
20041021000582680 Pg 1/3 20.00
Shelby Cnty Judge of Probate, AL
10/21/2004 14:34:00 FILED/CERTIFIED

THIS INSTRUMENT PREPARED BY:

F. Gerald Burnett
CABANISS, JOHNSTON, GARDNER
DUMAS & O'NEAL
Post Office Box 830612
Birmingham, Alabama 35283-0612
Telephone: 205/716-5200

STATE OF ALABAMA)
 :
SHELBY COUNTY)

DISCLAIMER

WHEREAS, the undersigned, Charles S. Jager, is the owner of certain real estate located in Shelby County, Alabama (the "Jager Property"), abutting, adjacent to or near certain other real property (the "CSX Property") owned by CSX Transportation, Inc. ("CSXT");

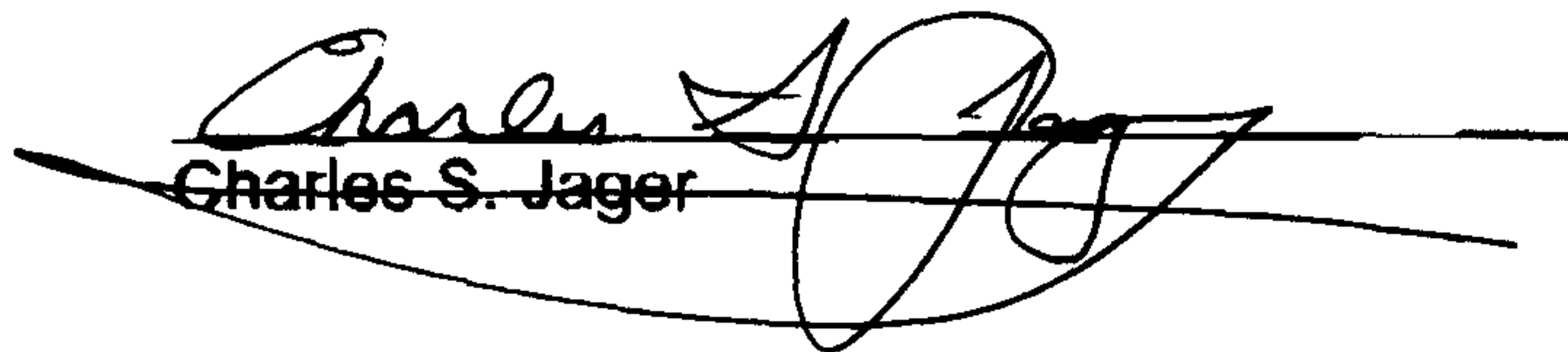
WHEREAS, the CSX Property is depicted on the map or drawing attached hereto as Exhibit A;

WHEREAS, a so-called "Stone & Dirt Road" (the "Dirt Drive") as shown on Exhibit A attached hereto, runs in an East-Westerly direction within the CSX Property;

WHEREAS, the undersigned has agreed to disclaim any interest in the Dirt Drive;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations received, the undersigned does hereby disclaim forever, for himself and his heirs, successors, and assigns, any right, title and interest in and to the Dirt Drive or any use of the Dirt Drive. This Disclaimer is to be interpreted on the basis that the undersigned and his heirs, successors and assigns have no right to any use of the Dirt Drive whatsoever just the same as if a formal vacation of the Dirt Drive has taken place in accordance with Alabama law by the city of Helena or other governmental entity having jurisdiction over the Dirt Drive. This disclaimer of the Dirt Drive shall be binding on the heirs, successors, assigns of the undersigned and any transferee or grantee of any interest in the Jager Property.

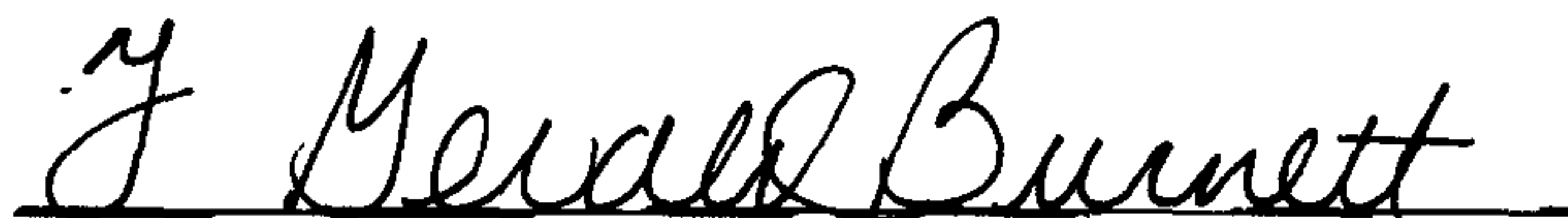
IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed and delivered as of the 9 day of Aug, 2004.


Charles S. Jager

STATE OF ALABAMA)
 :
_____ COUNTY)

I, the undersigned, a notary public in and for said county, in said state, hereby certify that **CHARLES S. JAGER**, whose name 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 executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal of office on this, the 10th day
AUGUST, 2004.


Notary Public

[NOTARIAL SEAL]

My commission expires: 11-07-2007

The purpose of this plat is to show the location of the existing dirt road running through the CSX property located in sections 14 and 15, township 20 South, range 3 West in Helene, Alabama. This plat was prepared using information from a survey prepared by me dated March 28, 1994.

John R. Clark
Robbin E. Phillips, A.L.S. • 14976
Paragon Engineering, Inc.
2320 Highland Ave. South
Suite 175
Birmingham, Alabama 35205
(205) 939-1119

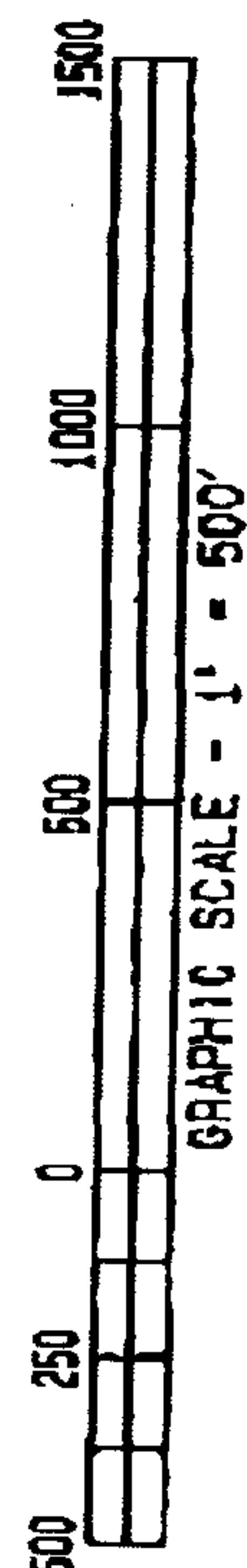
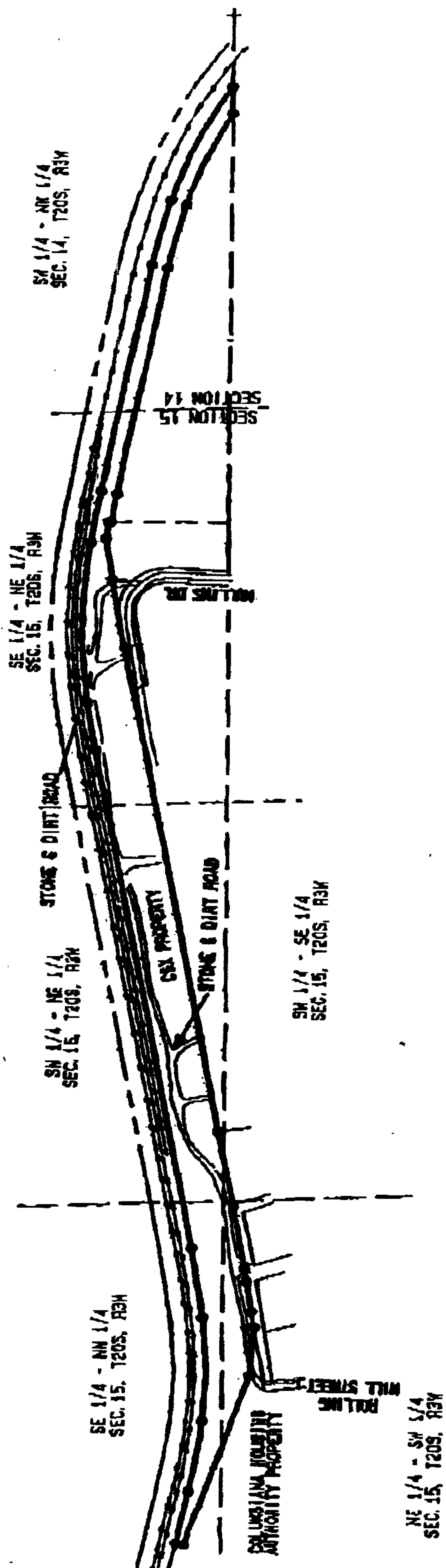


Exhibit A