West, 512.52 feet to an existing iron pin; thence South 31 deg. 05' 36" West, 129.62 feet to an existing iron pin; thence South 69 deg. 18' 36" West, 183.83 feet to an existing iron pin; thence North 54 deg. 37' 00" West, 139.84 feet to an existing iron pin; thence South 35 deg. 31' 00" West, 137.60 feet to an existing iron pin; thence South 62 deg. 58' 36" West, 396.32 feet to an existing iron pin; thence South 60 deg. 05' 07" West, 546.61 feet to an existing iron pin; thence North 89 deg. 51' 32" West, 163.11 feet to the point of beginning.

TRACT 10:

The following is a description of a tract of land situated in the South 1/2 of Section 26, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the SE corner of the SW 1/4 of the SE 1/4 of Section 26; thence North 00 deg. 08' 45" West along 1/4 Section line 1,285.06 feet; thence 90 deg. 00' 00" right, 185.84 feet to an existing iron pin being the point of beginning; thence South 87 deg. 27' 42" West and along the Northerly line of Lot 1210-A, Resurvey of Lot 1210, Riverchase Country Club 19th Addition, as recorded in Map Book 11, Page 55, and along the Northerly line of Lot 1211, Riverchase Country Club, 19th Addition, as recorded in Map Book 9, Page 59, and along the Northerly line of Lots 609 and 608, Riverchase Country Club 14th Addition, as recorded in Map Book 8, Page 154, all in the Office of the Judge of Probate, Shelby County, Alabama, 789.79 feet to an existing iron pin; thence South 53 deg. 36' 15" West along the Northwesterly line of 607 in said subdivision and Lot 605-B, Resurvey of Lots 604 and 605, Riverchase Country Club 14th Addition, as recorded in Map Book 9, Page 57, in the Office of the Judge of Probate, Shelby County, Alabama, 340.42 feet to an existing iron pin; thence South 56 deg. 33' 17" West along the Northwesterly line of Lots 605-B and 604-A in said subdivision, 204.18 feet to an existing iron pin; thence South 23 deg.

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

25' 23" West along the Northwesterly line of said Lot 604-A and Lots 603 and 602 in said Riverchase Country Club 14th Addition, 165.06 feet to an existing iron pin; thence South 07 deg. 32' 38" West along the Westerly line of Lots 602 and 601 in said Riverchase Country Club 14th Addition, 152.35 feet to an existing iron pin; thence South 89 deg. 18' 38" West along the Northerly line of said Lot 601 and Lots 268 and 267, in the Ninth Addition Riverchase Country Club, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 8, Page 46, 250.01 feet to an existing iron pin; thence North 26 deg. 33' 22" West along the Northeast line of Lots 267 and 266, in said subdivision, 69.33 feet to an existing iron pin; thence North 09 deg. 16' 22" West along the Northeasterly line of Lots 266 and 265, in said subdivision 99.30 feet to an existing iron pin; thence North 24 deg. 06' 59" East along Southeasterly line of Lots 265, 264, 263, 262, and 261, in said subdivision, 376.90 feet to an existing iron pin; thence North 55 deg. 14' 15" East along the Southeasterly line of Lots 261, 260, 259, 258, 257, 256, and 255, in said subdivision, 680.47 feet to an existing iron pin; thence North 69 deg. 08' 14" East along the Southeasterly line of Lot 255 in said subdivision, 67.40 feet to an existing iron pin; thence South 85 deg. 08' 43" East and along the Southerly line of Lots 255 and 254, in said subdivision, 803.83 feet to an existing iron pin; thence South 11 deg. 26' 43" East, 196.90 feet to the point of beginning.

TRACT 11:

The following is a description of a tract of land situated in the East 1/2 of the NE 1/4 of Section 34, Township 19 South, Range 3 West, Jefferson County, Alabama, and in the NW 1/4 of the NW 1/4 of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the SE corner of the SE 1/4 of the NE 1/4 of Section 34, Township 19 South, Range 3 West; thence North 00 deg. 15' 50" East, along the East Section line, 1,184.94 feet; thence 90 deg. 00' 00" left, 97.35 feet to an existing iron being the point of beginning, said point being on the Northwesterly right-of-way of Lake Forest Circle; thence North 70 deg. 00' 00" West, 42.25 feet to an existing iron pin; thence North 30 deg. 20' 00" West, 354.00 feet; thence North 82 deg. 54' 00" West, 88 feet, more or less, to a point on the center line of Cahaba River; thence Northeasterly along said river center line, following the meander of the river, 134 feet, more or less, to a point; thence South 66 deg. 49' 00" East, 268 feet, more or less; thence North 46 deg. 34' 55.5" East, 243.24 feet to an existing iron pin on the Westerly right-of-way of Lake Forest Circle; thence South 20 deg. 00' 00" West and along said right of way, 540.73 feet to the point of beginning.

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

TRACT 12:

The following is a description of a tract of land situated in the West 1/2 of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the NW corner of the SW 1/4 of Section 35, Township 19 South, Range 3 West; thence South 89 deg. 06' 28" East along the 1/4 line 273.13 feet; thence 90 deg. 00' 00" right, 156.50 feet to an existing iron pin being the point of beginning, said point being on the Northwest line of Lot 24, Third Addition Riverchase Country Club Residential Subdivision, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 7, Page 53; thence North 20 deg. 46' 01" East and along the Northwest line of said Lot 24, 411.71 feet; thence South 86 deg. 41' 59" East, 312.47 feet to an existing iron pin; thence South 1 deg. 12' 50" West, 57.68 feet to an existing iron pin being on the Northeast corner of Lot 28 in said subdivision; thence South 78 deg. 22' West along the Northwest line of said Lot 28, 109.76 feet to an existing iron pin; thence North 62 deg. 56' West and along the Northeasterly line of Lots 28 and 27 in said subdivision, 97.28 feet to an existing iron pin; thence South 81 deg. 04' West and along the Northwesterly line of said Lot 27, 89.48 feet to an existing iron pin; thence North 81 deg. 51' West and along the Northwesterly line of said Lot 27, 35.84 feet to an existing iron pin; thence South 50 deg. 24' 33" West, 90.81 feet to an existing iron pin; thence South 24 deg. 00' 29" West and along the Northwesterly line of Lots 27, 26, 25, and 24, 260.32 feet to the point of beginning.

TRACT 13:

The following is a description of a tract of land situated in the SW 1/4 of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the SW corner of Section 35, Township 19 South, Range 3 West; thence North 00 deg. 16' 14" East, along the West Section line 125.02 feet; thence South 88 deg. 42' 32" East, 460.15 feet to the point of beginning, said point also being on the North line of an Alabama Power Company right-of-way; thence North 26 deg. 46' 08" East, leaving said right of way, 288.70 feet to an existing iron pin being on the Southwest corner of Lot 703, Riverchase Country Club 7th Addition; thence South 89 deg. 40' 11" East along the South line of said Lot 703, 67.01 feet to an existing iron pin; thence South 26 deg. 46' 08" West, 289.95 feet to a point on the Alabama Power Company North right-of-way line; thence North 88 deg. 42' 32" West, and along said right-of-way, 66.46 feet to the point of beginning.

Subject to Alabama Power Company underground power line maintenance easement.

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EXHIBIT A, CONTINUED  
LEGAL DESCRIPTION, CONTINUED

Begin at the point of intersection of the centerline of the Cahaba River with the North line of the N 1/2 of the SE 1/4; thence run in an Easterly direction along the North line of the N 1/2 of the SE 1/4 for 685 feet, more or less, to a point on the West line of Lot 26, Chase Plantation Fourth Sector, as recorded in Map Book 9, Page 156, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right and run in a Southerly direction along the Westerly line of said Lot 26 for a distance of 69.17 feet, more or less, to a point on the Northerly line of Riverchase Country Club Fairway No. 4; thence South 76 deg. 40' 05" West along the Northerly line of said Fairway No. 4, 77.77 feet to an existing iron pin; thence South 77 deg. 50' 17" West, along the Northerly line of said Fairway No. 4, 498.45 feet to an existing iron pin; thence South 39 deg. 25' 53" West, along the Northwesterly line of said Fairway No. 4, 395 feet, more or less, to a point in the centerline of the Cahaba River; thence following the meander of the river, run in a Northeasterly direction for a distance of 530 feet, more or less, to a point on the North line of said N 1/2 of SE 1/4, being the point of beginning.

Begin at the Northwest corner of Lot 501, Riverchase Country Club 12th Addition, as recorded in Map Book 8, Page 140, in the Office of the Judge of Probate, Shelby County, Alabama; thence run in a Southwesterly direction along the Westerly line of Lot 501 and 502 in said subdivision for a distance of 243.91 feet to an existing iron pin being on the Northerly line of Riverchase Country Club Fairway #9; thence turn an angle to the right of 89 deg. 00' and run in a Northwesterly direction along the Northerly line of said Fairway #9 for a distance of 108.91 feet to an existing iron pin on the Southeast corner of Lot 271, Ninth Addition Riverchase Country Club as recorded in Map Book 8, Page 46, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 103 deg. 37' 54" and run in a Northeasterly direction along the Easterly line of said Lot 271 for a distance of 233.45 feet to an existing iron pin being on the curved Southerly right-of-way line of Lake Forest Circle, said curve having a central angle of 09 deg. 36' 30" and a radius of 361.73 feet; thence turn an angle to the right and run in an Easterly direction along the arc of said curve and said right-of-way, for a distance of 60.66 feet, more or less, to the point of beginning.

According to the survey of Laurence D. Weygand, Reg. P.E. and L.S. #10373, dated October 27, 1987. (Revised November 3, 1987.)

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