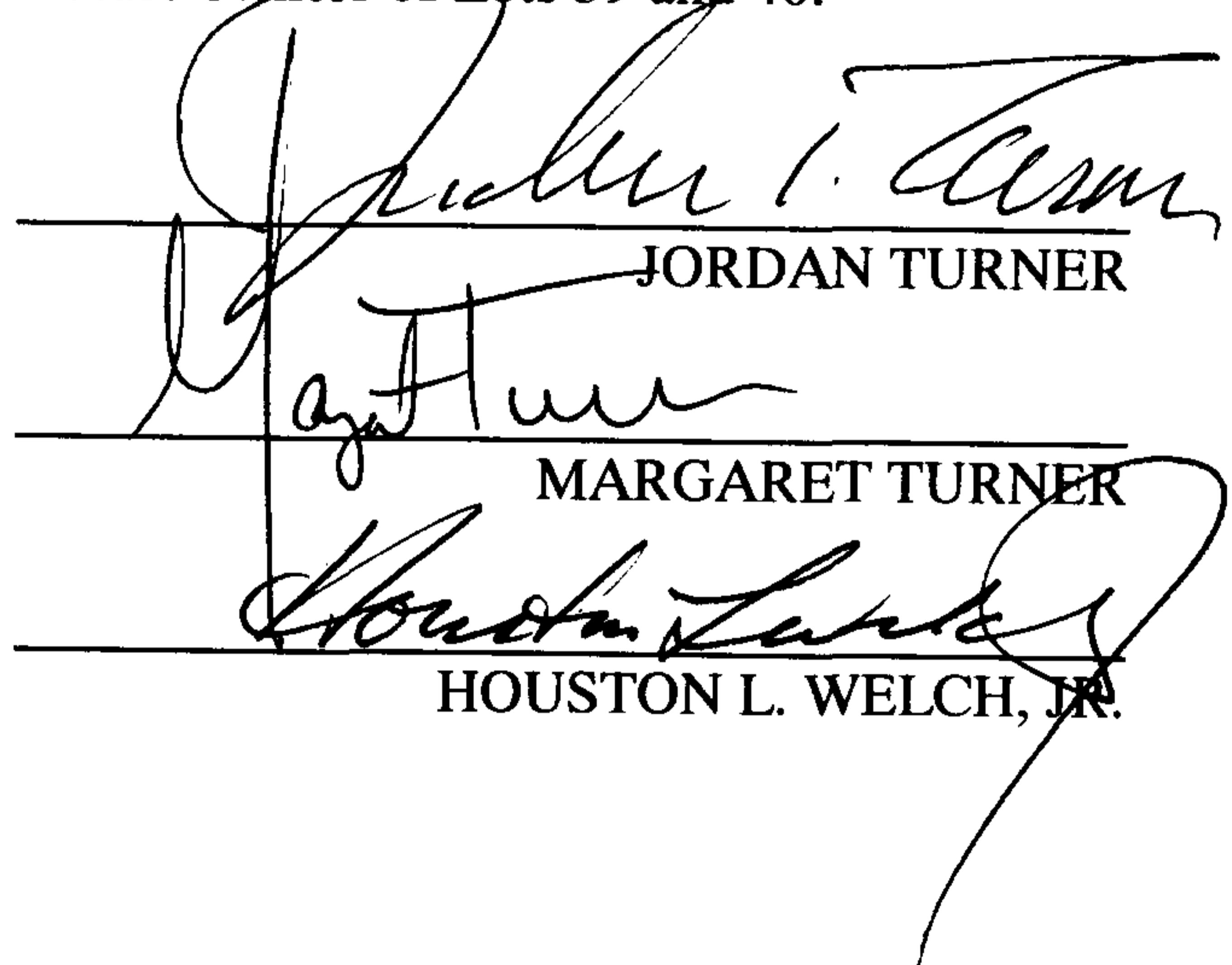


ENCROACHMENT AGREEMENT

Jordan and Margaret Turner are the owners of Lot 40, Barkley Square, Map Book 27 page 32, Shelby County, Alabama and Houston L. Welch, Jr. is the owner of Lot 39, Barkley Square, Map Book 27 page 32, Shelby County, Alabama.

The fence owned by the owners of Lot 40 encroaches onto Lot 39 on the northeasterly side by 0.28' as shown on the survey made by The Sommerville Group dated February 23, 2004. (copy attached)

Both parties acknowledge the fence encroachment and agree that said fence shall not be moved without the consent of the current owners or future owners of Lots 39 and 40.

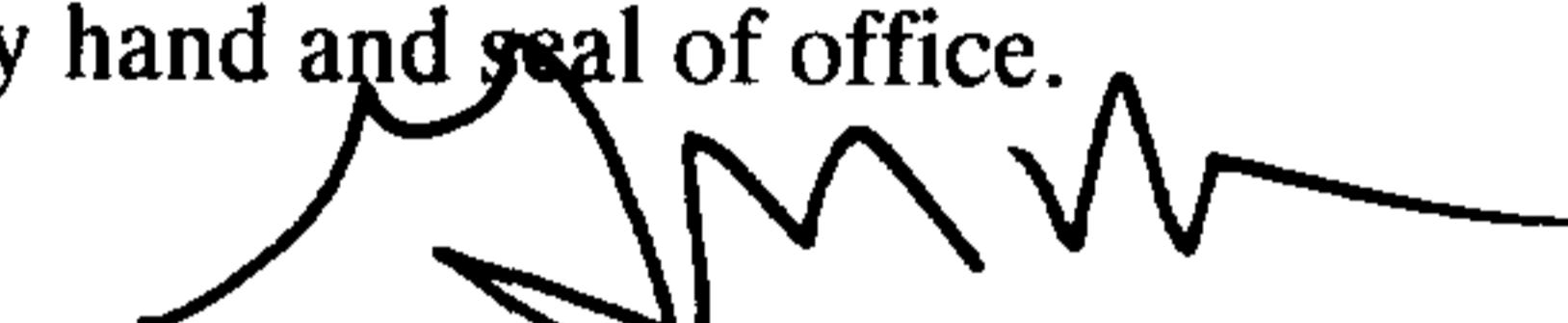


Jordan T. Turner
MARGARET TURNER
Houston L. Welch, Jr.

THE STATE OF ALABAMA

COUNTY OF SHELBY

SWORN TO AND SUBSCRIBED BEFORE ME by JORDAN TURNER and MARGARET TURNER, on this 24th day of **February, 2004**, to which witness my hand and seal of office.



NOTARY PUBLIC, STATE OF ALABAMA

Printed Name of Notary
MY COMMISSION EXPIRES: 9-29-06

THE STATE OF ALABAMA

COUNTY OF SHELBY

SWORN TO AND SUBSCRIBED BEFORE ME by HOUSTON L. WELCH, JR., on this 24th day of **February, 2004**, to which witness my hand and seal of office.



NOTARY PUBLIC, STATE OF ALABAMA

Kim M. Foster
Printed Name of Notary
MY COMMISSION EXPIRES: 9-4-06

Paden

10456

20040302000107960 Pg 2/2 14.00
Shelby Cnty Judge of Probate, AL
03/02/2004 13:31:00 FILED/CERTIFIED

EXHIBIT "A"

**LOT 40, ACCORDING TO THE SURVEY OF BARKLEY SQUARE, AS RECORDED IN
MAP BOOK 27, PAGE 32, IN THE PROBATE OFFICE OF SHELBY COUNTY,
ALABAMA.**