20060517000232760 1/5 $23.00
Shelby Cnty Judge of Probate,AL
05/17/2006 10:18:05AM FILED/CERT

State of Alabama
Shelby County

BE INDEXED: J. Anthony Joseph and Kathy Joseph,
Roland Pugh
Section 26-Township 19 South - Range 1 West, Shelby County, AL

Before me, the undersigned authority in and for the State of Alabama, personally appeared John Walters, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is John Walters. I am a licensed real estate agent in the State of Alabama. I am the Agent whose Agency, Map Development, Birmingham, Alabama, was hired by Wal-Mart to find some property in Chelsea, Alabama for the company to purchase.

In 2005, I contacted Roland Pugh and other land owners for the purpose of acquiring property for my client. At such time, Mr. Pugh gave to me the attached survey copy of his property that was prepared by Gonzales-Strength & Associates in 2003.

Fall, 2005, I was with Jon Strength, registered surveyor, with Gonzales-Strength and we checked the 3/8" capped rebar pin 350' south of the Northeast boundary corner on the Eastern property boundary, being the same boundary noted on the Gonzales survey dated 2003. A barbed-wire fence was built directly over the property stakes beginning at said Southeast corner and running north along the East line of said 1/4-1/4. The fence was built with metal fence posts.

In March, 2006, I saw Mr. Pugh's truck on his property near this line. He was not in his truck and I did not actually see Mr. Pugh; however, I did see a tractor with the metal fence posts loaded in the bucket and the fence had been removed. I can only assume that it was actually Mr. Pugh who was taking down the fence.

The West boundary line (2003 Gonzales survey) of the Pugh property shows the same boundary as it shown as the East boundary line of the Joseph survey made by Gonzales-Strength in September, 2005 and which was updated December, 2005 and January, 2006.

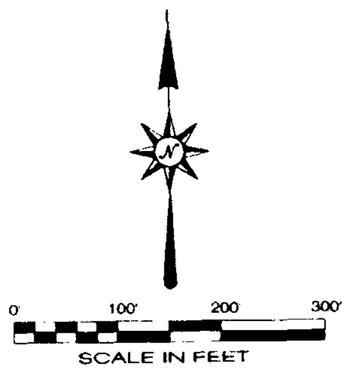
John Walters

Attachments:
Gonzales-Strength surveys - February, 2003 and September, 2005

Sworn to and subscribed to before me by John Walters on this 10 day of May, 2006.

Notary Public Eleanor A. Eldridge
My commission expires 10/22/09

20060517000232760 2/5 $23.00
Shelby Cnty Judge of Probate,AL
05/17/2006 10:18:05AM FILED/CERT

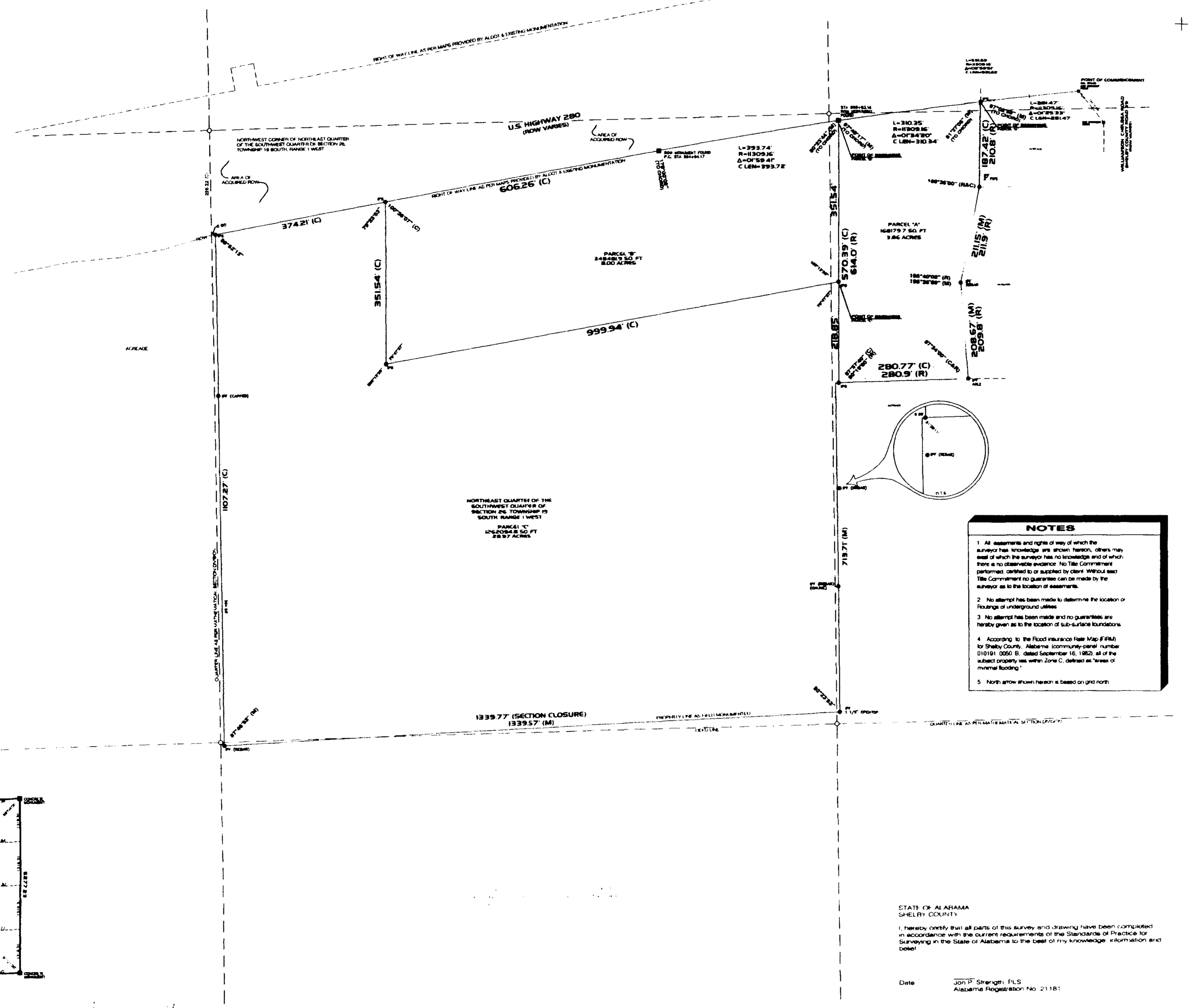


LEGEND

- IRON PIN FOUND
- IRON PIN SET (5/8" REBAR w/CAP)
- CALCULATED POINT
- UTILITY POLE w/GUY
- OVERHEAD POWER LINE
- RIGHT OF WAY
- R/W-3
- ASPHALT SURFACE
- CONCRETE SURFACE

PARCEL "A"
A PARCEL OF LAND AS SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY 280 (200' RIGHT OF WAY) AND THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD 39 (RIGHT OF WAY VARIES); THENCE RUN SOUTHWESTERLY ALONG THE SAID RIGHT OF WAY LINE OF U.S. HIGHWAY 280, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 11,309.16 FEET, FOR AN ARC LENGTH OF 261.47 FEET, DELTA = 01 DEGREES 25 MINUTES 33 SECONDS, CHORD LENGTH = 261.47 FEET) TO THE POINT OF BEGINNING. THENCE FROM THE CHORD OF SAID CURVE, TURN AN INTERIOR ANGLE TO THE RIGHT OF 87 DEGREES 02 MINUTES 58 SECONDS AND RUN SOUTHERLY FOR A DISTANCE OF 187.42 FEET; THENCE TURN AN INTERIOR ANGLE TO THE LEFT OF 189 DEGREES 36 MINUTES 00 SECONDS AND RUN SOUTHWESTERLY FOR A DISTANCE OF 211.15 FEET; THENCE TURN AN INTERIOR ANGLE TO THE LEFT OF 188 DEGREES 38 MINUTES 58 SECONDS AND RUN SOUTHERLY FOR A DISTANCE OF 208.67 FEET; THENCE TURN AN INTERIOR ANGLE TO THE LEFT OF 87 DEGREES 57 MINUTES 40 SECONDS AND RUN WESTERLY FOR A DISTANCE OF 570.39 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 280 (200 RIGHT OF WAY) TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 11,309.16 FEET; THENCE TURN AN INTERIOR ANGLE LEFT TO THE CHORD OF SAID CURVE OF 87 DEGREES 49 MINUTES 17 SECONDS AND RUN NORTHEASTERLY FOR AN ARC LENGTH OF 310.35 FEET (DELTA = 01 DEGREES 34 MINUTES 35 SECONDS, CHORD LENGTH = 310.34 FEET) TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PROPERTY CONTAINS 3.86 ACRES, MORE OR LESS.

PARCEL "B"
A PARCEL OF LAND AS SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY 280 (200' RIGHT OF WAY) AND THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD 39 (RIGHT OF WAY VARIES); THENCE RUN SOUTHWESTERLY ALONG THE SAID RIGHT OF WAY LINE OF U.S. HIGHWAY 280, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 11,309.16 FEET, FOR AN ARC LENGTH OF 561.88 FEET (DELTA = 02 DEGREES 58 MINUTES 31 SECONDS, CHORD LENGTH = 561.82 FEET) TO THE POINT OF BEGINNING. THENCE FROM THE CHORD OF SAID CURVE, TURN AN INTERIOR ANGLE TO THE RIGHT OF 87 DEGREES 48 MINUTES 17 SECONDS AND RUN SOUTHERLY FOR A DISTANCE OF 351.54 FEET; THENCE TURN AN INTERIOR ANGLE TO THE LEFT OF 100 DEGREES 12 MINUTES 33 SECONDS AND RUN SOUTHWESTERLY FOR A DISTANCE OF 999.94 FEET; THENCE TURN AN INTERIOR ANGLE TO THE LEFT OF 78 DEGREES 47 MINUTES 27 SECONDS AND RUN NORTHERLY FOR A DISTANCE OF 351.54 FEET TO THE AFOREMENTIONED RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 280; THENCE TURN AN INTERIOR ANGLE TO THE LEFT OF 100 DEGREES 38 MINUTES 07 SECONDS AND RUN NORTHEASTERLY FOR A DISTANCE OF 606.26 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 11,309.16 FEET; THENCE TURN AN INTERIOR ANGLE TO THE LEFT TO THE CHORD OF SAID CURVE OF 178 DEGREES 00 MINUTES 06 SECONDS AND RUN NORTHEASTERLY ALONG THE CHORD OF SAID CURVE FOR A CHORD LENGTH OF 361.27 FEET (DELTA = 01 DEGREES 54 MINUTES 41 SECONDS, ARC LENGTH = 361.14 FEET) TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PROPERTY CONTAINS 8.00 ACRES, MORE OR LESS.



NOTES

1. All easements and rights of way of which the surveyor has knowledge are shown hereon, others may exist of which the surveyor has no knowledge and of which there is no observable evidence. No Title Commitment performed, certified to or supplied by client. Without said Title Commitment no guarantee can be made by the surveyor as to the location of easements.
2. No attempt has been made to determine the location or Routings of underground utilities.
3. No attempt has been made and no guarantees are hereby given as to the location of sub-surface foundations.
4. According to the Flood Insurance Rate Map (FIRM) for Shelby County, Alabama (community-panel number 010191 0050 B, dated September 16, 1982), all of the subject property lies within Zone C, defined as "areas of minimal flooding."
5. North arrow shown hereon is based on grid north.

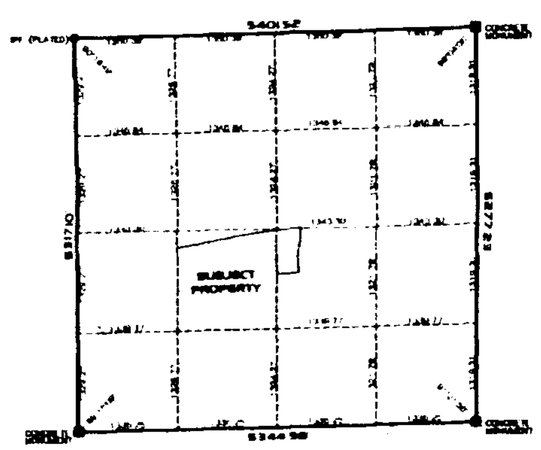


DIAGRAM OF MATHEMATICAL SECTION DIVISION
(NOT TO SCALE)

STATE OF ALABAMA
SHELBY COUNTY

I, hereby certify 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.

Date _____ Jon P. Strength, PLS
Alabama Registration No. 21181

REVISIONS		
NO.	DESCRIPTION	DATE
0	ISSUED FOR APPROVAL	

LEGAL DESCRIPTION
NORTHWEST QUARTER OF THE SOUTHEAST QUARTER

SECTION 26 TOWNSHIP 19 SOUTH RANGE 1 WEST

TITLE
BOUNDARY SURVEY
CHELSEA BOUNDARY
MOIZ FOULAD

DWN. BY JAK | CKD. BY JPS | SCALE 1"=100' | DATE 3/7/06
FIELD BOOK | MAP BOOK | PAGE

GONZALEZ - STRENGTH & ASSOCIATES, INC.
ENGINEERING, LAND PLANNING, & SURVEYING
SUITE 407 - 117 GEMINI CIRCLE
BIRMINGHAM, ALABAMA 35209
PHONE: (205) 942-2486
FAX: (205) 942-2487
Gonzalez-Strength.com

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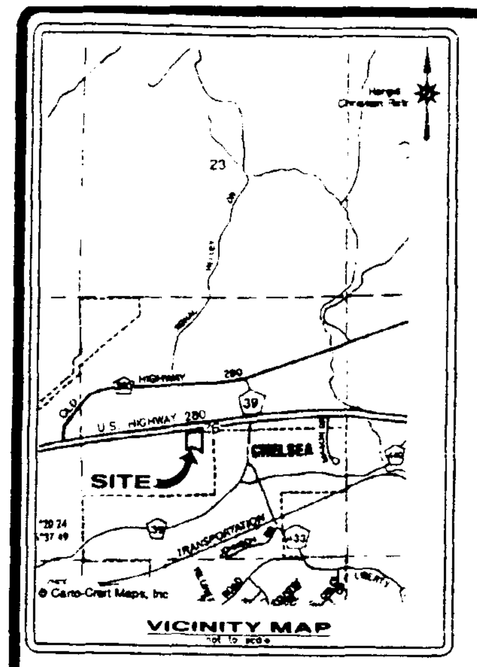
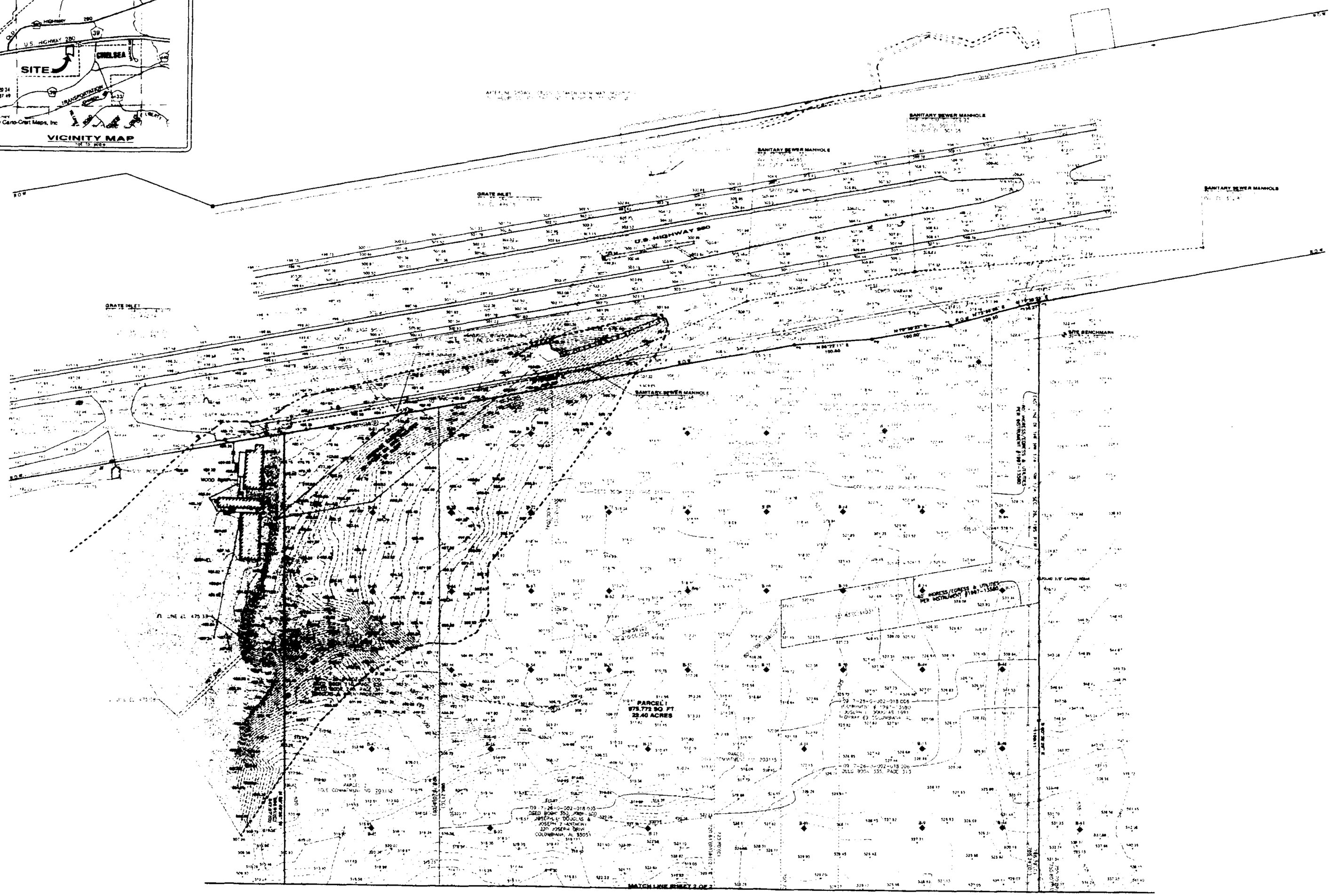
STATE OF ALABAMA
JON P. STRENGTH
21181
LICENSED
PROFESSIONAL ENGINEER
LAND SURVEYOR

FOR INFORMATION ONLY

PROJECT | DWG.NO. S1 R0
WORK AUTHORIZATION 23113



VICINITY MAP



2006051700002327 60 3/5 $23.00
Shelby Cnty Judge of Probate, AL
05/17/2006 10:18:05AM FILED/CERT

SEE SHEET 3 OF 3 FOR LEGAL DESCRIPTION, NOTES, LEGEND, ABBREVIATIONS AND CONTACT INFORMATION

REVISIONS

UPDATE TITLE 11.28.05	MW
REVISED LEGALS 12.1.05	MW
FENCE LOCATION 4.13.06	MW

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ALABAMA REGISTERED No. 21181 LAND SURVEYOR JAMES P. STRENGTH

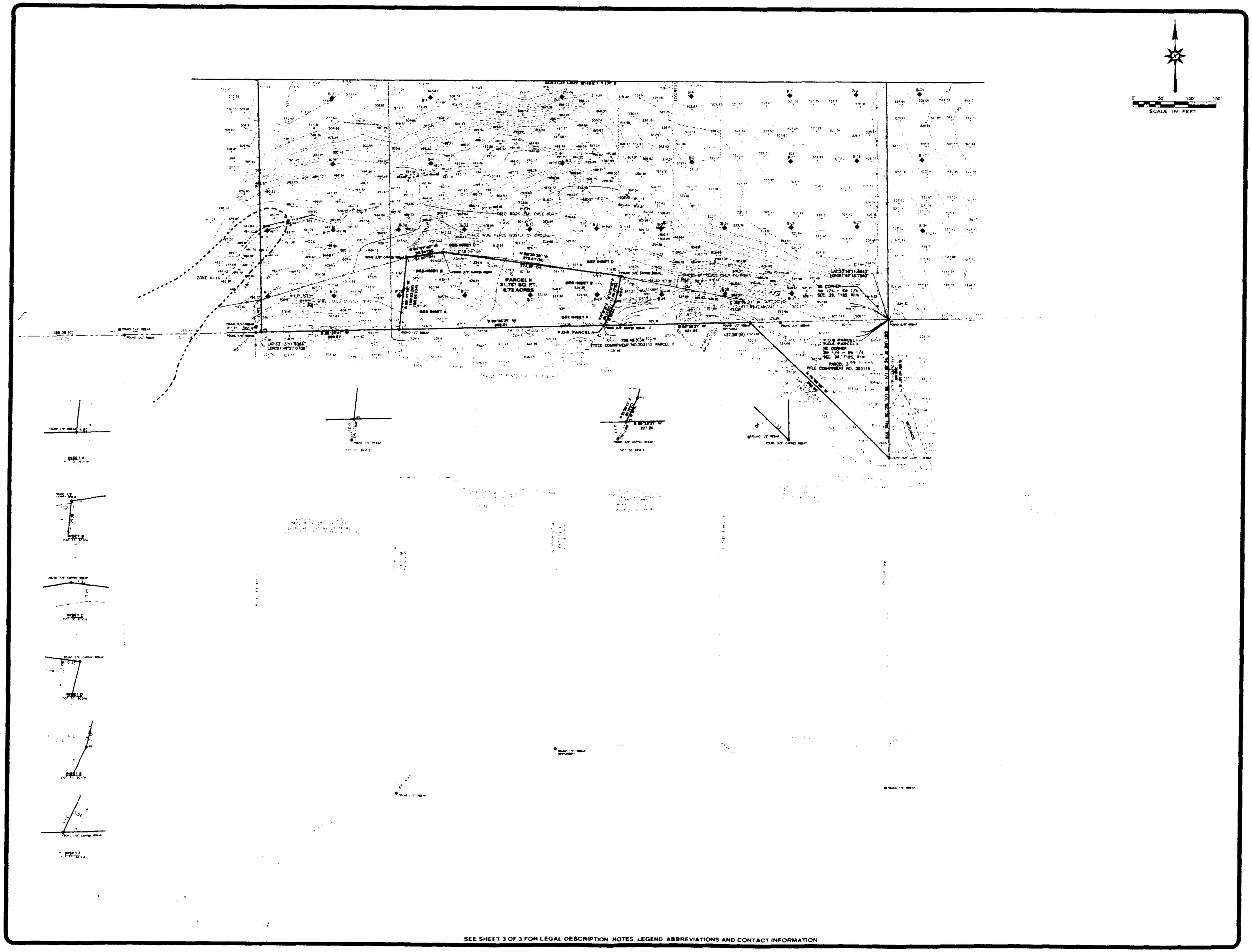
WAL*MART
SUPERCENTER

ALTA/ACSM LAND TITLE SURVEY
WAL-MART STORE # 4330-00
CHELSEA, AL

WAL-MART STORES, INC.
BENTONVILLE, AR

DRAWN	M. W. KEETON
CHECKED	M. BRIGGS, P.L.S.
DATE	09/24/05
SCALE	1"=50'
JOB No.	24566
SHEET	S-1

20060517000232760 4/5 $23.00
Shelby Cnty Judge of Probate,AL
05/17/2006 10:18:05AM FILED/CERT



SEE SHEET 3 OF 3 FOR LEGAL DESCRIPTION, NOTES, LEGEND ABBREVIATIONS AND CONTACT INFORMATION

REVISIONS	BY
UPDATE TITLE 12/28/05	MK
REVISED LEGALS 1/10/06	MK

GONZALEZ-STRENGTH & ASSOCIATES, INC.
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ALABAMA REGISTERED PROFESSIONAL ENGINEER
No. 21181
LAND
GONZALEZ-STRENGTH

WAL*MART
SUPERCENTER

ALTA/ACSM LAND TITLE SURVEY
WAL-MART STORE #4330-00
CHELSEA, AL
WAL-MART STORES, INC.
BENTONVILLE, AR

DRAWN	M. H. KECTOR
CHECKED	W. BRADDES R.L.S.
DATE	09/24/05
SCALE	1"=50'
JOB NO	24566
SHEET	S-2

20060517000232760 5/5 $23.00
Shelby Cnty Judge of Probate,AL
05/17/2006 10:18:05AM FILED/CERT

NOTES

1. All easements and rights of way of which the surveyor has knowledge are shown hereon. Others may exist of which this surveyor has no knowledge and of which there is no observable evidence.

2. All utilities of which the surveyor has knowledge are shown hereon. Soundings of underground utilities were taken based on utility charts provided by commercial utility companies shown should be considered approximate and physical ties marked on the ground by the utility and physical ties marked on the ground by the telephone multi-party service provider to pinpoint the telephone multi-party service. Alabama Line Location Center (ALSELLC) are 252-4555 (Birmingham area) and (800) 292-8525 (Alabama).

3. No attempt has been made and no guarantees are hereby given as to the location of sub-surface foundations.

4. North arrow shown hereon is based on State Plane coordinates (NAD 83).

5. Subject property is zoned "B-2", defined as Community Business District. Building setback lines are as follows: Front, 0'; Side, 0'; Rear, 0'.

6. Last field survey date: 9-28-2005.

7. According to the Flood Insurance Rate Map (FIRM) for Shelby County, Alabama (community-panel number 010191 0005, dated September 16, 1982), part of the subject property lies within Zone C, defined as "areas outside flooding" and zone X.

8. Surveyor's error of closure: 1:22,271

LEGEND

	FOUND CONCRETE MONUMENT
	IRON PIN FOUND
	IRON PIN SET (5/8" REBAR +/CAP)
	RIGHT OF WAY
	FENCE
	OVERHEAD TELEPHONE LINE
	OVERHEAD POWER LINE
	OVERHEAD POWER LINE
	UNDERGROUND GAS LINE
	UNDERGROUND WATER LINE
	EXISTING CONTOUR
	POWER POLE W/GUY WIRE
	TRANSFORMER
	WATER METER
	WATER VALVE
	SANITARY SEWER MANHOLE
	WELL
	SPOT ELEVATION
	SOIL HOLE
	PLANT DIRECTIONAL ARROWS
	CONCRETE SURFACE
	ASPHALT SURFACE

ABBREVIATIONS

A.B.S.	ACRE BOUNDARY SURVEY
A.B.M.	ACRE BOUNDARY MONUMENT
AHD	ALABAMA HIGHWAY DEPARTMENT
BM	BENCH MARK
CBC	CONCRETE BLOCK COLUMN
CBW	CONCRETE BLOCK WALL
CMP	CORRUGATED METAL PIPE
D.B.	DEED BOOK
D.E.	DRAINAGE EASEMENT
E.B.	ELECTRIC BOX
E.E.	ELECTRIC EASEMENT
E.M.	ELECTRIC METER
F.F.	FINISH FLOOR
F.F.E.	FINISH FLOOR ELEVATION
F.H.	FIRE HYDRANT
F.P.	FIELD PLOT
G.B.	GAS BOX
G.M.	GAS METER
G.V.	GAS VALVE
I.P.	IRON PIN
I.P.S.	IRON PIN SET
L.A.	LANDSCAPE AREA
M.B.	MAP BOOK
M.F.	MAILBOX FOUND
M.S.	MAILBOX SET
N.A.D.	NORTH AMERICAN DATUM
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
O.H.P.	OVERHEAD POWER
O.H.T.	OVERHEAD TELEPHONE
P.B.	PLAT BOOK
P.C.	POINT OF CURVE
P.C.C.	POINT OF COMPOUND CURVE
P.C.P.	POINT OF CONCRETE PIPE
P.L.	PROPERTY LINE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.O.L.	POINT ON LINE
P.R.C.	POINT OF REVERSE CURVATURE
P.T.	POINT OF TANGENT
P.U.E.	PUBLIC UTILITY EASEMENT
R.B.	RECORD BEARING
R.C.P.	REINFORCED CONCRETE PIPE
R.D.	RECORD DISTANCE
R.E.	RECORD ENTRY
R.M.	RECORD MEASUREMENT
R.O.W.	RIGHT OF WAY
S.B.	SIGN BOX
S.E.	SANITARY EASEMENT
S.M.	SIGN METER
S.P.	SIGN POST
S.S.E.	SANITARY SEWER EASEMENT
T.B.	TELEPHONE BOX
T.E.	TELEPHONE EASEMENT
T.M.	TELEPHONE METER
T.P.	TELEPHONE POLE
U.E.	UTILITY EASEMENT
U.P.	UTILITY POLE
W.B.	WATER BOX
W.M.	WATER METER
W.V.	WATER VALVE
W.W.	WATER WELL
	SECTION CORNER

CONTACT INFORMATION

[illegible]

PARCEL I
LEGAL DESCRIPTION

A parcel of land situated in the Southwest quarter of Section 24, Township 19 North, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northeast corner of the Southwest quarter of the Southwest quarter of said section; thence run South 00 degrees 40 minutes 11 seconds East along the East line of said quarter-quarter line a distance of 289.94 feet; thence leaving said East line run North 46 degrees 32 minutes 13 seconds West for a distance of 295.90 feet; thence run South 88 degrees 33 minutes 27 seconds West for a distance of 172.57 feet; thence run North 22 degrees 13 minutes 17 seconds East for a distance of 49.12 feet; thence run North 13 degrees 13 minutes 19 seconds East for a distance of 44.87 feet; thence run North 27 degrees 19 minutes 19 seconds West for a distance of 75.41 feet; thence run South 41 degrees 07 minutes 40 seconds West for a distance of 54.84 feet; thence run South 05 degrees 13 minutes 18 seconds West for a distance of 108.93 feet; thence run South 84 degrees 33 minutes 27 seconds West for a distance of 209.47 feet; thence run North 00 degrees 48 minutes 16 seconds West for a distance of 494.87 feet to a point on the Southeastern right of way line of U. S. Highway 280 (right of way varies); thence run North 79 degrees 18 minutes 13 seconds East along said right of way for a distance of 639.13 feet; thence run North 87 degrees 22 minutes 13 seconds East along said right of way line a distance of 100.16 feet; thence run North 79 degrees 18 minutes 13 seconds East along said right of way for a distance of 100.00 feet; thence run North 73 degrees 58 minutes 13 seconds East along said right of way line a distance of 100.16 feet; thence run North 79 degrees 18 minutes 13 seconds East along said right of way for a distance of 131.27 feet to a point on the East line of the Northwest quarter of the Southwest quarter of said Section; thence leaving said right of way run South 00 degrees 14 minutes 24 seconds East along said East line for a distance of 818.23 feet to the POINT OF BEGINNING. Said parcel contains 571 +/- square feet or 2.48 +/- acres more or less.

PARCEL II
LEGAL DESCRIPTION

A parcel of land situated in the Southwest quarter of Section 24, Township 19 North, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the Southwest quarter of the Southwest quarter of said section; thence run South 00 degrees 21 minutes 27 seconds West for a distance of 417.78 feet to the POINT OF BEGINNING; thence run above line described course for a distance of 309.45 feet; thence run North 00 degrees 41 minutes 18 seconds East for a distance of 109.93 feet; thence run North 81 degrees 05 minutes 50 seconds East for a distance of 54.84 feet; thence run South 41 degrees 19 minutes 30 seconds East for a distance of 75.41 feet; thence run South 22 degrees 13 minutes 19 seconds West for a distance of 44.87 feet; thence run South 22 degrees 13 minutes 13 seconds West for a distance of 49.12 feet to the POINT OF BEGINNING. Said parcel contains 11,+/- square feet or 0.25 +/- acres more or less.

REVISIONS

DATE	BY
12/28/05	
10/05/05 - REV. 1	
10/06/05	

GONZALEZ-STRENGTH & ASSOCIATES, INC.
ENGINEERING, LAND PLANNING, & SURVEYING
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BIRMINGHAM, ALABAMA 35205
PHONE (205) 322-2486
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ALABAMA REGISTERED LAND SURVEYOR
GARY P. STRENGTH

WAL*MART
SUPERCENTER

ALTA/ACSM LAND TITLE SURVEY
WAL-MART STORE #4330-00
CHELSEA, AL

WAL-MART STORES, INC.
BENTONVILLE, AR

DRAWN	M. M. ELETON
CHECKED	W. BRIDGES, P.L.S.
DATE	09/24/05
SCALE	1"=50'
JOB No.	24566
SHEET	S-3