

PERMANENT EASEMENT DEED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by the City of Chelsea, the receipt whereof is hereby acknowledged, we, the undersigned, do hereby grant, bargain, and convey unto the City of Chelsea (Grantee), its successors and assigns a permanent easement and right of ingress and egress to and from, also over and across a strip of land for the purpose of constructing, operating, maintaining and repairing [water mains/pipes, water meters] OR [Sanitary Sewer Mains], with appurtenances and the right to install and maintain other utilities at the sole discretion of the Grantee. Said strip of land being located within the property of the undersigned Eddleman Thornton LLC and Eddleman Thornton Investment Properties LLC as described in deed book 2002 page 338720, and deed book 2002 page 338750, in the office of the Judge of Probate, Shelby County, Alabama said strip being more particularly described as follows:

EXHIBIT A

A 40 & 30 foot water line easement situated in the Southeast quarter of Section 25, Township 19 South, Range 1 West and the Southwest quarter of Section 30, Township 19 South, Range 1 East, Shelby County, Alabama, lying 20 feet & 15 feet each side of a centerline, being more particularly described as follows:

Commence at a stone monument locally accepted to be the Southeast corner of said Section 25; thence run North along the East line of said Section 25 for a distance of 409.85 feet to a point; thence turn an angle to the left of 83 degrees, 24 minutes, 31 seconds and run in a Northwesterly direction for a distance of 747.86 feet to a point; thence continue along last stated course for a distance of 180.00 feet to a point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Northeasterly direction for a distance of 180.00 feet to a point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Southeasterly direction for a distance of 127.48 feet to the point of beginning, of the centerline of said 40 foot easement; thence turn an angle to the left of 35 degrees, 15 minutes, 40 seconds and run in a Northeasterly direction along said centerline for a distance of 90.07 feet to a point; thence turn an angle to the right of 45 degrees, 00 minutes, 00 seconds and run in a Southeasterly direction along said centerline for a distance of 417.27 feet to a point on a curve to the right, having a central angle of 40 degrees, 30 minutes, 03 seconds and a radius of 94.50 feet; thence turn an angle to the left of 70 degrees, 32 minutes, 54 seconds to the chord of said curve and run in a Northeasterly direction along arc of said curve along said centerline for a distance of 66.80 feet to a point on a reverse curve to the left, having a central angle of 36 degrees, 58 minutes, 05 seconds and a radius of 130.51 feet; thence turn an angle to the right from the last chord of 01 degrees, 30

minutes, 39 seconds to the chord of said curve and run in a Northeasterly direction along the arc of said curve along said centerline for a distance of 84.21 feet to a point on a reverse curve to the right, having a central angle of 27 degrees, 10 minutes, 50 seconds and a radius of 1,002.46 feet; thence turn an angle to the left from the last chord of 04 degrees, 52 minutes, 26 seconds to the chord of said curve and run in a Northeasterly direction along the arc of said curve along said centerline for a distance of 475.55 feet to a point; thence turn an angle to the left from the chord of last stated curve of 13 degrees, 36 minutes, 37 seconds and run in a Northeasterly direction along said centerline for a distance of 187.52 feet to a point on a curve to the left, having a central angle of 16 degrees, 16 minutes, 48 seconds and a radius of 331.07 feet; thence run in a Northeasterly direction along the arc of said curve along said centerline for a distance of 94.07 feet to a point on a compound curve to the left, having a central angle of 13 degrees, 26 minutes, 42 seconds and a radius of 329.78 feet; thence run in a Northeasterly direction along the arc of said curve along said centerline for a distance of 77.39 feet to a point; thence turn an angle to the left from the chord of last stated curve of 05 degrees, 48 minutes, 07 seconds and run in a Northeasterly direction along said centerline for a distance of 68.04 feet to a point; thence turn an angle to the left of 01 degrees, 49 minutes, 28 seconds and run in a Northeasterly direction along said centerline for a distance of 79.73 feet to a point; thence turn an angle to the left of 07 degrees, 29 minutes, 08 seconds and run in a Northeasterly direction along said centerline for a distance of 30.42 feet to a point on a curve to the left, having a central angle of 08 degrees, 15 minutes, 12 seconds and a radius of 377.31 feet; thence run in a Northeasterly direction along the arc of said curve along said centerline for a distance of 54.35 feet to a point on a compound curve to the left, having a central angle of 02 degrees, 06 minutes, 55 seconds and a radius of 1,643.24 feet; thence run in a Northeasterly direction along the arc of said curve along said centerline for a distance of 60.66 feet to a point; thence turn an angle to the left from the chord of last stated curve of 01 degrees, 51 minutes, 37 seconds and run in a Northwesterly direction along said centerline for a distance of 25.65 feet to a point; thence turn an angle to the right of 04 degrees, 05 minutes, 22 seconds and run in a Northeasterly direction along said centerline for a distance of 74.35 feet to a point; thence turn an angle to the right of 04 degrees, 55 minutes, 31 seconds and run in a Northeasterly direction along said centerline for a distance of 73.26 feet to a point; thence turn an angle to the right of 06 degrees, 38 minutes, 43 seconds and run in a Northeasterly direction along said centerline for a distance of 27.51 feet to a point; thence turn an angle to the left of 00 degrees, 42 minutes, 37 seconds and run in a Northeasterly direction along said centerline for a distance of 95.61 feet to a point; thence turn an angle to the right of 16 degrees, 15 minutes, 39 seconds and run in a Northeasterly direction along said centerline for a distance of 47.59 feet to a point; thence turn an angle to the right of 06 degrees, 12 minutes, 29 seconds and run in a Northeasterly direction along said centerline for a distance of 48.07 feet to a point; thence turn an angle to the right of 04 degrees, 54 minutes, 53 seconds and run in a Northeasterly direction along said centerline for a distance of 25.61 feet to a point; thence turn an angle to the right of 02 degrees, 13 minutes, 00 seconds and run in a Northeasterly direction along said centerline for a distance of 26.47 feet to a point; thence turn an angle to the right of 06 degrees, 11 minutes, 00 seconds and run in a Northeasterly direction along said centerline for a distance of 27.72 feet to a point; thence turn an angle to the right of 05 degrees, 30 minutes, 31 seconds and run in Northeasterly direction along said centerline for a distance of 29.52 feet to a point; thence turn an angle to the left of 00 degrees, 21 minutes, 07 seconds and run in a Northeasterly direction along said centerline for a distance of 32.41 feet to a point; thence turn an

angle to the left of 03 degrees, 32 minutes, 21 seconds and run in a Northeasterly direction along said centerline for a distance of 30.66 feet to a point; thence turn an angle to the left of 14 degrees, 20 minutes, 37 seconds and run in a Northeasterly direction along said centerline for a distance of 8.58 feet to a point on the right of way line of U.S. Highway No. 280; thence continue along last stated course and also along said centerline for a distance of 25.51 feet to a point; thence turn an angle to the left of 08 degrees, 33 minutes, 54 seconds and run in a Northeasterly direction along said centerline for a distance of 5.16 feet to a point; thence turn an angle to the left of 23 degrees, 06 minutes, 52 seconds and run in a Northeasterly direction along said centerline for a distance of 49.05 feet to a point on a curve to the left, having a central angle of 01 degrees, 22 minutes, 48 seconds and a radius of 22,223.27 feet, said point being the end of the centerline of said 40 foot easement and the beginning of the centerline of a 30 foot easement lying 15 feet each side; thence turn an angle to the left of 89 degrees, 30 minutes, 29 seconds to the chord of said curve and run in a Northwesterly direction along the arc of said curve along said centerline for a distance of 535.24 feet to a point; thence turn an angle to the left from the chord of last stated curve of 00 degrees, 01 minutes, 18 seconds and run in a Northwesterly direction along said centerline for a distance of 469.42 feet to a point on the of the right of way of U.S. Highway No. 280; thence continue along last stated course along said centerline for a distance of 640.02 feet to a point; thence turn an angle to the left of 05 degrees, 39 minutes, 05 seconds and run in a Southwesterly direction along said centerline for a distance of 71.39 feet to a point; thence turn an angle to the right of 27 degrees, 55 minutes, 55 seconds and run in a Northwesterly direction along said centerline for a distance of 32.02 feet to a point on the right of way of U.S. Highway No. 280 and the end of said easement.

EXHIBIT B

A 30 foot water line easement situated in the Southwest quarter of Section 30, Township 19 South, Range 1 East, Shelby County, Alabama, lying 15 feet each side of centerline, being more particularly described as follows:

Commence at a stone monument locally accepted to be the Southeast corner of said Section 25; thence run North along the East line of said Section 30 for a distance of 409.85 feet to a point; thence turn an angle to the left of 83 degrees, 24 minutes, 31 seconds and run in a Northwesterly direction for a distance of 747.86 feet to a point; thence continue along last stated course for a distance of 180.00 feet to a point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Northeasterly direction for a distance of 180.00 feet to a point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Southeasterly direction for a distance of 127.48 feet to point; thence turn an angle to the left of 35 degrees, 15 minutes, 40 seconds and run in a Northeasterly direction for a distance of 90.07 feet to a point; thence turn an angle to the right of 45 degrees, 00 minutes, 00 seconds and run in a Southeasterly direction for a distance of 417.27 feet to a point on a curve to the right, having a central angle of 40 degrees, 30 minutes, 03 seconds and a radius of 94.50 feet; thence turn an angle to the left of 70 degrees, 32 minutes, 54 seconds to the chord of said curve and run in a Northeasterly direction along arc of said curve for a distance of 66.80 feet to a point on a reverse curve to the left, having a central angle of 36 degrees, 58 minutes, 05 seconds and a radius of 130.51 feet; thence turn an angle to the right from the last chord of 01 degrees, 30 minutes, 39 seconds to the chord of said

curve and run in a Northeasterly direction along the arc of said curve for a distance of 84.21 feet to a point on a reverse curve to the right, having a central angle of 27 degrees, 10 minutes, 50 seconds and a radius of 1,002.46 feet; thence turn an angle to the left from the last chord of 04 degrees, 52 minutes, 26 seconds to the chord of said curve and run in a Northeasterly direction along the arc of said curve for a distance of 475.55 feet to a point; thence turn an angle to the left from the chord of last stated curve of 13 degrees, 36 minutes, 37 seconds and run in a Northeasterly direction for a distance of 187.52 feet to a point on a curve to the left, having a central angle of 16 degrees, 16 minutes, 48 seconds and a radius of 331.07 feet; thence run in a Northeasterly direction along the arc of said curve for a distance of 94.07 feet to a point on a compound curve to the left, having a central angle of 13 degrees, 26 minutes, 42 seconds and a radius of 329.78 feet; thence run in a Northeasterly direction along the arc of said curve for a distance of 77.39 feet to a point; thence turn an angle to the left from the chord of last stated curve of 05 degrees, 48 minutes, 07 seconds and run in a Northeasterly direction for a distance of 68.04 feet to a point; thence turn an angle to the left of 01 degrees, 49 minutes, 28 seconds and run in a Northeasterly direction for a distance of 79.73 feet to a point; thence turn an angle to the left of 07 degrees, 29 minutes, 08 seconds and run in a Northeasterly direction for a distance of 30.42 feet to a point on a curve to the left, having a central angle of 08 degrees, 15 minutes, 12 seconds and a radius of 377.31 feet; thence run in a Northeasterly direction along the arc of said curve for a distance of 54.35 feet to a point on a compound curve to the left, having a central angle of 02 degrees, 06 minutes, 55 seconds and a radius of 1,643.24 feet; thence run in a Northeasterly direction along the arc of said curve for a distance of 60.66 feet to a point; thence turn an angle to the left from the chord of last stated curve of 01 degrees, 51 minutes, 37 seconds and run in a Northwesterly direction for a distance of 25.65 feet to a point; thence turn an angle to the right of 04 degrees, 05 minutes, 22 seconds and run in a Northeasterly direction for a distance of 74.35 feet to a point; thence turn an angle to the right of 04 degrees, 55 minutes, 31 seconds and run in a Northeasterly direction for a distance of 73.26 feet to a point; thence turn an angle to the right of 06 degrees, 38 minutes, 43 seconds and run in a Northeasterly direction for a distance of 27.51 feet to a point; thence turn an angle to the left of 00 degrees, 42 minutes, 37 seconds and run in a Northeasterly direction for a distance of 95.61 feet to a point; thence turn an angle to the right of 16 degrees, 15 minutes, 39 seconds and run in a Northeasterly direction for a distance of 47.59 feet to a point; thence turn an angle to the right of 06 degrees, 12 minutes, 29 seconds and run in a Northeasterly direction for a distance of 48.07 feet to a point; thence turn an angle to the right of 04 degrees, 54 minutes, 53 seconds and run in a Northeasterly direction for a distance of 25.61 feet to a point; thence turn an angle to the right of 02 degrees, 13 minutes, 00 seconds and run in a Northeasterly direction for a distance of 26.47 feet to a point; thence turn an angle to the right of 06 degrees, 11 minutes, 00 seconds and run in a Northeasterly direction for a distance of 27.72 feet to a point; thence turn an angle to the right of 05 degrees, 30 minutes, 31 seconds and run in Northeasterly direction for a distance of 29.52 feet to a point; thence turn an angle to the left of 00 degrees, 21 minutes, 07 seconds and run in a Northeasterly direction for a distance of 32.41 feet to a point; thence turn an angle to the left of 03 degrees, 32 minutes, 21 seconds and run in a Northeasterly direction for a distance of 30.66 feet to a point; thence turn an angle to the left of 14 degrees, 20 minutes, 37 seconds and run in a Northeasterly direction for a distance of 8.58 feet to a point on the right of way line of U.S. Highway No. 280; thence continue along last stated course and also along said centerline for a distance of 25.51 feet to a point; thence turn an angle to the left of 08 degrees, 33 minutes, 54 seconds and run in a

Northeasterly direction for a distance of 5.16 feet to a point; thence turn an angle to the left of 23 degrees, 06 minutes, 52 seconds and run in a Northeasterly direction for a distance of 49.09 feet to the point of beginning of the centerline of said 30 foot easement and a curve to the right, having a central angle of 00 degrees, 18 minutes, 57 seconds and a radius of 22,223.27 feet; thence turn an angle to the right of 91 degrees, 20 minutes, 13 seconds to the chord of said curve and run in a Southeasterly direction along the arc of said curve along said centerline for a distance of 122.52 feet to a point on the right of U.S. Highway No. 280, continue along last stated curve to the right and tangent to last stated curve, having a central angle of 00 degrees, 04 minutes, 44 seconds and a radius of 22,223.27 feet; thence run in a Southeasterly direction along the arc of said curve along said centerline for a distance of 30.64 feet to a point; thence turn an angle to the left of 29 degrees, 18 minutes, 47 seconds and run in a Northeasterly direction along said centerline for 30.54 feet to a point on the right of way of U.S. Highway No. 280 and the end of said easement.

EXHIBIT C

A 40 foot water line easement situated in the Southeast quarter of Section 25, Township 19 South, Range 1 West, Shelby County, Alabama, lying 20 feet each side of a centerline, being more particularly described as follows:

Commence at a stone monument locally accepted to be the Southeast corner of said Section 25; thence run North along the East line of said Section 25 for a distance of 409.85 feet to a point; thence turn an angle to the left of 83 degrees, 24 minutes, 31 seconds and run in a Northwesterly direction for a distance of 747.86 feet to a point; thence continue along last stated course for a distance of 180.00 feet to a point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Northeasterly direction for a distance of 180.00 feet to a point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Southeasterly direction for a distance of 127.48 feet to a point; thence turn an angle to the left of 35 degrees, 15 minutes, 40 seconds and run in a Northeasterly direction for a distance of 90.07 feet to a point; thence turn an angle to the right of 45 degrees, 00 minutes, 00 seconds and run in a Southeasterly direction for a distance of 417.27 feet to the point of beginning of the centerline of said 40 foot easement and a curve to the left, having a central angle of 33 degrees, 25 minutes, 06 seconds and a radius of 94.50 feet; thence turn an angle to the right of 72 degrees, 29 minutes, 32 seconds to the chord of said curve; thence run in a Southwesterly direction along the arc of said curve along said centerline for a distance of 55.12 feet to a point on a reverse curve to the right, having a central angle of 13 degrees, 51 minutes, 40 seconds and a radius of 130.50 feet; thence tangent to last stated curve, and run in a Southeasterly direction along the arc of said curve along said centerline for a distance of 31.57 feet to the end of said easement.

The portion of a 40 foot easement as described in exhibit "A" which will be within the right of way of the main entrance to the residential development of Chelsea Park shall be vacated upon the acceptance and recording of the final plat. The recorded subdivision and said right of way will absorb the water line in this area and will give the water line owner perpetual access to those facilities.

The Grantee shall have an exclusive and the right and privilege of a perpetual use of said lands for such public purpose, together with all rights and privileges necessary or convenient for the full use and enjoyment thereof, including the right to cut and keep clear all trees, undergrowth and other obstructions from said strip and on the lands of the undersigned adjacent to said strip when deemed reasonably necessary for the avoidance of danger in and about said public use of said strip.

The Grantee shall have free access, ingress and egress to and from said land over and across adjacent lands of Grantor(s) for the purposes herein mentioned, and the Grantor(s) shall erect no structures on the portion of the land above described within the width of said easement, or do any act or thing which would in any way interfere with, damage, place at risk or pose future risk or possible risk to the mains, pipes, or appurtenances installed or to be installed within the width of said easement or interfere with the right of the Grantee to enter upon said land at any time for the purposes heretofore expressed and to have immediate access to all mains, pipes, and appurtenances.

The Grantee shall also have the right to temporarily place dirt and materials on adjacent lands of the Grantor(s) for the purposes heretofore expressed. Any and all disturbed areas within said easement will be put back to match adjacent natural ground and a suitable grass mixture for the season shall be applied.

Grantee agrees to leave the property substantially as found upon commencement of construction on said easement but is not required to improve said property beyond its original state and condition, subject to grassing and grading as described herein. Grantor(s) covenant that they have good and merchantable title to said property and good right to convey this easement.

In consideration of the benefit of the property of the undersigned by reason of the construction of said improvement, the undersigned hereby release the City of Chelsea, from all damages present or prospective to the property of the undersigned arising or resulting from the construction, maintenance and repair of said premises and repair of said water line and the undersigned do hereby admit and acknowledge that said improvement, if and when constructed, will be a benefit to the property of the undersigned.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, all
on this 15th day of December, 20 03.

Eddleman Thornton, LLC

Douglas D. Eddleman

By: 

Its: Managing Member

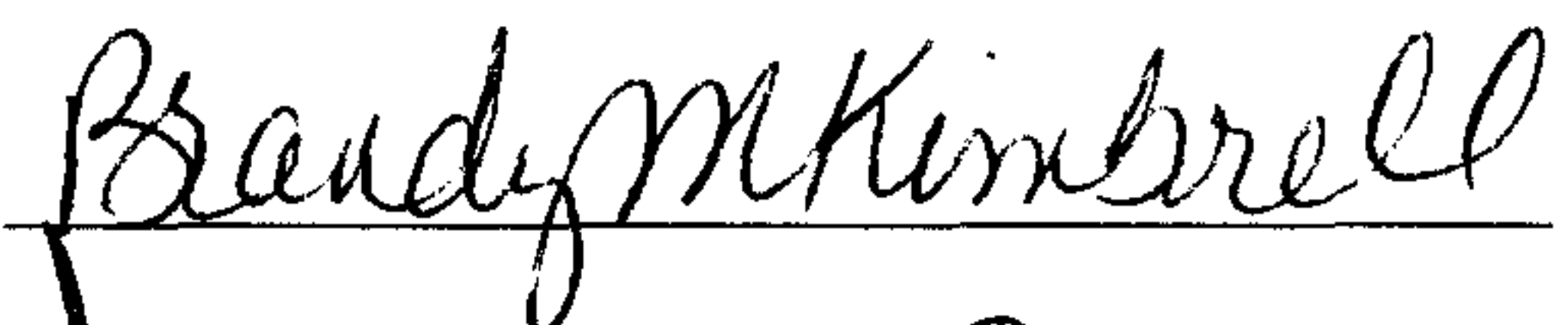
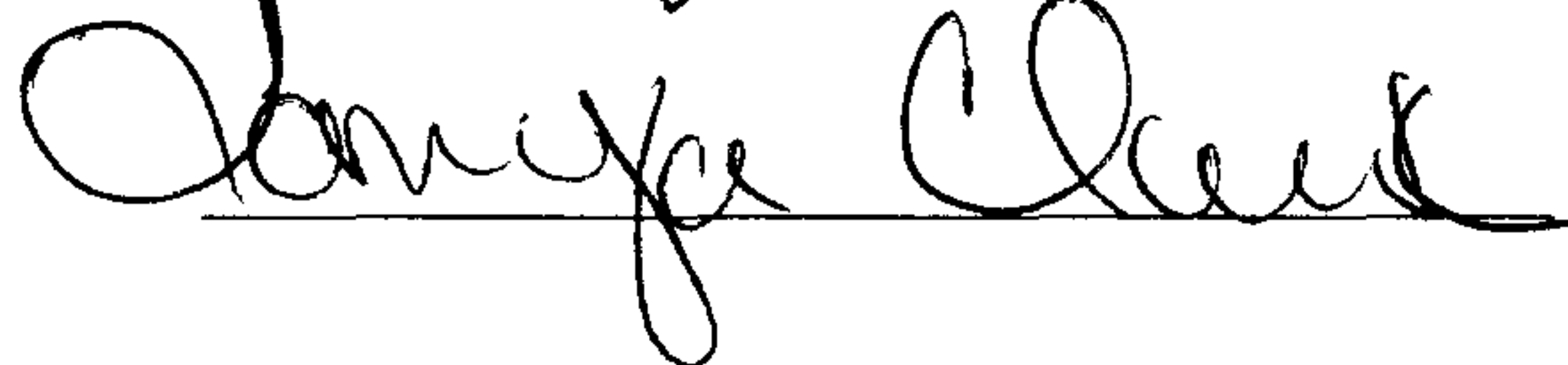
Eddleman Thornton Investment, LLC

Douglas D. Eddleman

By: 

Its: Managing Member


WITNESSES:

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as Managing Member of Eddleman Thornton Investment, LLC, an Alabama Corporation, is signed to the foregoing Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Deed, 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 of office this the 15th day of December, 2003.


NOTARY PUBLIC

My Commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Dec 1, 2006
BONDED THRU NOTARY PUBLIC UNDERWRITERS