

20060914000457280 1/12 \$45.00
Shelby Cnty Judge of Probate, AL
09/14/2006 12:32:51PM FILED/CERT

STATE OF ALABAMA)
COUNTY OF SHELBY)

Shelby County, AL 09/14/2006
State of Alabama

Deed Tax: \$1.00

EASEMENT

This easement made and entered into this the first day of September, 2006, by and between Highland Lakes Development, Ltd., an Alabama Limited Partnership (hereinafter referred to as Grantor) and Donald J. Emilian, Sr. and Della H. Emilian (hereinafter referred to as Grantee):

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid to the Grantor by Grantee, the receipt and sufficiency of which are hereby acknowledged, the Grantor does hereby grant, bargain, sell, convey and warrant to the Grantee, its respective successors, agents, assigns, guests and invitees an easement in perpetuity, with the right, privilege and authority to said Grantee, its respective successors, agents and assigns, for the purpose of storing landscaping and construction related materials on the following described land, situated in Shelby County, Alabama:

An easement for the storage of landscaping and construction related materials situated between the fence and rear property line of Lot 2507, according to the Survey of Highland Lakes, 25th Sector, Phase I, an Eddleman Community, as recorded in Map Book 35, Page 3, in the Probate Office of Shelby County, Alabama and also between the fence and rear property line of Lots 2508 and 2509, according to the survey of Highland Lakes, 25th Sector Phase II, an Eddleman Community, as recorded in Map Book 36, Page 41, in the Probate Office of Shelby County; being situated in Shelby County, Alabama, said easement being more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD, Unto the said Donald J. Emilian. Sr. and Della H. Emilian, its successors, agents and assigns, forever, subject to the following terms and conditions:

1. The grant of this easement and covenants contained herein shall run with the land and shall be binding on and shall inure to the benefit of the parties hereto, its successors, agents and assigns.

2. The HIGHLAND LAKES RESIDENTIAL ASSOCIATION, INC., its successors, agents and assigns shall have the responsibility for maintaining the wall already located at the rear property line of Lot 2507, according to the Survey of Highland Lakes, 25th Sector, Phase I, an Eddleman Community, as recorded in Map Book 35, Page 3, in the Probate Office of Shelby County, Alabama, and at the rear property line of Lots 2508 and 2509, and at the rear property line of the area designated as "future development" (between Lots 2512 and 2509), and at the rear property line of Lots 2512 through Lot 2514 according to the survey of Highland Lakes, 25th Sector, Phase II, an Eddleman Community, as recorded in Map Book 36, Page 41, in the Probate Office of Shelby County, Alabama, and to also maintain a six foot privacy fence to be erected by Highland Lakes Development, Ltd. immediately behind the referenced wall at the rear property line of Lots 2507, 2508, 2509, at the rear property line of the area designated as "future development" (between Lots 2512 and 2509) and at the rear property line of Lots 2512 through Lot 2520. (Note: The Lot referred to as Lot 2507 is located in Highland Lakes, 25th Sector, Phase I, Map Book 35, Page 3. The Lots referred to in this document as Lots 2508 and 2509, the area designated as "future development" between lots 2512 and 2509 and Lots 2512 through 2520 are located in Highland Lakes 25th Sector Phase II, Map Book 36, Page 41).

CLAYTON T. SWEENEY, ATTORNEY AT LAW

3. HIGHLAND LAKES DEVELOPMENT, LTD. shall have the responsibility for erecting a six foot privacy fence immediately behind the wall(between the wall and the property line) referenced in item 2 above at the rear property line of Lots 2507, 2508, 2509, at the rear property line of the area designated as "future development" (between Lots 2512 and 2509) and at the rear property line of Lots 2512 through 2520.

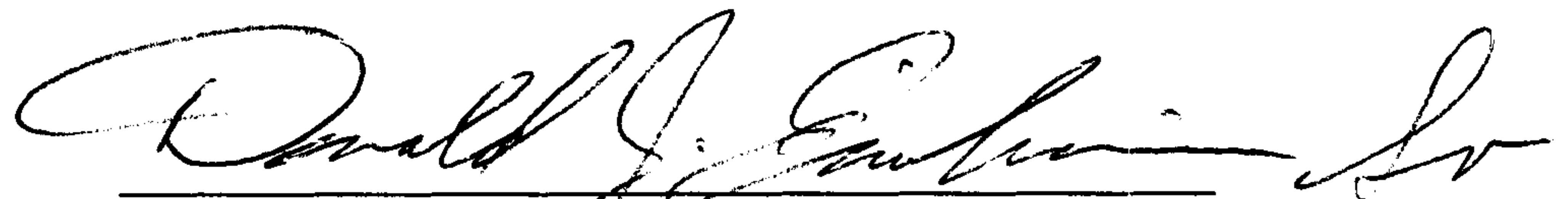
4. Grantees herein, Donald J. Emilian, Sr. and Della H. Emilian, their successors and assigns, shall have the responsibility of abandoning the gravel drive encroaching from the property described on Exhibit "B" onto Lots 2520 through Lot 2515, Highland Lakes 25th Sector, Phase II, Map Book 36, Page 41, in order for the privacy fence to be erected, and Grantees, their successors and assigns, covenant and agree as to the property described on Exhibit "B" as affected by Exhibit "C" and as to the easement property described on Exhibit "A" to store all landscaping (excluding stored trees and other landscaping vegetation) and construction related materials below the fence line in such a manner that they are not visible within 30 feet of the fence, to park any tractor- trailer rig(s) below the fence line on Grantees property and in a position that it cannot be seen and is not an eyesore to the adjoining lot owners of Highland Lakes 25th Sector, Phase I and II.

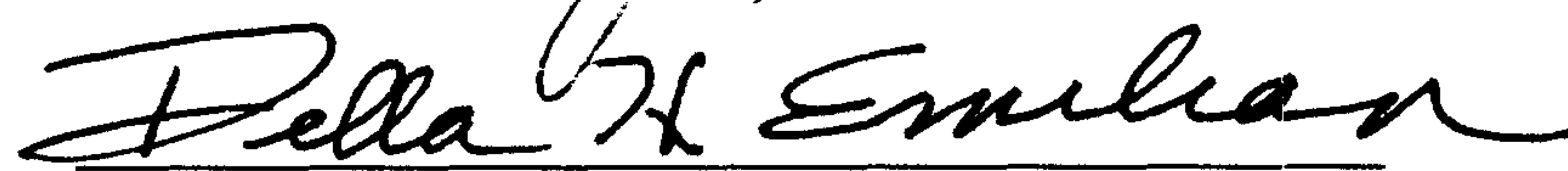
5. Donald J. Emilian, Sr. and Della H. Emilian, their successors and assigns, shall have the exclusive use of the easement described herein and shall be responsible for routine maintenance, such as weed removal and mowing the grass.

6. It is understood and agreed to by all parties herein that the rear property line of Lots 2512 through 2515 and the rear property line of the area designated as "future development" between Lots 2512 and 2509 means the property line designated on the Sketch attached hereto as Exhibit "C" and incorporated herein by reference after the swap of deeds between Highland Lakes Development, Ltd. and Donald J. Emilian, Sr. and Della H. Emilian.

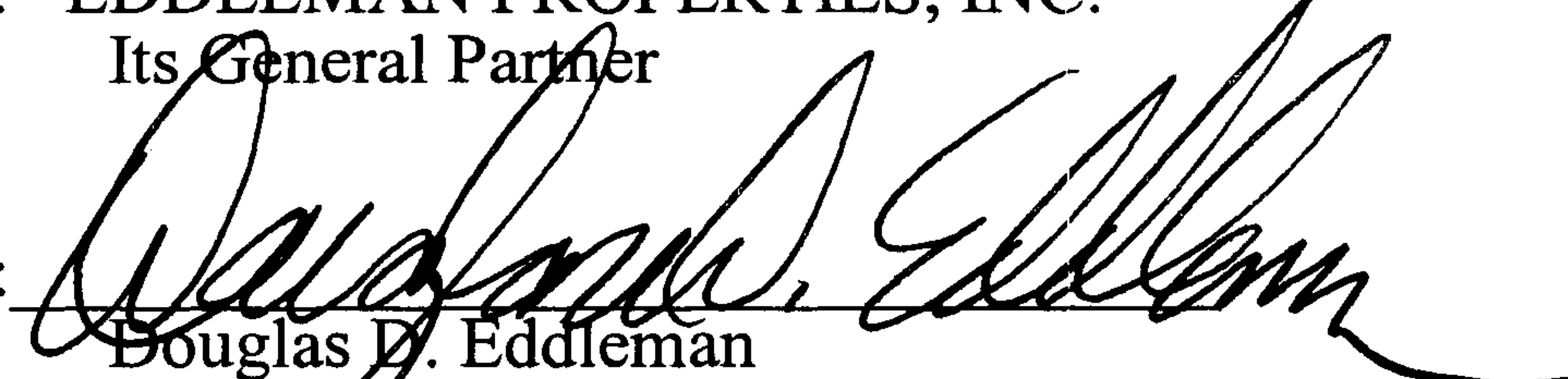
Together with and subject to the rights, easements, privileges and appurtenances in and to said lands which may be required for the full enjoyment of the rights herein granted.

IN WITNESS WHEREOF, Donald J. Emilian, Sr. and Della H. Emilian and Highland Lakes Development, Ltd., by its General Partner, Eddleman Properties, Inc., by its President, Douglas D. Eddleman, has caused this easement to be executed this the 1st day of September, 2006.


Donald J. Emilian, Sr.


Della H. Emilian

HIGHLAND LAKES DEVELOPMENT, LTD.
BY: EDDLEMAN PROPERTIES, INC.
Its General Partner

BY: 
Douglas D. Eddleman
Its President



20060914000457280 3/12 \$45.00
Shelby Cnty Judge of Probate, AL
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STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Donald J. Emilian, Sr. and Della H. Emilian whose names are signed to the foregoing instrument; and who are known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this the 1st day of September, 2006.

Elyse B. J.
Notary Public

My Commission Expires: 4/29/10

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of Eddleman Properties, Inc., an Alabama Corporation, which is General Partner of Highland Lakes Development, Ltd., an Alabama Limited Partnership, 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 the above and foregoing instrument, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as general partner of said limited partnership on the day the same bears date.

Given under my hand and official seal of office this the 1st day of September, 2006.

Elyse B. J.
Notary Public

My Commission Expires: 4/29/10

The Purchasers of Lot 2507 execute this Easement to acknowledge and accept the terms and conditions of this hereinabove Easement and Purchasers, their successors and assigns, agree and understand that the property is subject to the foregoing grant of easement.

James C. Ayers, Sr.
James C. Ayers, Sr.

By: James C. Ayers, Jr., His Attorney-in-Fact

Leona W. Ayers
Leona W. Ayers

By: James C. Ayers, Jr. Her Attorney-in-Fact

James C. Ayers, Jr.
James C. Ayers, Jr.

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STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that James C. Ayers, Jr. whose name as Attorney-in-Fact for James C. Ayers, Sr. under that certain Durable Power of Attorney recorded on 9-14, 2006, in 20060914000457260, in the Probate Office of Shelby County, Alabama, 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 the above foregoing instrument, he in his capacity as such Attorney-in-Fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this the 1st day of September, 2006.

Elizabeth B. J.
Notary Public

My Commission Expires: 4/29/10

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said county and in said State, hereby certify that James C. Ayers, Jr., whose name as Attorney-in-Fact for Leona W. Ayers under that certain Durable Power of Attorney recorded on 9-14, 2006, in 20060914000457270, in the Probate Office of Shelby County, Alabama, 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 the above foregoing instrument, he in his capacity as such Attorney-in-Fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this the 1st day of September, 2006.

Elizabeth B. J.
Notary Public

My Commission Expires: 4/29/10

The Highland Lakes Residential Association, Inc executes this easement only to acknowledge and accept all terms, conditions, restrictions and conditions contained hereinabove. The Highland Lakes Residential Association, Inc. does for itself, its successors and assigns, agree and understand that the property conveyed herein is subject to the foregoing terms, conditions, restrictions and conditions of said easement.

Highland Lakes Residential Association, Inc.

BY: *Douglas D. Eddleman*
Douglas D. Eddleman
Its President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said state, hereby certify that James C. Ayers, Jr. whose name is signed to the foregoing instrument; and who is known to me, acknowledged before me on this date that, being informed of the contents of the above and foregoing instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this the 1st day of September, 2006.

Elizabeth B. J.
Notary Public

My Commission Expires: 4/29/10

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Douglas D. Eddleman, whose name as President of Highland Lakes Residential Association, Inc., an Alabama Non-Profit Corporation, 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 1st day of September, 2006.

Elizabeth B. J.
Notary Public

My Commission Expires: 4/29/10

This Instrument Prepared By:
Clayton T. Sweeney, Attorney
2700 Highway 280 East, Suite 160
Birmingham, AL 35223

EASEMENT:

A STRIP OF LAND FOR AN EASEMENT SITUATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 2509 OF HIGHLAND LAKES 25TH SECTOR PHASE II AS RECORDED IN MAP BOOK 36, PAGE 41; THENCE RUN NORTH 43°14'14" WEST ALONG THE WEST LINE OF SAID LOT 2509 FOR 2.70 FEET; THENCE RUN NORTH 46°23'33" EAST FOR 42.82 FEET; THENCE RUN NORTH 49°03'04" EAST FOR 77.24 FEET TO A POINT ON THE WESTERLY LINE OF LOT 2507 OF HIGHLAND LAKES 25TH SECTOR, PHASE I, AS RECORDED IN MAP BOOK 35, PAGE 3; THENCE RUN NORTH 44°50'48" EAST FOR 67.81 FEET TO A POINT ON THE NORTHEAST LINE OF SAID LOT 2507; THENCE RUN SOUTH 47°30'19" EAST ALONG SAID LOT LINE FOR 29.24 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE RUN SOUTH 52°43'58" WEST ALONG THE SOUTH LOT LINE OF LOTS 2507 AND 2508 FOR 111.55 FEET; THENCE RUN SOUTH 57°48'04" WEST ALONG THE SOUTH LINE OF LOT 2508 FOR 19.36 FEET TO THE SOUTHEAST CORNER OF LOT 2509; THENCE RUN SOUTH 57°47'16" WEST ALONG THE SOUTH LINE OF SAID LOT FOR 61.13 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 3,235 SQUARE FEET OR 0.07 ACRES.

SKETCH OF EXHIBIT "A" EASEMENT

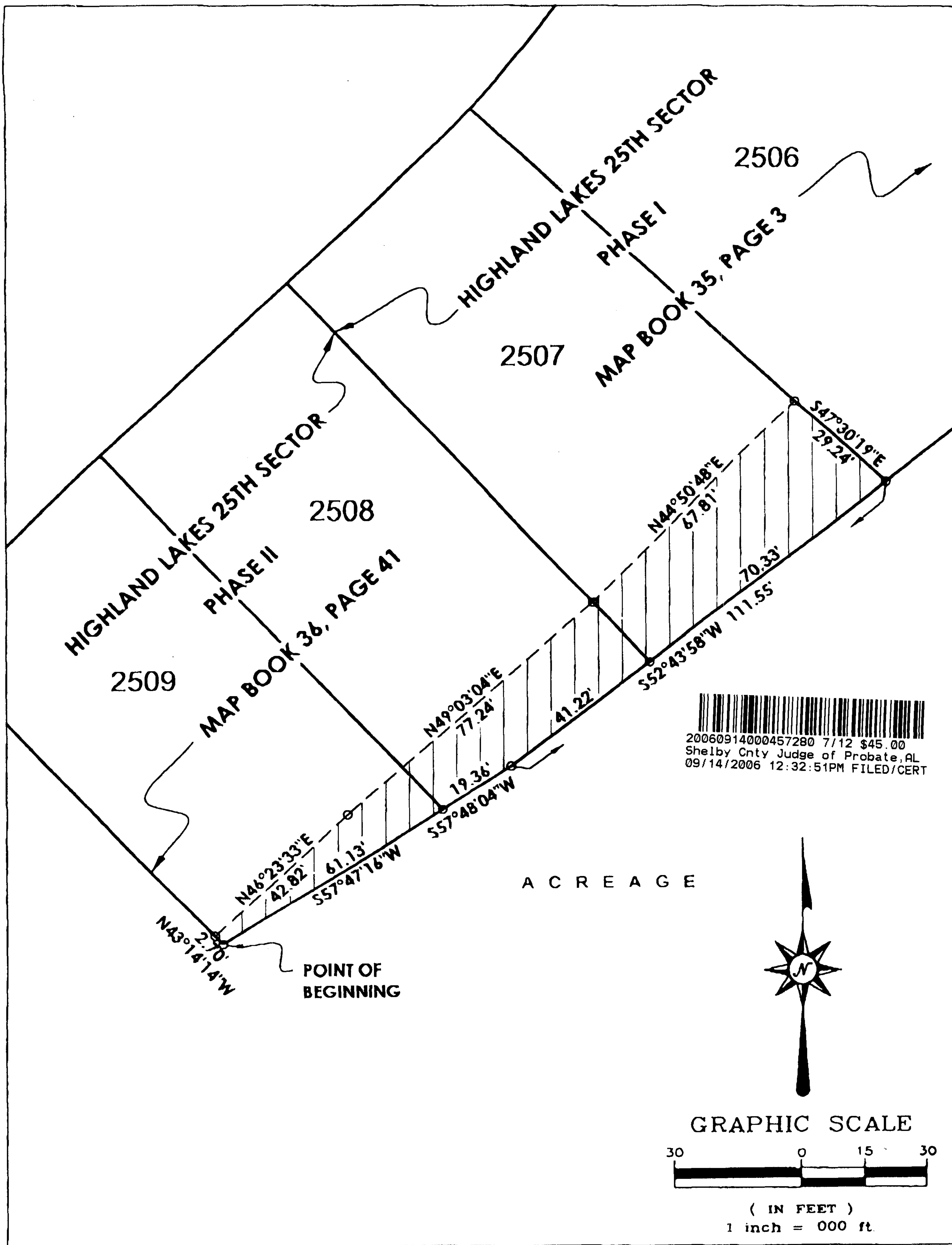


EXHIBIT "B"
(Emilian's Current Legal)


20060914000457280 8/12 \$45.00
Shelby Cnty Judge of Probate, AL
09/14/2006 12:32:51PM FILED/CERT

A parcel of land situated in the SE 1/4 of the S/E 1/4 of Section 9, Township 19 South, range 1 west, in Shelby County, Alabama, and being more particularly described as follows:

Commence at the NE corner of the SE 1/4 of the SE 1/4 of Section 9, Township 19 south, range 1 west, thence north 90 degrees 00 minutes 00 seconds west along the northerly boundary of said 1/4-1/4 section a distance of 388.78 feet; thence south 44 degrees 12 minutes 57 seconds west a distance of 559.25 feet (real book 159 page 654), 528.82 feet (deed book 304 page 735), to a point on the northwesterly right of way line of Shelby County No. 41 (80 foot right of way); thence south 35 degrees 3 minutes 17 seconds west along said right of way line a distance 457.87 feet (measured), 458 feet (deed), to the point of beginning; thence continue along the last described course a distance of 595.83 feet; thence north 1 degree 53 minutes 17 seconds east and leaving said right of way line a distance of 269 feet; thence North 22 degrees 53 minutes 17 seconds east a distance of 302.50 feet; thence north 60 degrees 15 minutes 17 seconds east a distance of 162 feet; thence south 28 degrees 9 minutes 59 seconds east a distance of 158.99 feet (measured), 157.34 feet (deed), to the point of beginning; being situated in Shelby County, Alabama.

POB OF PRINCE'S ISLAND

NW CORNER
NE 1/4 - SE 1/4
SECTION 8, TOWNSHIP 18
SOUTH RANGE 1 WEST
CHEROKEE COUNTY ALABAMA

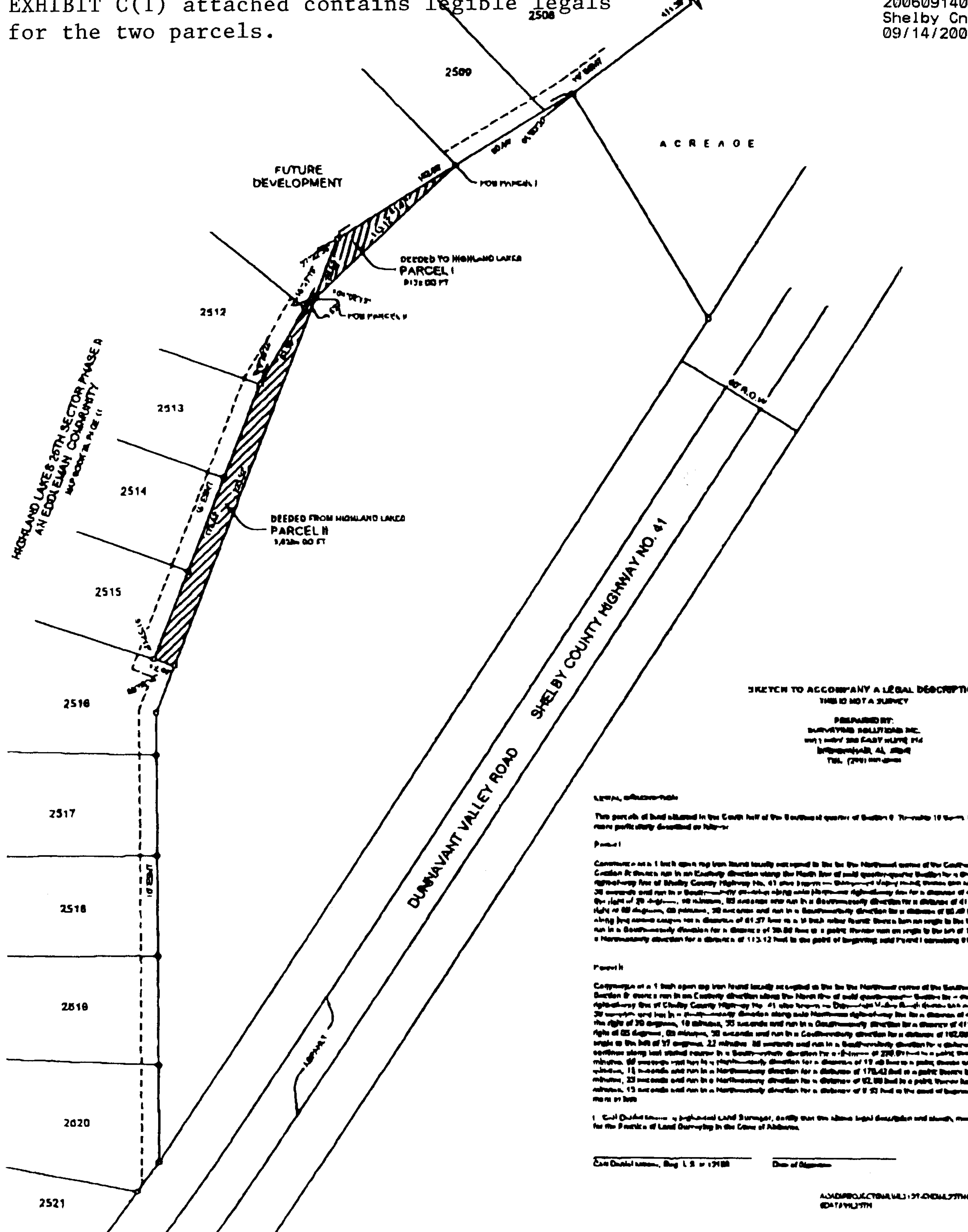
0 100 10

Legend

Parcel II shows the property to be deeded from Highland Lakes Development, Ltd. to the Emilians

EXHIBIT C(1) attached contains legible ²⁵⁰⁸legals
for the two parcels.

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Shelby Cnty Judge of Probate, AL
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SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
THIS IS NOT A SURVEY

PREPARED BY:
SURVEYING SOLUTIONS INC.
1001 WEST 2ND EAST AVE. #10
EDMONTON, AL. CANADA
TEL: (781) 337-0000

REPORT, CONFIDENTIAL

Two parcels of land situated in the South half of the Southeast quarter of Section 9 Township 18 North Range 1 West, Liberty County, Oklahoma, being more particularly described as follows:

Post

Continued on a 1 inch high by 14 inch board heavily stained in the top for the westward corner of the Southwest corner of said Section it shows an air line (containing) dipping along the South line of said quarter-quarter Section for a distance of 99.94 feet to a point on the Northeast quarter line of Whitley County Highway No. 41 some 100 feet - (approximately) beyond which there are no signs to the depth of 125 feet, 20 inches. 38 seconds and run in a Southwesterly direction along said (approximately) right-angle line for a distance of 438.04 feet to a point; thence turn on angle to the right of 90 degrees, 40 minutes, 02 seconds and run in a Southwesterly direction for a distance of 411.39 feet to a point; thence turn on angle to the right of 90 degrees, 40 minutes, 02 seconds and run in a Southwesterly direction for a distance of 40.60 feet to the point of beginning. Thence (approximately) along the South line of said quarter-quarter Section for a distance of 115.37 feet to a point; thence turn on angle to the right of 90 degrees, 40 minutes, 02 seconds and run in a Southwesterly direction for a distance of 30.90 feet to a point; thence turn on angle to the left of 90 degrees, 00 minutes, 10 seconds and then in a Northeasterly direction for a distance of 115.12 feet to the point of beginning. Said (approximately) 972 square foot (approximately) 972 square foot

Result is

[illegible]

1. Each District Attorney is a professional Land Surveyor, capable and able to prepare legal descriptions and identify, locate or record the minimum Three-foot Chain for the Purposes of Land Surveying in the State of Arkansas.

Case Classification, May 1, 2012

Date of Submission

ASAC/PRODUCTION WLS: ST ANDREW STAGE FOR KETC II FOR NURSERY LAND (MAY 80) 4/15/78

SHELBY COUNTY HIGHWAY

EXHIBIT C (1)
Legals for EXHIBIT C

20060914000457280 10/12 \$45.00
Shelby Cnty Judge of Probate, AL
09/14/2006 12:32:51PM FILED/CERT

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION
THIS IS NOT A SURVEY

PREPARED BY:
SURVEYING SOLUTIONS INC.
5511 HWY 280 EAST SUITE 314
BIRMINGHAM, AL 35242
TEL: (205) 991-8965

LEGAL DESCRIPTION

Two parcels of land situated in the South half of the Southeast quarter of Section 9, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Parcel I

Commence at a 1 inch open top iron found locally accepted to be the Northwest corner of the Southeast quarter of the Southeast quarter of said Section 9; thence run in an Easterly direction along the North line of said quarter-quarter Section for a distance of 816.10 feet to a point on the Northwest right-of-way line of Shelby County Highway No. 41 also known as Dunnavant Valley Road; thence turn an angle to the right of 121 degrees, 35 minutes, 38 seconds and run in a Southwesterly direction along said Northwest right-of-way line for a distance of 438.61 feet to a point; thence turn an angle to the right of 20 degrees, 10 minutes, 55 seconds and run in a Southwesterly direction for a distance of 411.39 feet to a point; thence turn an angle to the right of 05 degrees, 03 minutes, 30 seconds and run in a Southwesterly direction for a distance of 80.49 feet to the point of beginning; thence continue along last stated course for a distance of 81.57 feet to a 1/2 inch rebar found; thence turn an angle to the left of 37 degrees, 22 minutes, 38 seconds and run in a Southwesterly direction for a distance of 36.88 feet to a point; thence turn an angle to the left of 154 degrees, 02 minutes, 15 seconds and run in a Northeasterly direction for a distance of 113.12 feet to the point of beginning; said Parcel I containing 913 square feet, more or less.

Parcel II

Commence at a 1 inch open top iron found locally accepted to be the Northwest corner of the Southeast quarter of the Southeast quarter of said Section 9; thence run in an Easterly direction along the North line of said quarter-quarter Section for a distance of 816.10 feet to a point on the Northwest right-of-way line of Shelby County Highway No. 41 also known as Dunnavant Valley Road; thence turn an angle to the right of 121 degrees, 35 minutes, 38 seconds and run in a Southwesterly direction along said Northwest right-of-way line for a distance of 438.61 feet to a point; thence turn an angle to the right of 20 degrees, 10 minutes, 55 seconds and run in a Southwesterly direction for a distance of 411.39 feet to a point; thence turn an angle to the right of 05 degrees, 03 minutes, 30 seconds and run in a Southwesterly direction for a distance of 162.06 feet to a 1/2 inch rebar found; thence turn an angle to the left of 37 degrees, 22 minutes, 38 seconds and run in a Southwesterly direction for a distance of 36.88 feet to the point of beginning; thence continue along last stated course in a Southwesterly direction for a distance of 235.53 feet to a point; thence turn an angle to the right of 88 degrees, 03 minutes, 55 seconds and run in a Northwesterly direction for a distance of 12.48 feet to a point; thence turn an angle to the right of 91 degrees, 57 minutes, 12 seconds and run in a Northeasterly direction for a distance of 176.42 feet to a point; thence turn an angle to the right of 09 degrees, 29 minutes, 23 seconds and run in a Northeasterly direction for a distance of 52.58 feet to a point; thence turn an angle to the right of 16 degrees, 27 minutes, 15 seconds and run in a Northeasterly direction for a distance of 8.53 feet to the point of beginning; said Parcel II containing 2,628 square feet, more or less.

I, Carl Daniel Moore, a registered Land Surveyor, certify that the above legal description and sketch, meet or exceed the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama.

Carl Daniel Moore

Carl Daniel Moore, Reg. L.S. # 12159

03-06-06

Date of Signature

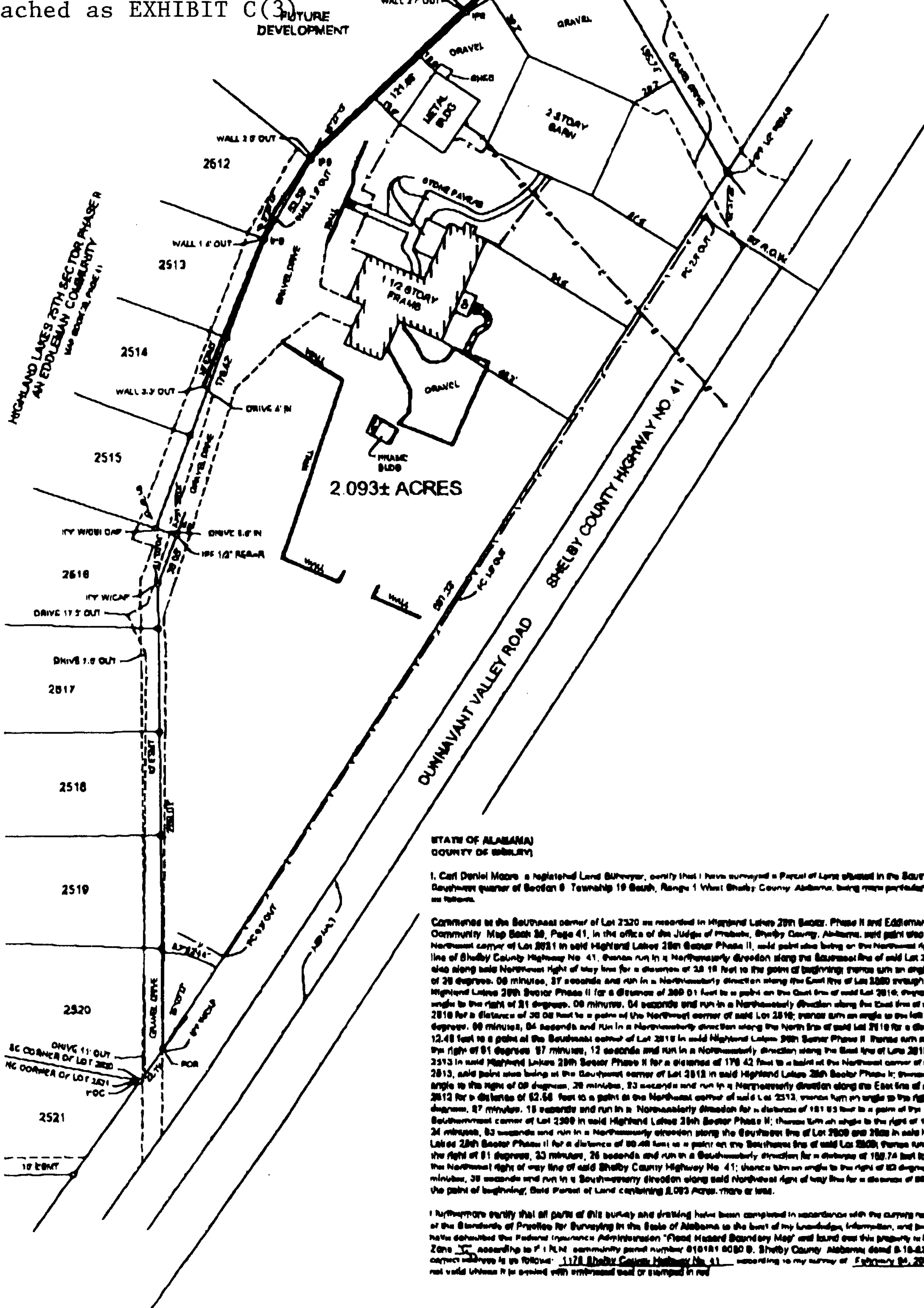
ACAD:PROJECTS:HL:HL21ST-END:HL25THSECTOR:SKETCH FOR NURSERY LAND SW
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EXHIBIT C (2)

The Emilians property described in EXHIBIT B as changed by the swap of land shown on EXHIBITS C and C (1) A legible legal of this Exhibit C(2) is attached as EXHIBIT C(3)

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Shelby Cnty Judge of Probate, AL
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- 1. Survey
- 2. Lot
- 3. Boundary
- 4. Back to back
- 5. Gravel
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- 100. Gravel



STATE OF ALABAMA COUNTY OF SHELBY

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed a Parcel of Land situated in the South half of the Southeast quarter of Section 8 Township 19 South, Range 1 West Shelby County Alabama, being more particularly described as follows:

Commenced at the Southeast corner of Lot 2520 as recorded in Highland Lakes 25th Sector, Phase II and Edgemont Community Map Book 88, Page 41, in the office of the Judge of Probate, Shelby County, Alabama, said point also being at the Northwest corner of Lot 2521 in said Highland Lakes 25th Sector Phase II, said point also being at the Northwest right of way line of Shelby County Highway No. 41, thence run in a Northwesterly direction along the Southeast line of said Lot 2520 and also along said Northwest right of way line for a distance of 28.18 feet to the point of beginning; thence run an angle to the left of 28 degrees, 06 minutes, 37 seconds and run in a Northwesterly direction along the East line of Lot 2520 through 2516 in said Highland Lakes 25th Sector Phase II for a distance of 200.01 feet to a point on the East line of said Lot 2516, thence turn an angle to the right of 21 degrees, 06 minutes, 04 seconds and run in a Northwesterly direction along the East line of said Lot 2516 for a distance of 38.08 feet to a point on the Northwest corner of said Lot 2516; thence turn an angle to the left of 21 degrees, 06 minutes, 04 seconds and run in a Northwesterly direction along the North line of said Lot 2516 for a distance of 12.48 feet to a point at the Southeast corner of Lot 2518 in said Highland Lakes 25th Sector Phase II, thence turn an angle to the right of 21 degrees, 07 minutes, 12 seconds and run in a Northwesterly direction along the East line of Lot 2518 through 2513 in said Highland Lakes 25th Sector Phase II for a distance of 178.42 feet to a point at the Northwest corner of said Lot 2513, said point also being at the Southeast corner of Lot 2512 in said Highland Lakes 25th Sector Phase II; thence turn an angle to the right of 28 degrees, 06 minutes, 37 seconds and run in a Northwesterly direction along the East line of said Lot 2512 for a distance of 52.56 feet to a point at the Northwest corner of said Lot 2512, thence turn an angle to the right of 16 degrees, 27 minutes, 18 seconds and run in a Northwesterly direction for a distance of 181.85 feet to a point at the Southeast corner of Lot 2509 in said Highland Lakes 25th Sector Phase II; thence turn an angle to the right of 11 degrees, 24 minutes, 53 seconds and run in a Northwesterly direction along the Southeast line of Lot 2509 and 2508 in said Highland Lakes 25th Sector Phase II for a distance of 80.48 feet to a point on the Southeast line of said Lot 2508; thence turn an angle to the right of 21 degrees, 23 minutes, 26 seconds and run in a Northwesterly direction for a distance of 188.74 feet to a point on the Northwest right of way line of said Shelby County Highway No. 41; thence turn an angle to the right of 23 degrees, 27 minutes, 38 seconds and run in a Southwesterly direction along said Northwest right of way line for a distance of 887.33 feet to the point of beginning; said Parcel of Land containing 2.093 Acres, more or less.

I furthermore 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, that I have submitted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is located in Zone "X" according to F.I.M. community panel number 810181 8080 8, Shelby County, Alabama dated 8-18-82; that the correct address is as follows: 1178 Shelby County Highway No. 41 according to my survey of February 24, 2006. Survey is not valid unless it is signed with original seal or stamped in red.

EXHIBIT C (3)
Legal for EXHIBIT C (2)

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STATE OF ALABAMA)
COUNTY OF SHELBY)

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed a Parcel of Land situated in the South half of the Southeast quarter of Section 9, Township 19 South, Range 1 West Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of Lot 2520 as recorded in Highland Lakes 25th Sector, Phase II and Eddleman Community, Map Book 36, Page 41, in the office of the Judge of Probate, Shelby County, Alabama, said point also being at the Northeast corner of Lot 2521 in said Highland Lakes 25th Sector Phase II, said point also being on the Northwest right of way line of Shelby County Highway No. 41; thence run in a Northeasterly direction along the Southeast line of said Lot 2520 and also along said Northwest right of way line for a distance of 22.19 feet to the point of beginning; thence turn an angle to the left of 35 degrees, 05 minutes, 37 seconds and run in a Northwesterly direction along the East line of Lot 2520 through 2516 in said Highland Lakes 25th Sector Phase II for a distance of 269.01 feet to a point on the East line of said Lot 2516; thence turn an angle to the right of 21 degrees, 00 minutes, 04 seconds and run in a Northeasterly direction along the East line of said Lot 2516 for a distance of 30.05 feet to a point at the Northeast corner of said Lot 2516; thence turn an angle to the left of 91 degrees, 56 minutes, 04 seconds and run in a Northwesterly direction along the North line of said Lot 2516 for a distance of 12.48 feet to a point at the Southeast corner of Lot 2515 in said Highland Lakes 25th Sector Phase II; thence turn an angle to the right of 91 degrees, 57 minutes, 12 seconds and run in a Northeasterly direction along the East line of Lots 2515 through 2513 in said Highland Lakes 25th Sector Phase II for a distance of 176.42 feet to a point at the Northeast corner of said Lot 2513, said point also being at the Southeast corner of Lot 2512 in said Highland Lakes 25th Sector Phase II; thence turn an angle to the right of 09 degrees, 29 minutes, 23 seconds and run in a Northeasterly direction along the East line of said Lot 2512 for a distance of 52.58 feet to a point at the Northeast corner of said Lot 2512; thence turn an angle to the right of 16 degrees, 27 minutes, 15 seconds and run in a Northeasterly direction for a distance of 121.65 feet to a point at the Southernmost corner of Lot 2509 in said Highland Lakes 25th Sector Phase II; thence turn an angle to the right of 11 degrees, 24 minutes, 53 seconds and run in a Northeasterly direction along the Southeast line of Lot 2509 and 2508 in said Highland Lakes 25th Sector Phase II for a distance of 80.49 feet to a point on the Southeast line of said Lot 2508, thence turn an angle to the right of 91 degrees, 33 minutes, 25 seconds and run in a Southeasterly direction for a distance of 155.74 feet to a point on the Northwest right of way line of said Shelby County Highway No. 41; thence turn an angle to the right of 62 degrees, 57 minutes, 36 seconds and run in a Southwesterly direction along said Northwest right of way line for a distance of 597.33 feet to the point of beginning. Said Parcel of Land containing 2.093 Acres, more or less.

I furthermore 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, that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is located in Zone "C" according to F.I.R.M. community panel number 010191 0050 B, Shelby County, Alabama, dated 9-16-82; that the correct address is as follows: 1178 Shelby County Highway No. 41 according to my survey of February 24, 2006. Survey is not valid unless it is sealed with embossed seal or stamped in red.

Order No. 86407
Order By: Eddleman Properties
Type of Survey: Boundary Survey

SURVEYING SOLUTIONS, INC.
5511 HIGHWAY 280 EAST SUITE 314
BIRMINGHAM, AL 35242
PHONE: 991-8965

Carl Daniel Moore
Carl Daniel Moore, Reg. L.S. #12159

03 - 02 - 06
Date of Signature

