



The parties provided the legal descriptions contained herein.  
Attorney makes no warranty or certification as to legal descriptions.

*Prepared By:*  
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## EASEMENT

**STAN PARKER DEVELOPMENT, L.L.C.**, a limited liability company (hereafter referred to as the "Grantor"), fee simple owner of Lot 1 and Lot 26 according to the Survey of Chinaberry Subdivision, Phase I, as recorded in Map Book 32, Page 119 in the Probate Office in Shelby County, Alabama does hereby grant, bargain, sell and convey to **THE CHINABERRY HOMEOWNERS ASSOCIATION, INC.**, a not for profit corporation, its licensees, successors, and assigns (hereafter referred to as the "Grantee"), for one dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, an easement for the erection and continued operation, maintenance, repair, alteration, inspection, and replacement of one or more subdivision entry signs, fence(s) and landscaping of the Grantee (hereafter referred to as the "Sign, Fence and Landscaping") together with the necessary attachments and incidental equipment thereto, over, on, and across the premises belonging to Grantor in the city of Alabaster, Shelby County, Alabama, at the locations described in Exhibit "A" and Exhibit "B" attached hereto (Exhibits "A" and "B" are collectively the "Easement Area").

Together with all rights of ingress and egress necessary for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto which are necessary for the use, occupation, or enjoyment of this easement and the operation, maintenance, and repair of Grantee's Sign, Fence and Landscaping.

Grantee and its successors and assigns, at its sole cost and expense, shall maintain the Sign, Fence and Landscaping in good order and repair.

Grantee herewith agrees to and does indemnify, defend and save harmless Grantor from any and all liability, damage, expense, cause of action, suits, claims, judgments and cost of defense (including without limitation reasonable attorneys' fees) arising from injury to person or property in and on, or connected with the use of, the Sign, Fence and Landscaping which arise out of any intentional misconduct or negligent act or omission of Grantee or its invitees.

The provisions of this easement shall run with the land and bind the parties and their respective successors and assigns including, without limitation, any purchaser at foreclosure of any mortgage encumbering Grantor's property or any grantee of any deed given in lieu of foreclosure.

This Easement shall be construed and enforced in accordance with the laws of the State of Alabama.

Executed and delivered this 24 day of August, 2004.

WITNESS the following signatures and seals:

**GRANTOR:**

STAN PARKER DEVELOPMENT, L.L.C., a  
limited liability company

By: Stan Parker  
STAN PARKER, Member

**GRANTEE:**

THE CHINABERRY HOMEOWNERS  
ASSOCIATION, INC., a not for profit  
corporation

By: Stan Parker  
STAN PARKER, President

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Stan Parker, whose name as Member of Stan Parker Development, L.L.C., a limited liability company, and as President of The Chinaberry Homeowners Association, Inc., a not for profit 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 Member and as such President and with full authority executed the same voluntarily for and as the act of said limited liability company and as the act of

said not for profit corporation.

Given under my hand and official seal, this the 24 day of August,  
2004.

  
\_\_\_\_\_  
Notary Public

My commission expires: 5/21/07

**STATE OF ALABAMA  
SHELBY COUNTY**

**LEGAL DESCRIPTION FOR AN EASEMENT ON A PORTION OF LOT 1 OF CHINABERRY  
SUBDIVISION PHASE I - FINAL PLAT AS RECORDED BY  
MAP BOOK 32, PAGE 119  
IN THE OFFICE OF THE JUDGE OF PROBATE  
SHELBY COUNTY, ALABAMA**

A PARCEL OF LAND LOCATED IN THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 9,  
TOWNSHIP 21 SOUTH, RANGE 3 WEST, SHELBY COUNTY, ALABAMA, MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$  OF  
SECTION 9, TOWNSHIP 21 SOUTH, RANGE 3 WEST; THENCE NORTH 64 DEGREES 25 MINUTES 00  
SECONDS WEST ALONG THE SOUTHWESTERLY BOUNDARY LINE OF WOODLAND HILLS 1<sup>st</sup> PHASE,  
5<sup>th</sup> SECTOR, AS RECORDED IN MAP BOOK 7 PAGE 152 IN THE OFFICE OF THE JUDGE OF PROBATE,  
SHELBY COUNTY, ALABAMA, A DISTANCE OF 1270.77 FEET TO AN IRON PIN; THENCE WITH A  
DEFLECTION ANGLE TO THE LEFT OF 102 DEGREES 32 MINUTES 27 SECONDS AND GO IN A  
SOUTHWESTERLY DIRECTION 12.89 FEET TO AN IRON PIN; THENCE WITH A DEFLECTION ANGLE TO  
THE RIGHT OF 73 DEGREES 44 MINUTES 29 SECONDS AND GO IN A NORTHWESTERLY DIRECTION  
2228.84 FEET TO AN IRON PIN; THENCE WITH A DEFLECTION ANGLE TO THE RIGHT OF 129 DEGREES  
13 MINUTES 42 SECONDS AND GO IN A NORTHEASTERLY DIRECTION 101.96 FEET TO A POINT ON  
THE SOUTHERLY BOUNDARY OF LOT 6 CHINABERRY SUBDIVISION PHASE I FINAL PLAT AS  
RECORDED BY MAP BOOK 32, PAGE 119 IN THE OFFICE OF THE JUDGE OF PROBATE, SHELBY  
COUNTY AL.; THENCE WITH A DEFLECTION ANGLE TO THE LEFT OF 118 DEGREES 49 MINUTES 55  
SECONDS AND GO IN A NORTHWESTERLY DIRECTION ALONG THE SOUTHERLY BOUNDARY OF  
LOT'S 6, 5, 4, 3, 2, AND 1 OF SAID SUBDIVISION FOR A DISTANCE OF 655.21 FEET TO A POINT ON THE  
SOUTHERLY BOUNDARY OF SAID LOT 1, SAID POINT BEING THE POINT OF BEGINNING; THENCE  
CONTINUE ALONG THE LAST DESCRIBED COURSE AND ALONG THE SOUTHERLY BOUNDARY OF  
SAID LOT 1 FOR A DISTANCE OF 2.03 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 1, SAID  
POINT ALSO ON THE EASTERLY RIGHT-OF-WAY OF SHELBY COUNTY ROAD 17; THENCE WITH A  
DEFLECTION ANGLE TO THE RIGHT OF 99 DEGREES 33 MINUTES 14 SECONDS AND GO IN A  
NORTHEASTERLY DIRECTION ALONG THE WESTERLY BOUNDARY OF SAID LOT 1, ALSO ALONG  
SAID EASTERLY RIGHT-OF-WAY 144.96 FEET TO THE INTERSECTION OF SHELBY COUNTY ROAD 17  
AND CHINABERRY LANE AS SHOWN ON SAID CHINABERRY SUBDIVISION FINAL PLAT PHASE I,  
ALSO ON A CURVE TO THE RIGHT HAVING A RADIUS OF 25 FEET, A DELTA ANGLE OF 86  
DEGREES 36 MINUTES 36 SECONDS, AND A CHORD OF 34.29 FEET; THENCE WITH A DEFLECTION  
ANGLE TO THE RIGHT OF 43 DEGREES 10 MINUTES 25 SECONDS TO THE CHORD AND GO IN A  
NORTHEASTERLY DIRECTION ALONG THE ARC OF SAID CURVE 37.79 FEET; THENCE WITH A  
DEFLECTION ANGLE TO THE RIGHT OF 136 DEGREES 49 MINUTES 35 SECONDS AND GO IN A  
SOUTHWESTERLY DIRECTION 23.57 FEET; THENCE WITH A DEFLECTION ANGLE TO THE RIGHT OF  
86 DEGREES 18 MINUTES 14 SECONDS AND GO IN A NORTHWESTERLY DIRECTION A DISTANCE OF  
21.51 FEET; THENCE WITH A DEFLECTION ANGLE TO THE LEFT OF 86 DEGREES 18 MINUTES 14  
SECONDS AND GO IN A SOUTHWESTERLY DIRECTION 144.68 FEET TO THE POINT OF BEGINNING.

**EXHIBIT**

**A**

STATE OF ALABAMA  
SHELBY COUNTY

20040824000475210 Pg 5/5 24.50  
Shelby Cnty Judge of Probate, AL  
08/24/2004 15:36:00 FILED/CERTIFIED

**LEGAL DESCRIPTION FOR AN EASEMENT ON A PORTION OF LOT 26 OF CHINABERRY  
SUBDIVISION PHASE I - FINAL PLAT AS RECORDED BY  
MAP BOOK 32, PAGE 119  
IN THE OFFICE OF THE JUDGE OF PROBATE  
SHELBY COUNTY, ALABAMA**

A PARCEL OF LAND LOCATED IN THE NORTHEAST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 9,  
TOWNSHIP 21 SOUTH, RANGE 3 WEST, SHELBY COUNTY, ALABAMA, MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$  OF  
SECTION 9, TOWNSHIP 21 SOUTH, RANGE 3 WEST; THENCE NORTH 64 DEGREES 25 MINUTES 00  
SECONDS WEST ALONG THE SOUTHWESTERLY BOUNDARY LINE OF WOODLAND HILLS 1<sup>st</sup> PHASE,  
5<sup>th</sup> SECTOR, AS RECORDED IN MAP BOOK 7 PAGE 152 IN THE OFFICE OF THE JUDGE OF PROBATE,  
SHELBY COUNTY, ALABAMA, A DISTANCE OF 1270.77 FEET TO AN IRON PIN; THENCE WITH A  
DEFLECTION ANGLE TO THE LEFT OF 102 DEGREES 32 MINUTES 27 SECONDS AND GO IN A  
SOUTHWESTERLY DIRECTION 12.89 FEET TO AN IRON PIN; THENCE WITH A DEFLECTION ANGLE TO  
THE RIGHT OF 73 DEGREES 44 MINUTES 29 SECONDS AND GO IN A NORTHWESTERLY DIRECTION  
2228.84 FEET TO AN IRON PIN; THENCE WITH A DEFLECTION ANGLE TO THE RIGHT OF 129 DEGREES  
13 MINUTES 42 SECONDS AND GO IN A NORTHEASTERLY DIRECTION 101.96 FEET TO A POINT ON  
THE SOUTHERLY BOUNDARY OF LOT 6 CHINABERRY SUBDIVISION PHASE I FINAL PLAT AS  
RECORDED BY MAP BOOK 32, PAGE 119 IN THE OFFICE OF THE JUDGE OF PROBATE, SHELBY  
COUNTY AL.; THENCE WITH A DEFLECTION ANGLE TO THE LEFT OF 118 DEGREES 49 MINUTES 55  
SECONDS AND GO IN A NORTHWESTERLY DIRECTION ALONG THE SOUTHERLY BOUNDARY OF  
LOT'S 6, 5, 4, 3, 2, AND 1 OF SAID SUBDIVISION FOR A DISTANCE OF 657.24 FEET TO THE  
SOUTHWESTERLY CORNER OF SAID LOT 1, SAID POINT ALSO ON THE EASTERLY RIGHT-OF-WAY OF  
SHELBY COUNTY ROAD 17; THENCE WITH A DEFLECTION ANGLE TO THE RIGHT OF 99 DEGREES 33  
MINUTES 14 SECONDS AND GO IN A NORTHEASTERLY DIRECTION ALONG THE WESTERLY  
BOUNDARY OF SAID LOT 1, ALSO ALONG SAID EASTERLY RIGHT-OF-WAY 255.22 FEET TO A POINT  
ON THE WESTERLY BOUNDARY OF LOT 26 AS RECORDED BY SAID CHINABERRY SUBDIVISION  
PHASE I, SAID POINT ALSO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE LAST  
DESCRIBED COURSE AND SAID WESTERLY BOUNDARY OF LOT 26, AND ALSO ALONG SAID  
EASTERLY RIGHT-OF-WAY FOR A DISTANCE OF 91.73 FEET TO THE NORTHWEST CORNER OF SAID  
LOT 26; THENCE WITH A DEFLECTION ANGLE TO THE RIGHT OF 89 DEGREES 57 MINUTES 52  
SECONDS TO AND GO IN SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 2.00 FEET; THENCE  
WITH A DEFLECTION ANGLE TO THE RIGHT OF 90 DEGREES 02 MINUTES 08 SECONDS AND GO IN A  
SOUTHWESTERLY DIRECTION 91.61 FEET; THENCE WITH A DEFLECTION ANGLE TO THE LEFT OF 93  
DEGREES 31 MINUTES 17 SECONDS AND GO IN A SOUTHEASTERLY DIRECTION A DISTANCE OF  
23.04 FEET; THENCE WITH A DEFLECTION ANGLE TO THE RIGHT OF 93 DEGREES 31 MINUTES 17  
SECONDS AND GO IN A SOUTHWESTERLY DIRECTION 26.54 FEET TO THE NORTHERLY RIGHT-OF-  
WAY OF CHINABERRY LANE AS SHOWN ON SAID CHINABERRY SUBDIVISION PHASE I, SAID POINT  
ALSO ON A CURVE TO THE RIGHT HAVING A RADIUS OF 25 FEET, A DELTA ANGLE OF 90 DEGREES,  
AND A CHORD OF 35.36 FEET; THENCE WITH A DEFLECTION ANGLE TO THE RIGHT OF 135 DEGREES  
00 MINUTES 00 SECONDS TO THE CHORD AND GO IN A NORTHWESTERLY DIRECTION ALONG THE  
ARC OF SAID CURVE 39.27 FEET TO THE POINT OF BEGINNING.

**EXHIBIT** "B"