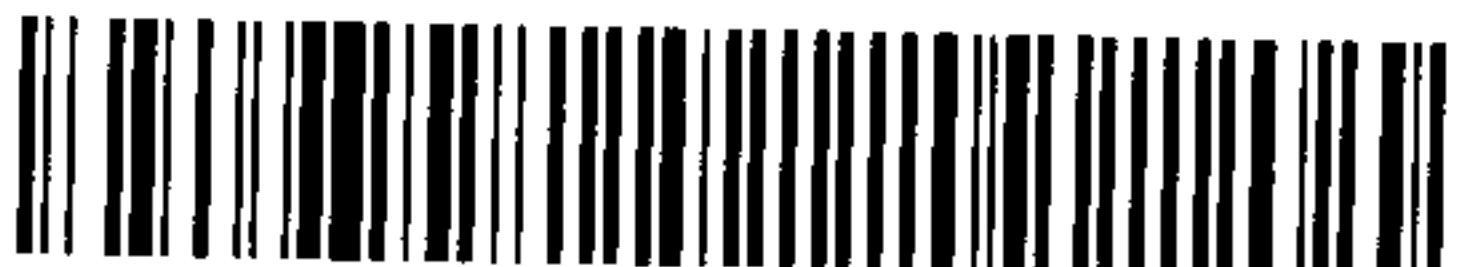


500⁰⁰ CW

This instrument prepared by:
Charles G. West, Jr.
901 Industrial Park Circle
Bessemer, Al 35022


20090121000018450 1/3 \$17.50
Shelby Cnty Judge of Probate, AL
01/21/2009 11:21:36AM FILED/CERT

STATE OF ALABAMA

SHELBY COUNTY

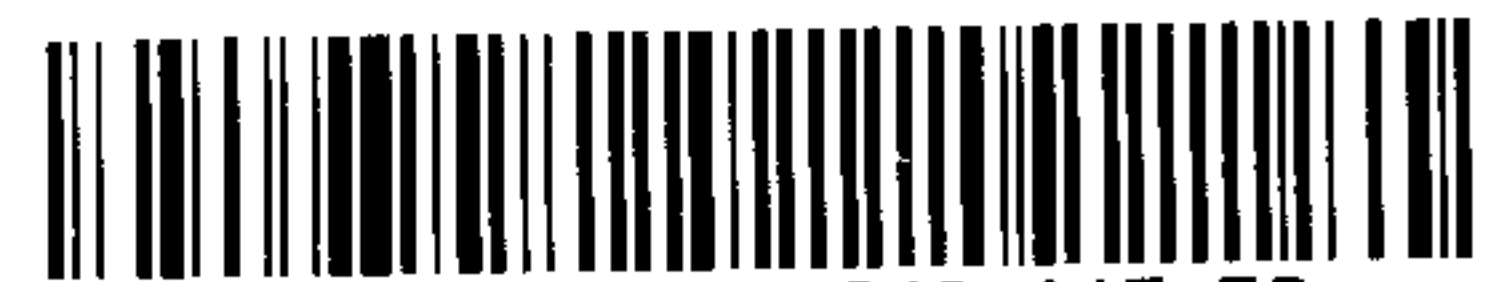
EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of One Dollar (\$1.00) and other good and valuable considerations unto the undersigned Grantor **SUNNY STORES, INC.**, property owner (hereinafter at times referred to as the "Grantor") in hand paid by **ALABAMA GAS CORPORATION**, an Alabama corporation, the receipt and sufficiency of which considerations are hereby acknowledged, and the said Grantor does hereby grant, bargain, sell and convey unto the said Alabama Gas Corporation, its successors, assigns and lessees from the date hereof a right-of-way and easement for any one or more of the following purposes: Laying, constructing, erecting, setting, installing, renewing, repairing, inspecting, replacing, maintaining, operating, removing, changing the size of, modifying and relocating one or more of its pipe or pipelines, mains, conduits and appliances and appurtenances thereto over, under, upon and across an easement part of the NW ¼ of the NE ¼ of Section 36, Township 19 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the NW corner of said NE ¼ of NE ¼ of Section 36 and run in an easterly direction along the north line of said ¼ - ¼ section for a distance of 1.5 feet to a point on the southwest right-of-way line of Shelby County Highway No. 275; thence turn an angle to the right of 62° 39' 34" and run in southeasterly direction along the southwest right-of-way line of said Shelby County Highway No. 275 for a distance of 293.20 feet to the point of beginning; thence continue in a southeasterly direction along last mentioned course and along the southwest right-of-way line of said Shelby County Highway 275 for a distance of 20.0 feet; thence turn an angle to the right of 89° 26' 19" and run in a southwesterly direction for a distance of 9.38 feet; thence turn an angle to the right of 90° and run in a northwesterly direction for a distance of 20.0 feet; thence turn an angle to the right of 90° and run in a northeasterly direction for a distance of 9.57 feet, more or less, to the point of beginning.

Together with the right of ingress to and egress from said strip of land adjacent lands of the Grantor and all the rights and privileges necessary or convenient for the full enjoyment and use of said right-of-way and easement for the purposes above designated.

TO HAVE AND TO HOLD the said right-of-way and easement perpetually unto the said ALABAMA GAS CORPORATION, and its successors, assigns and lessees, provided, however, that the Grantor herein expressly reserves for itself and its successors and assigns the right to use and enjoy the premises above described in so far as such use and enjoyment by the Grantor, its successors and assigns shall not unreasonably interfere with the use of said easement and right-of-way by the said ALABAMA GAS CORPORATION, its successors, assigns and the lessees under the grant herein set forth, and provided further that the Grantor and its successors, assigns will place no permanent structures upon the said right-of-way and easement. The Grantor expressly covenants that it is the owner in fee of the real



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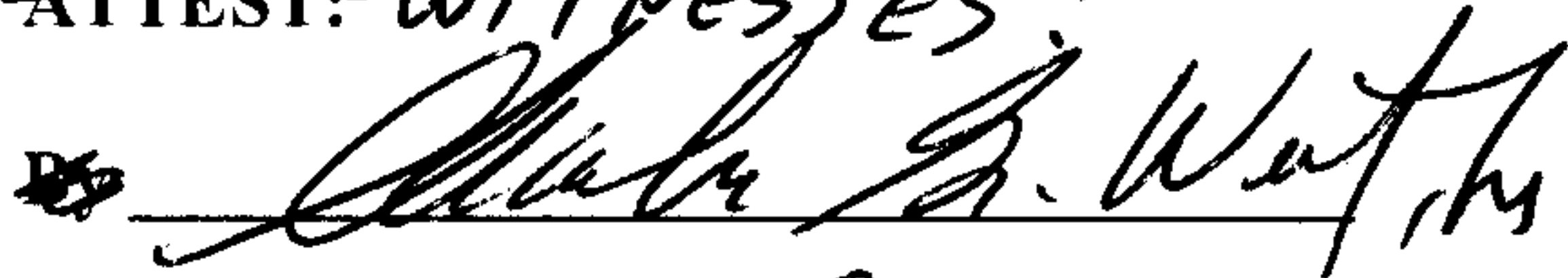
property herein conveyed and has a good right to execute this agreement and to grant said easement and right-of-way.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed for and in its corporate name and behalf and its corporate seal hereunto to be affixed and attested all by its proper officials who are thereunto duly authorized, on this the 18th day of DECEMBER 2008.

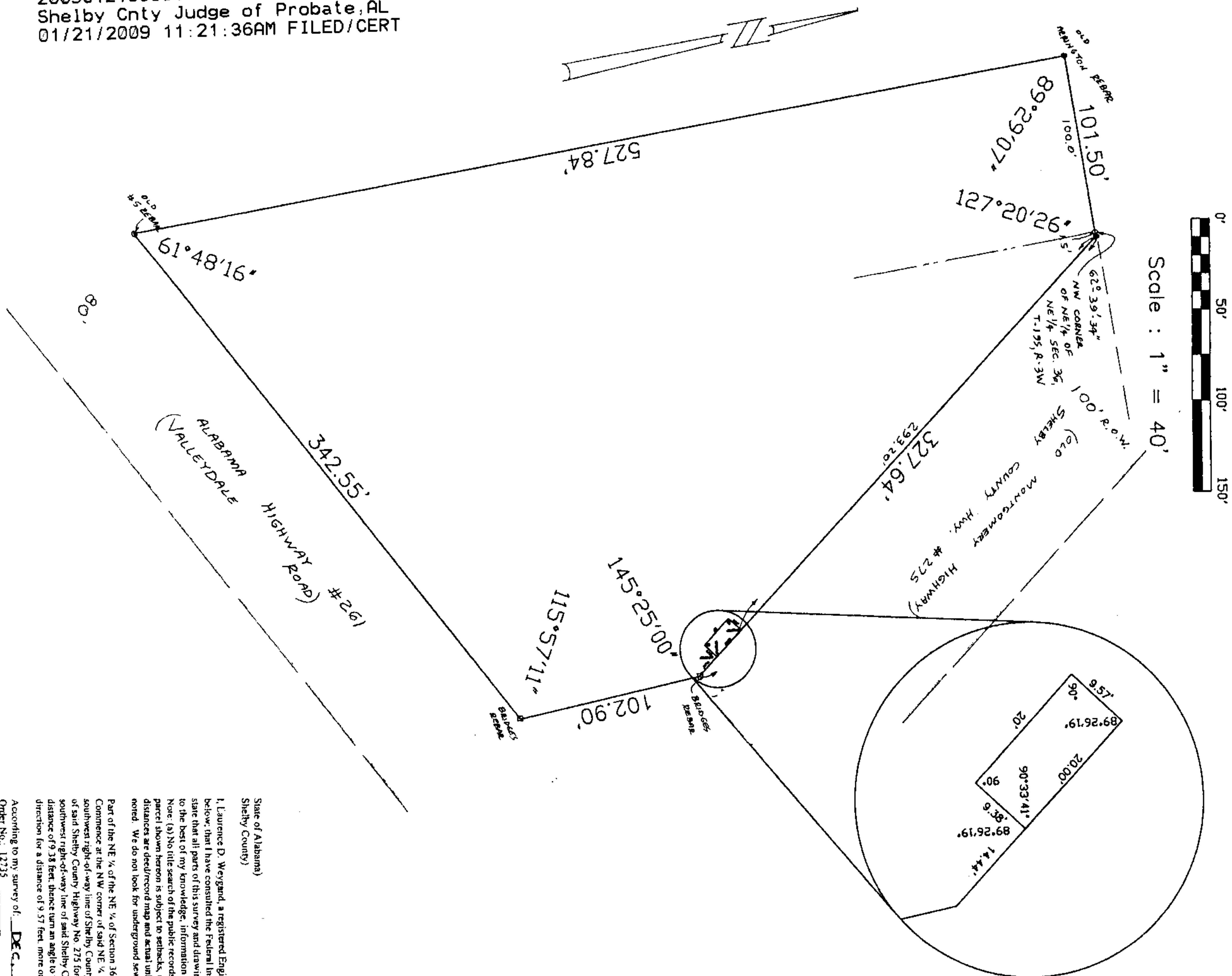
SUNNY STORES, INC.

By 
Its Brenda

ATTEST: WITNESSES:





[illegible]

Shelby County, AL 01/21/2009
State of Alabama

Deed Tax: \$.50

State of Alabama,
Shelby County)

"BOUNDARY LINE SURVEY"

L. Laurence D. Weygand, a registered Engineer-Land Surveyor or Ray Weygand, a Registered Land Surveyor, certify that I have surveyed the land shown hereon and declare, I hereby state that I have consulted the Federal Insurance Administration Flood Hazard Boundary Map and found that this property is not located in a special flood hazard area; I hereby believe 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; and that the correct description is as follows:

More: (3) No title search of the public records has been performed by this firm and said shown hereon was not abstracted for easements and/or rights-of-way, 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 and/or city. (4) All bearings and/or angles, and distances are determined from actual, unless otherwise noted. (5) Underground portions of boundaries, fountains, or other underground structures are not located unless otherwise noted. We do not look for underground sewers or flip manhole covers. (6) The shown north arrow is based on an assumed bearing from a well defined line.

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, Township 19 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:
Commence at the NW corner of said NE $\frac{1}{4}$ of Section 36 and run in an easterly direction along the north line of said $\frac{1}{4}$, - $\frac{1}{4}$ section for a distance of 1.5 feet to a point on the southwest right-of-way line of Shelby County Highway No. 275, thence turn an angle to the right of 62.39 degrees, +4' and run in a southeasterly direction along the southwest-right-of-way line of said Shelby County Highway No. 275 for a distance of 293.28 feet to the point of beginning, thence continue in a southeasterly direction along last mentioned course and along the southwest-right-of-way line of said Shelby County Highway No. 275 for a distance of 720.0 feet, thence turn an angle to the right of 83.62 degrees, +9' and run in a southeasterly direction for a distance of 38.5 feet, thence turn an angle to the left of 96° and run in a northerly direction for a distance of 20.0 feet, thence turn an angle to the right of 83.62 degrees, +9' and run in a southeasterly direction for a distance of 20.0 feet, thence turn an angle to the right of 96° and run in a northerly direction for a distance of 38.5 feet, thence turn an angle to the left of 96° and run in a northerly direction for a distance of 38.5 feet, more or less, to the point of beginning.

According to my survey of: DEC. 4, 2008
Order No. 12335
Purchaser ALABAMA GAS CORP.
Address: _____
Floor Zone: X MAC # 01177C 021AD
Survey invalid if not sealed in red

Laurence D. Weygand
Reg. P.E.-L.S. #10373
Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road PH. 942-0086
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