

STATE OF ALABAMA)  
COUNTY OF SHELBY)

20070730000354090 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
07/30/2007 03:15:40PM FILED/CERT

LICENSE AGREEMENT AND EASEMENT

WHEREAS, HIGHLAND LAKES HOMES, LLC, is the owner of the Lot 2948, according to the Survey of Highland Lakes 29<sup>th</sup> Sector, as recorded in Map Book 36, Page 33-B, in the Office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, HIGHLAND LAKES HOMES, LLC, is also the owner of Lot 2949, according to the Survey of Highland Lakes 29<sup>th</sup> Sector, as recorded in Map Book 36, Page 33-B, 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 Arrington Engineering & Land Surveying, Inc. dated July 19, 2007, there is an encroachment of a Driveway of up to 1.0 foot, from said Lot 2948 onto the Lot 2949, in particular the Westerly side of said Lot 2948 onto the Easterly side of the Lot 2949, all as shown on the attached survey (a copy of which is attached hereto and made a part hereof as Exhibit "A"); and

WHEREAS, HIGHLAND LAKES HOMES, LLC, makes claim of ownership in and to the said Lots 2948 and 2949 and hereby grants a License and easement to permit the identified encroachment to remain undisturbed; and

WHEREAS, HIGHLAND LAKES HOMES, LLC is 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, HIGHLAND LAKES HOMES, LLC (the GRANTOR), the receipt and sufficiency of which is acknowledged, the GRANTOR does grant, bargain and convey to HIGHLAND LAKES HOMES, LLC, its successors and assigns, (the Grantee) a License and easement to permit the driveway, now encroaching from said Lot 2948 onto the Lot 2949 as shown by the survey of Arrington Engineering & Land Surveying, Inc., dated July 19, 2007 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 2949 to perform all requisite and necessary maintenance and repair work as shall be required in the proper care and preservation of the driveway.

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 20<sup>th</sup> day of July, 2007.

GRANTOR:  
HIGHLAND LAKES HOMES, LLC

BY:

  
Douglas D. Eddleman  
Its: Managing Member

GRANTEE:  
HIGHLAND LAKES HOMES, LLC

BY:

  
Douglas D. Eddleman  
Its: Managing Member

STATE OF ALABAMA)  
JEFFERSON COUNTY)

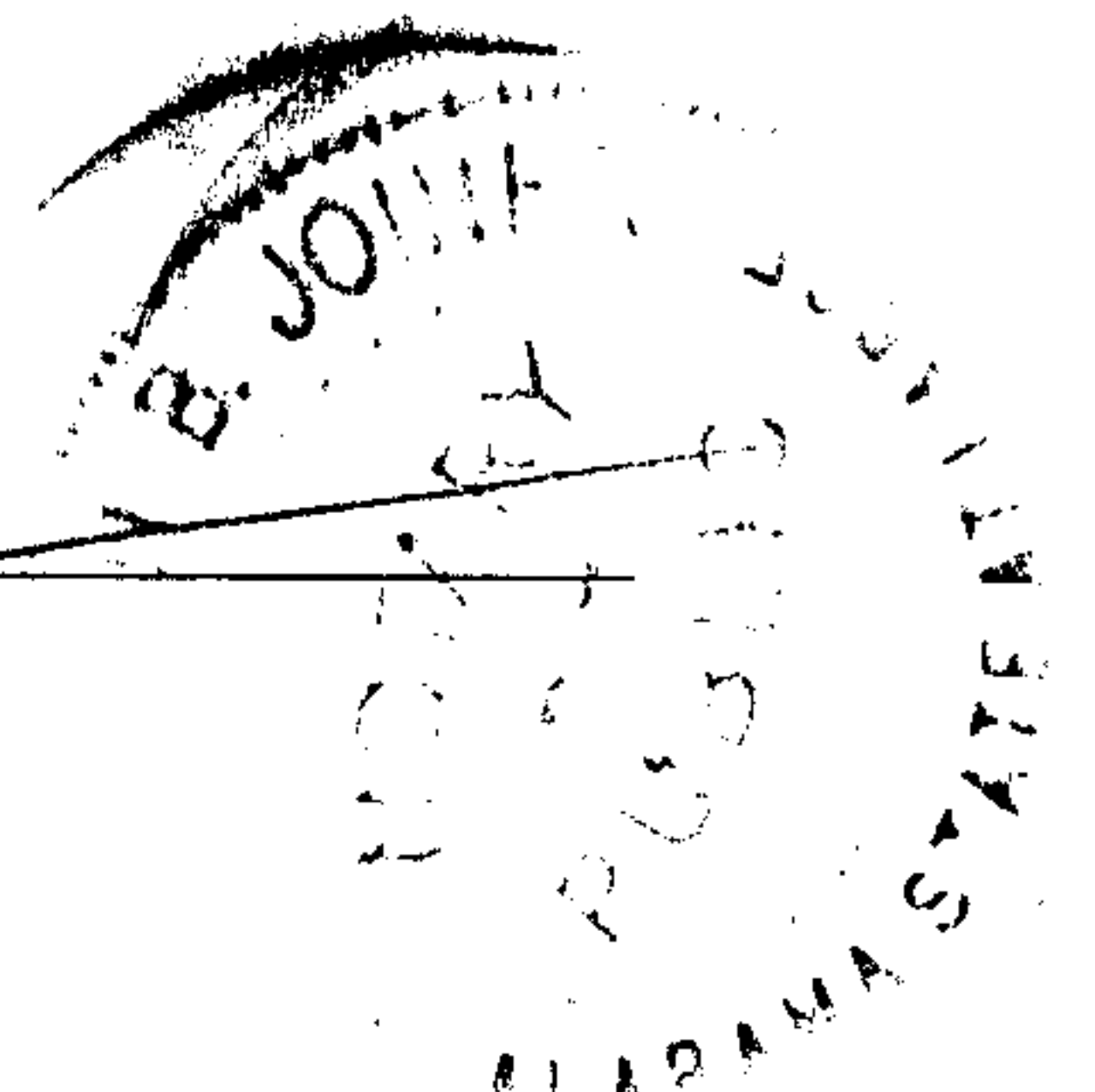
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I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Douglas D. Eddleman, whose name as Managing Member of HIGHLAND LAKES HOMES, LLC, an Alabama limited liability company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he, as such managing member, and with full authority, executed the same voluntarily and as the act of said limited liability company.

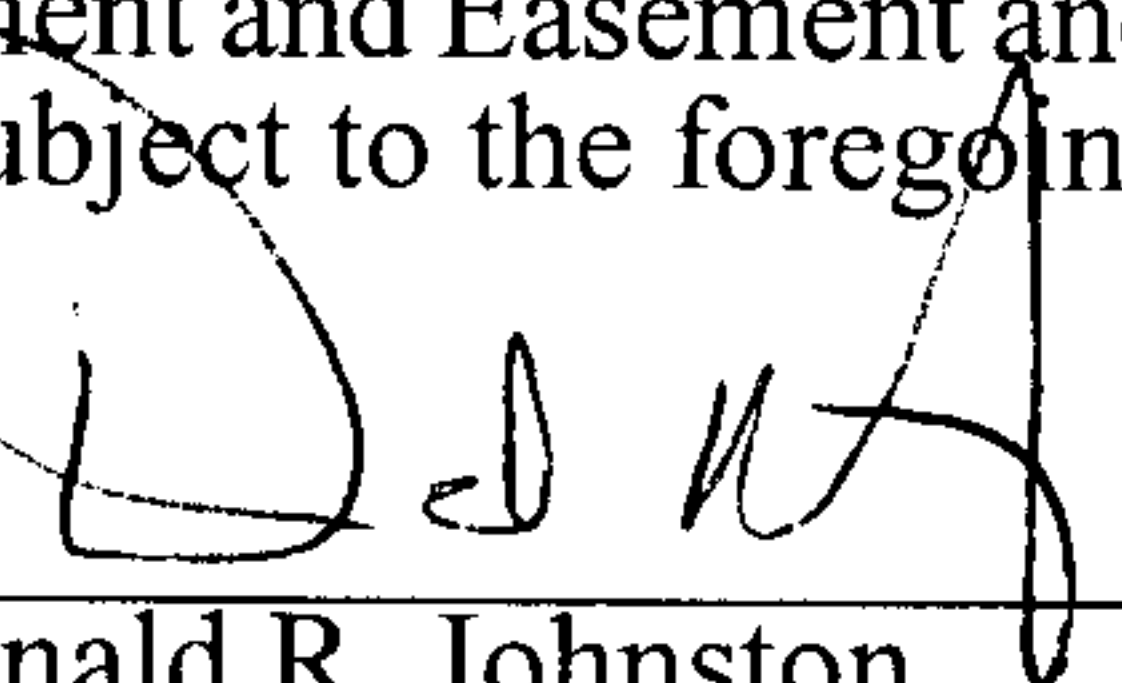
Given under my hand and official seal this 20<sup>th</sup> day of July 2007.

My Commission expires: 4/29/2010

  
NOTARY PUBLIC



The Purchasers of Lot 2948 execute this License Agreement and Easement to acknowledge and accept the terms and conditions of this hereinabove License Agreement and Easement and Purchasers, their successors and assigns, agree and understand that the property is subject to the foregoing grant of easement.

  
Donald R. Johnston

  
Donna G. Johnston

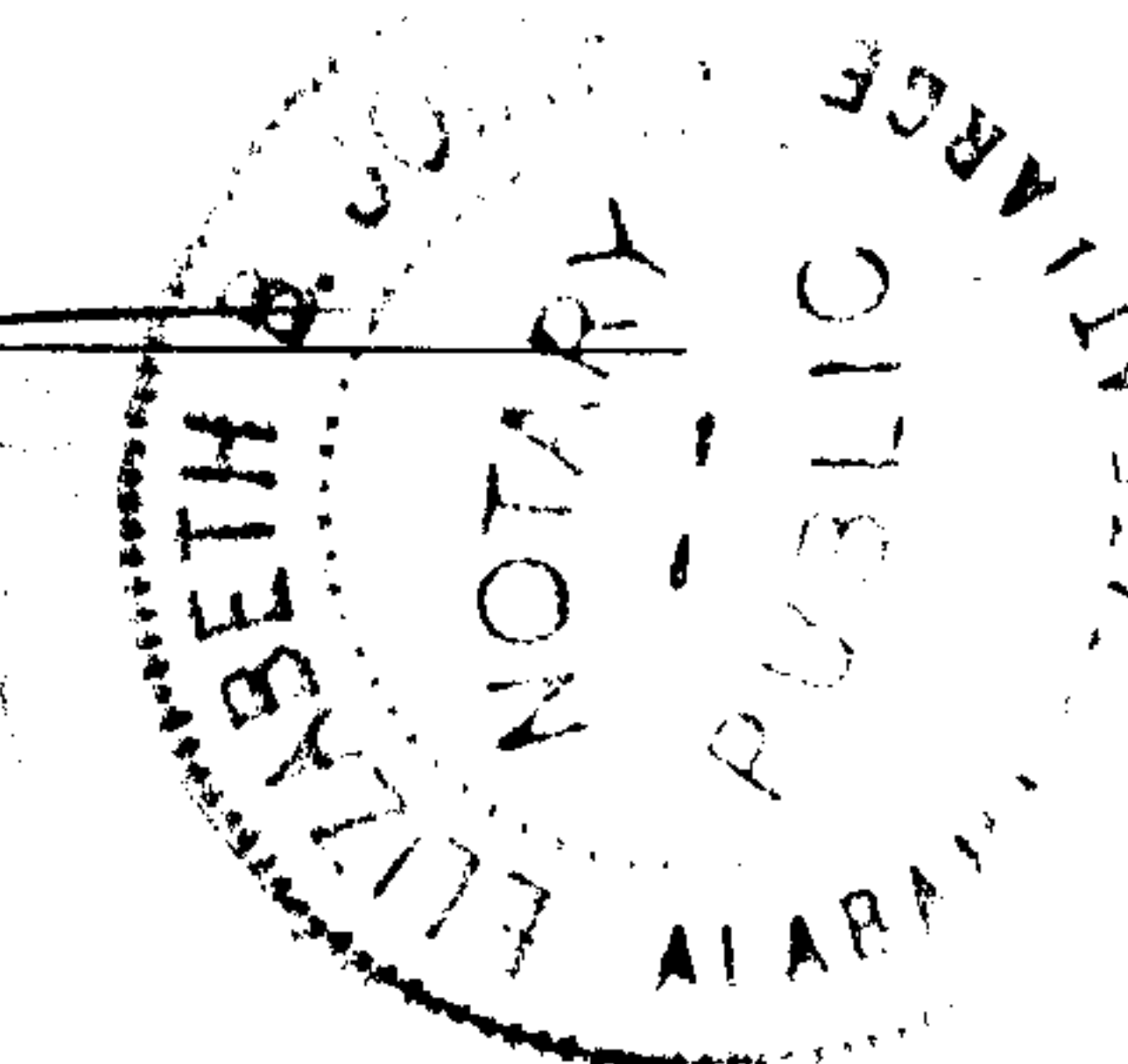
STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that Donald R. Johnston and Donna G. Johnston, 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 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 20<sup>th</sup> day of July, 2007.

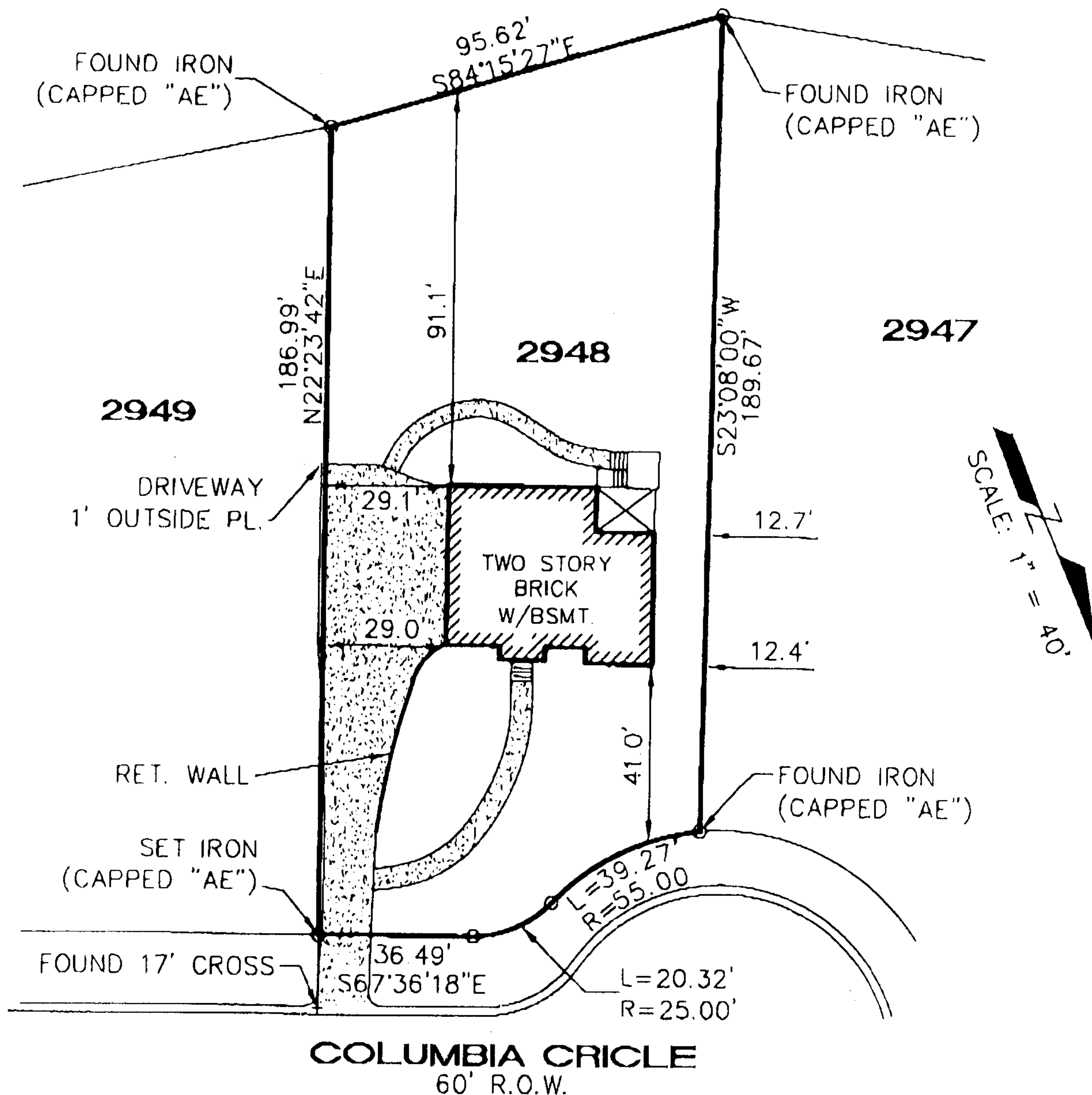
My Commission Expires: 4/29/2010

  
Notary Public



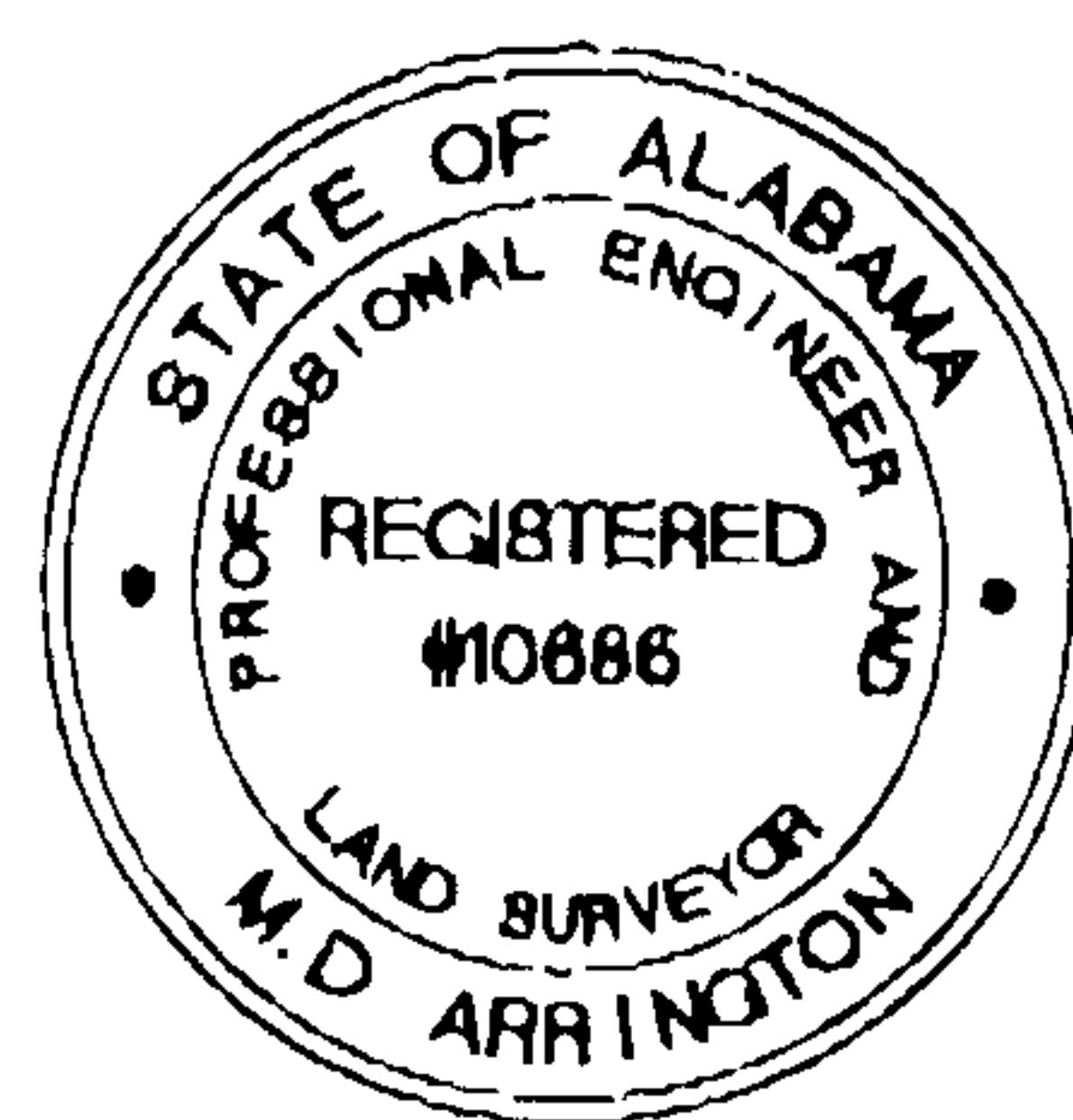


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LEGEND					
• DEGREE	N NORTH	E EAST	L ARC LENGTH	—+—	UTILITY LINE
• FEET OR MINUTES	S SOUTH	W WEST	R RADIUS	—x—	CHAIN LINK FENCE
• INCHES OR SECONDS	P O B POINT OF BEGINNING		⊗ FIRE HYDRANT	— —	WOODEN FENCE
○ FOUND OR SET IRON	R O W. RIGHT OF WAY		⊕ UTILITY POLE	—□—	CONCRETE
⊙ GAS METER	C/L CENTER LINE		□ JUNCTION BOX		

NOTES:  
1. NO TITLE SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY THIS FIRM AND LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS-OF-WAYS, RECORDED OR UNRECORDED. THE PARCEL SHOWN HEREON IS SUBJECT TO SETBACKS, EASEMENTS, ZONING AND RESTRICTIONS THAT MAY BE FOUND IN THE PUBLIC RECORDS OF SAID COUNTY.  
2. ALL BEARING AND/OR ANGLE, AND DISTANCES ARE DEED AND ACTUAL UNLESS OTHERWISE NOTED: DEED-(D), ACTUAL-(A), PLAT-(P).  
3. UNDERGROUND PORTIONS OF FOUNDATIONS, FOOTINGS, OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED UNLESS OTHERWISE NOTED.  
4. THIS SURVEY IS VALID ONLY WITH AN ORIGINAL SIGNATURE AND A LEGIBLE SEAL.  
5. BEARING REFERENCE IS BASED ON RECORDED PLAT AND SOURCE OF INFORMATION IS RECORDED PLAT AND FIELD EVIDENCE.  
6. TYPE OF SURVEY: FINAL



STATE OF ALABAMA  
SHELBY COUNTY

I, M. D. Arrington, a registered Engineer-Land Surveyor, certify that I have surveyed Lot 2948, Block according to the survey of HIGHLAND LAKES 29TH SECTOR, AN EDDLEMAN COMMUNITY (SHEET 3 OF 4), as recorded in Map Volume 36, Page 33-C, 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 there are no encroachments on said lot except as shown, That improvements are located as shown above.

Address: 1017 COLUMBIA CIRCLE  
Date of Fieldwork: 07-17-2007  
Date of Survey: 07-19-2007 By: MA  
Order No. 41099 Field Book 2007-15  
For: JOHNSTON

M. D. Arrington  
M. D. Arrington, AL Reg #10686  
Arrington Engineering & Land Surveying, Inc.  
2032 Valleydale Road, Birmingham, AL 35244  
Phone: (205) 985-9315 (Fax 205-985-9385)