

STATE OF ALABAMA)
COUNTY OF SHELBY)

LICENSE AGREEMENT AND EASEMENT

WHEREAS, DKM Enterprises, Inc. is the owner of the Lot 1907, according to the survey of Highland Lakes 19th Sector, as recorded in Map Book 30, Page 121, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, DKM Enterprises, Inc. is the owner of Lot 1908, according to the survey of Highland Lakes 19th Sector, as recorded in Map Book 30, Page 121, in the Office of the Judge of Probate of Shelby County,, Alabama; and

WHEREAS, As shown by the Survey attached hereto as Exhibit "A" which was prepared by Surveying Solutions dated June 14, 2004, there is an encroachment of a Wall of 11.6 feet, from said Lot 1907 onto the Lot 1908, in particular the Northerly side of said Lot 1907 onto the Southerly side of the Lot 1908, all as shown on the attached survey (a copy of which is attached hereto and made a part hereof as Exhibit "A"); and

WHEREAS, DKM Enterprises, Inc. makes no claim of ownership in and to the said Lot 1908, but requests only that DKM Enterprises, Inc., Inc. grant to it a License and easement to permit the identified encroachment to remain undisturbed; and

WHEREAS, DKM Enterprises, Inc. are willing to grant such License and easement upon certain terms and conditions as hereinabove set out.

NOW THEREFORE, FOR AND IN CONSIDERATION OF THE PREMISE AND ONE DOLLAR in hand paid by the Grantee, hereinafter named, DKM Enterprises, Inc. (the GRANTOR), the receipt and sufficiency of which is acknowledged, the GRANTOR does grant, bargain and convey to DKM Enterprises, Inc., its successors and assigns, (the Grantee) a License and easement to permit the wall, now encroaching from said Lot 1907 onto the Lot 1908 as shown by the survey of Surveying Solutions, Inc., dated June 14, 2004 and attached hereto as Exhibit "A" to remain in place. Also, granted with this License and easement is the right in the GRANTEE to enter onto the Lot 1908 to perform all requisite and necessary maintenance and repair work as shall be required in the proper care and preservation of the wall.

The GRANTEE, by the acceptance of this License and easement does hereby confirm that it does not make and will not make any claim of ownership in or to the Lot 1908 by virtue of the aforesaid encroachment.

The granting of this License easement shall constitute a covenant running with the land and its terms shall be binding upon their respective successors and assigns forever.

In Witness Whereof this License Agreement has been executed this 23rd day of July, 2004.

GRANTOR:
DKM Enterprises, Inc.

BY:

William B. Doyle
Its: President

GRANTEE:
DKM Enterprises, Inc.

BY:

William B. Doyle
Its: President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William B. Doyle, whose name as President of DKM Enterprises, Inc., an Alabama corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he, as such officer, executed the same voluntarily and as an act of said corporation.

Given under my hand and official seal this 23rd day of July 2004.

NOTARY PUBLIC

My Commission expires: 6-5-2007

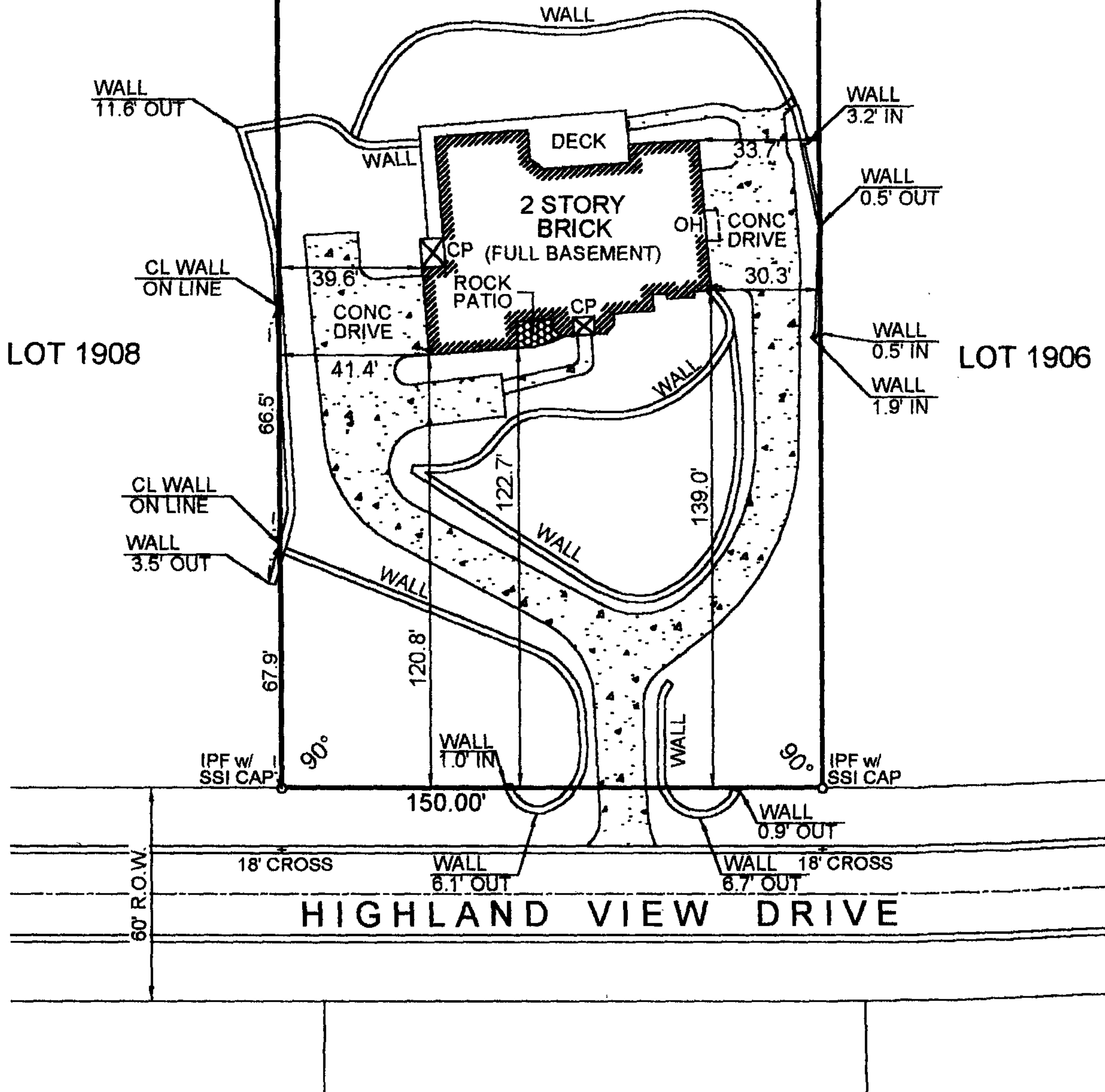
SCALE: 1" = 50'

FUTURE DEVELOPMENT

20040728000419420 Pg 2/2 14.00
Shelby Cnty Judge of Probate, AL
07/28/2004 14:12:00 FILED/CERTIFI

LEGEND:

ASPH = asphalt
BLDG = building
CALC = calculated
CAP = capped iron
CL = centerline
CH = chord
CONC = concrete
C = covered
d = deflection
D = curve delta angle
E = east
ESMT = easement
FC = fence
FD = found
HW = headwall
IPF = iron pin found
IPS = iron pin set
L = length
MEAS = measured
MIN = minimum
MH = manhole
N = north
OH = overhang
P = porch
PC = point of curve
PT = point of tangent
PVMT = pavement
REC = recorded
RES = residence
ROW = right of way
S = south
SAN = sanitary
STM = storm
SWR = sewer
SYN = synthetic
UTIL = utility
U = uncovered
W = west
° = degrees
' = minutes, in
" = seconds, in
' = feet, in distance
AC = acres
± = more or less,
or plus or minus
BRG = bearing

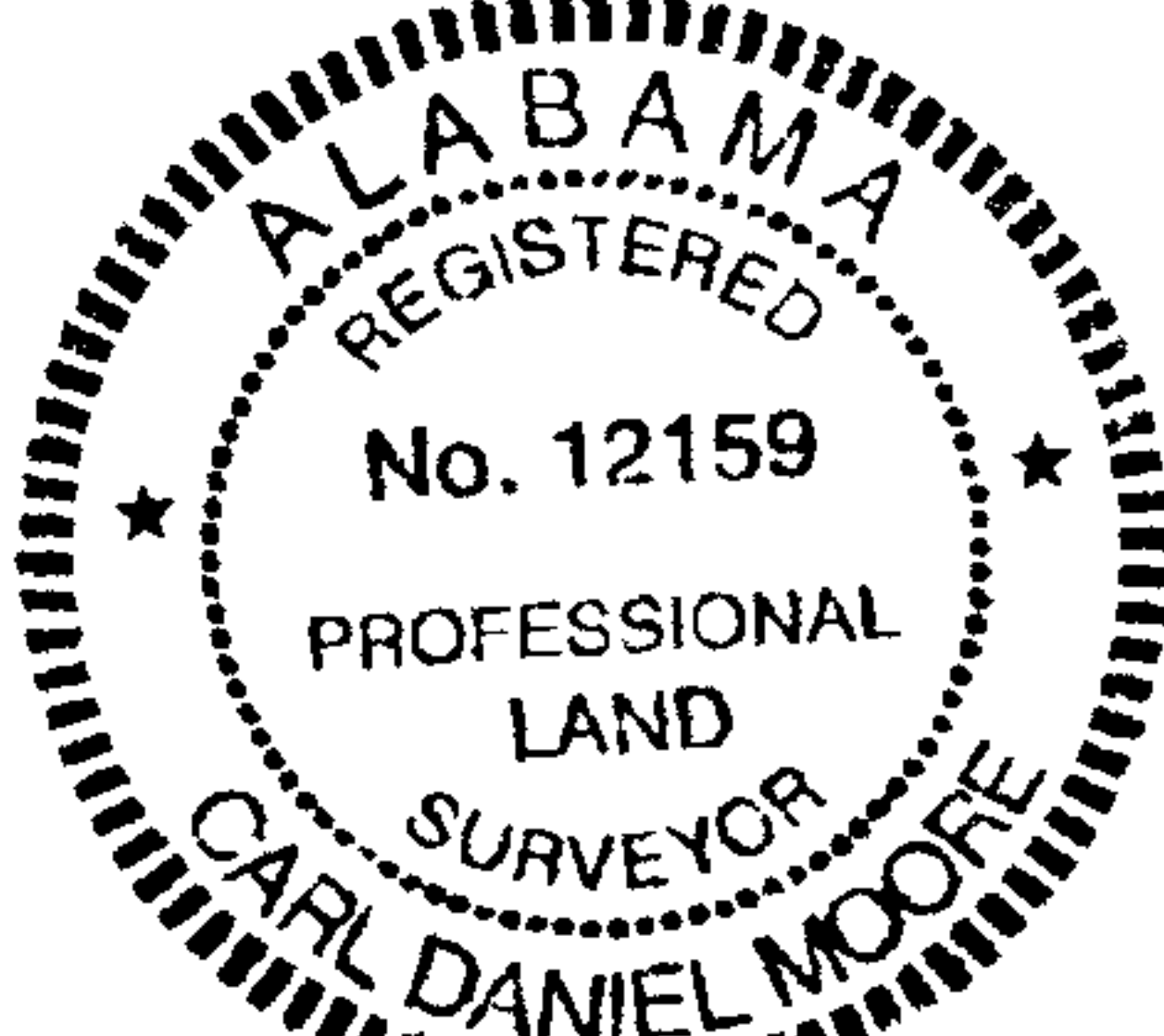


STATE OF ALABAMA

SHELBY COUNTY

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed Lot 1907, HIGHLAND LAKES 19TH SECTOR AN EDDLEMAN COMMUNITY as recorded in Map Book 30, Page 121, in the Office of the Judge of Probate, Shelby County, Alabama; 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; that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is located in Zone "C", according FIRM Community Panel No: 010191 0025, Shelby County, Alabama, dated: September 16, 1982; that the correct address is as follows: 314 Highland View Drive, according to my survey of June 1, 2004. Survey is not valid unless it is sealed with embossed seal or stamped in red.

Order No: 83726
Purchaser: Sims
Type Survey: Mortgage Loan



Surveying Solutions, Inc
2233 Cahaba Valley Drive
Birmingham, AL 35242
Tele: 991-8965 Fax: 991-6032
Carl Daniel Moore
Carl Daniel Moore, Reg. L.S. No:12159
06-14-09
Date of Signature