Wayne Thorn
3517 S. Brookwood Cir.
Birmingham, AL 35223

STATE OF ALABAMA

SHELBY COUNTY

FENCE LINE AGREEMENT

This agreement is made and entered into by and between Scott V. Owens and wife, Taylor Owens, (hereinafter referred to as the "Owens" and Wayne Thorn and wife, Anita Thorn (hereinafter referred to as the "Thorns").

20090923000363970 1/4 $20.00
Shelby Cnty Judge of Probate, AL
09/23/2009 03:02:36 PM FILED/CERT

The parties agree as follows:

1. The Thorns are the owners of the property on Exhibit A as recorded in the Office of the Judge of Probate of Shelby County, Alabama.

2. The Owens own the property that is adjacent to the South line of the said Thorn property.

3. Part of the Owens fence encroaches on the Thorns South property line as shown on the attached survey. Said survey is attached as Exhibit B.

NOW THEREFORE, in consideration of the mutual promises the parties agree as follows:

1. The Owens acknowledges that they do not claim to own any portion of the Thorn's property due to the encroachment of their fence.

2. The Thorns agree that the Owens may continue to use the fence as placed until such time that the Thorns, or their successors, decide otherwise and give a notice to the Owens or successors in writing. The notice will give the then current owner of the Owens property thirty days from the date of the notice to remove the encroachment from the Thorns property.

~~3. The Thorns may tie their fence(s) into the Owens fence.~~

4. This agreement will benefit and obligate the successors and assigns of all the parties.

5. This agreement may not be modified except in writing and executed by all the appropriate parties.

Executed this the 23 day of September, 2009

Scott V. Owens

Taylor Owens

Wayne Thorn

Anita Thorn

20090923000363970 2/4 $20.00
Shelby Cnty Judge of Probate, AL
09/23/2009 03:02:36 PM FILED/CERT

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned authority, a Notary Public in and for said County and in said State, here by certify, Scott V. Owens, and wife, Taylor Owens, 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 foregoing instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 23 day of September, 2009

CATHY INGRAM
Notary Public, State of Alabama
Alabama State at Large
My Commission Expires
July 25, 2013

Notary Public
My Commission Expires:

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned authority, a Notary Public in and for said County and in said State, here by certify, Wayne Thorn, and wife, Anita Thorn, 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 foregoing instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 23rd day of September, 2009

PAMELA GENE JOHNSON
NOTARY PUBLIC
ALABAMA STATE AT LARGE

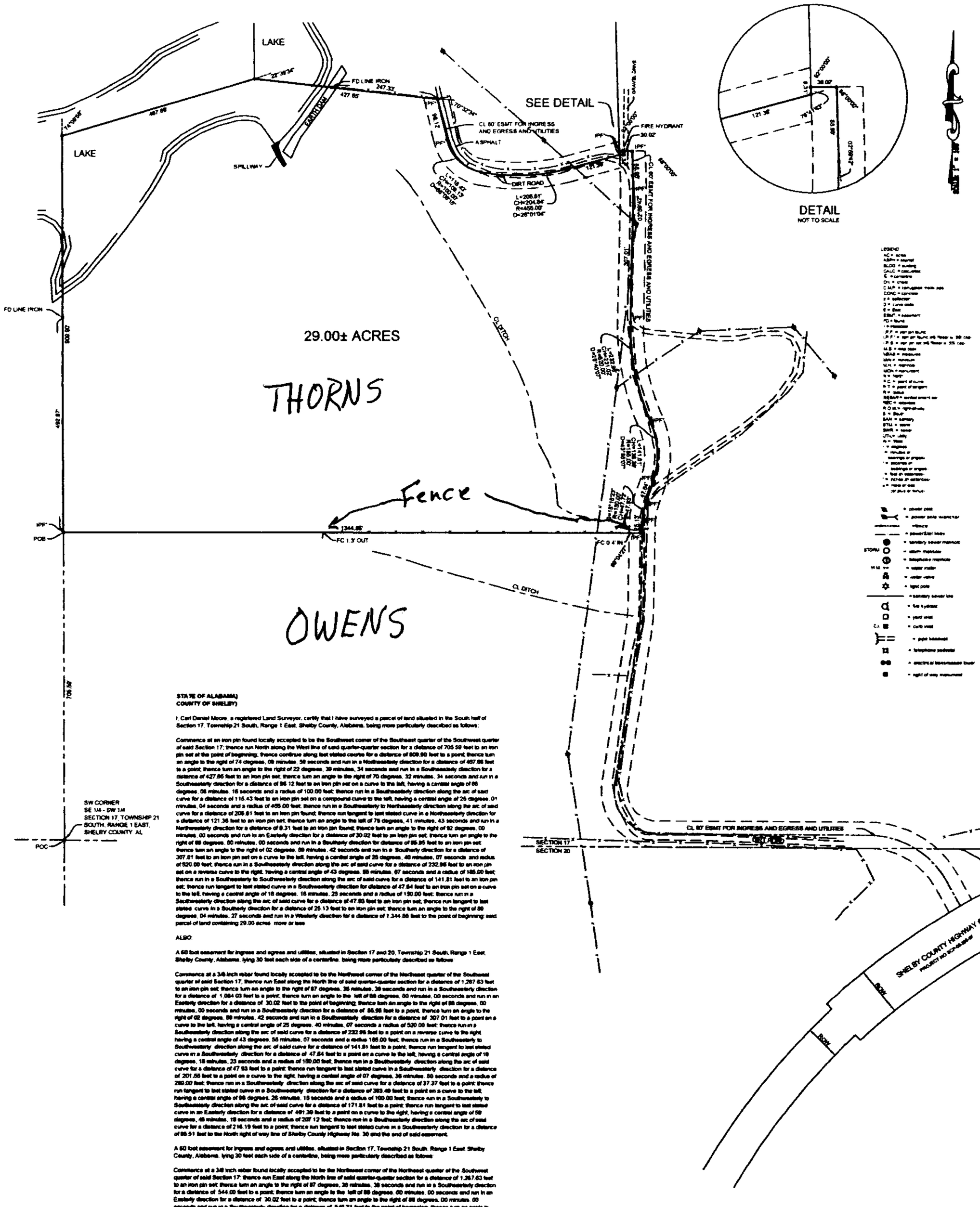
Notary Public
My Commission Expires: 11/14/12

EXHIBIT A

A parcel of land situated in the South ½ of Section 17, Township 21 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows:
Commence at an iron pin found locally accepted to be the Southwest corner of the Southeast ¼ of the Southwest ¼ of said Section 17; thence run North along the West line of said ¼ - ¼ Section for a distance of 705.59 feet to an iron pin set at the point of beginning; thence continue along last stated course for a distance of 909.90 feet to a point; thence turn an angle to the right of 74 degrees 09 minutes 58 seconds and run in a Northeasterly direction a distance of 467.66 feet to a point; thence turn an angle to the right of 22 degrees 39 minutes 34 seconds and run in a Southeasterly direction for a distance of 427.65 feet to an iron pin set; thence turn an angle to the right of 70 degrees 32 minutes 34 seconds and run in a Southeasterly direction for a distance of 96.12 feet to an iron pin set on a curve to the left, having a central angle of 66 degrees 08 minutes 18 seconds and a radius of 100.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 115.43 feet to an iron pin set on a compound curve to the left, having a central angle of 26 degrees 01 minutes 04 seconds and a radius of 455.00 feet; thence run in a Southeasterly to Northeasterly direction along the arc of said curve for a distance of 206.61 feet to an iron pin found; thence run tangent to last stated curve in a Northeasterly direction for a distance of 121.36 feet to an iron pin set; thence turn an angle to the left of 76 degrees 41 minutes 43 seconds and run in a Northwesterly direction for a distance of 8.31 feet to an iron pin found; thence turn an angle to the right of 92 degrees 00 minutes 00 seconds and run in an Easterly direction for a distance of 30.02 feet to an iron pin set; thence turn an angle to the right of 88 degrees 00 minutes 00 seconds and run in a Southerly direction for a distance of 85.95 feet to an iron pin set; thence turn an angle to the right of 02 degrees 59 minutes 42 seconds and run in a Southerly direction for a distance of 307.01 feet to an iron pin set on a curve to the left, having a central angle of 25 degrees 40 minutes 07 seconds and radius of 520.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 232.96 feet to an iron pin set on a reverse curve to the right, having a central angle of 43 degrees 55 minutes 07 seconds and a radius of 185.00 feet; thence run in a Southeasterly to Southwesterly direction along the arc of said curve for a distance of 141.81 feet to an iron pin set; thence run tangent to last stated curve in a Southwesterly direction for a distance of 47,.64 feet to an iron pin set on a curve to the left, having a central angle of 18 degrees 18 minutes 23 seconds and a radius of 150.00 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 47.93 feet to an iron pin set; thence run tangent to last stated curve in a Southerly direction for a distance of 25.13 feet to an iron pin set; thence turn an angle to the right of 89 degrees 04 minutes 27 seconds and run in a Westerly direction for a distance of 1344.85 feet to the point of beginning. All being situated in Shelby County, Alabama.

20090923000363970 3/4 $20.00
Shelby Cnty Judge of Probate, AL
09/23/2009 03:02:36 PM FILED/CERT

EXHIBIT B



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 Section 17, Township 21 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows:

Commence at an iron pin found locally accepted to be the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 17; thence run North along the West line of said quarter-quarter section for a distance of 705.59 feet to an iron pin set at the point of beginning; thence continue along last stated course for a distance of 809.90 feet to a point; thence turn an angle to the right of 74 degrees, 09 minutes, 56 seconds and run in a Northeasterly direction for a distance of 467.86 feet to a point; thence turn an angle to the right of 22 degrees, 39 minutes, 34 seconds and run in a Southeasterly direction for a distance of 427.85 feet to an iron pin set; thence turn an angle to the right of 70 degrees, 32 minutes, 34 seconds and run in a Southeasterly direction for a distance of 96.12 feet to an iron pin set on a curve to the left, having a central angle of 66 degrees, 08 minutes, 16 seconds and a radius of 100.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 115.43 feet to an iron pin set on a compound curve to the left, having a central angle of 26 degrees, 01 minutes, 04 seconds and a radius of 455.00 feet; thence run in a Southeasterly to Northeasterly direction along the arc of said curve for a distance of 206.81 feet to an iron pin found; thence run tangent to last stated curve in a Northeasterly direction for a distance of 121.36 feet to an iron pin set; thence turn an angle to the left of 76 degrees, 41 minutes, 43 seconds and run in a Northwesterly direction for a distance of 9.31 feet to an iron pin found; thence turn an angle to the right of 92 degrees, 00 minutes, 00 seconds and run in an Easterly direction for a distance of 30.02 feet to an iron pin set; thence turn an angle to the right of 88 degrees, 00 minutes, 00 seconds and run in a Southerly direction for distance of 85.95 feet to an iron pin set; thence turn an angle to the right of 02 degrees, 09 minutes, 42 seconds and run in a Southerly direction for a distance of 307.01 feet to an iron pin set on a curve to the left, having a central angle of 25 degrees, 40 minutes, 07 seconds and radius of 520.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 232.96 feet to an iron pin set on a reverse curve to the right, having a central angle of 43 degrees, 55 minutes, 07 seconds and a radius of 185.00 feet; thence run in a Southeasterly to Southwesterly direction along the arc of said curve for a distance of 141.81 feet to an iron pin set; thence run tangent to last stated curve in a Southwesterly direction for distance of 47.84 feet to an iron pin set on a curve to the left, having a central angle of 18 degrees, 16 minutes, 23 seconds and a radius of 150.00 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 47.85 feet to an iron pin set; thence run tangent to last stated curve in a Southerly direction for a distance of 25.13 feet to an iron pin set; thence turn an angle to the right of 89 degrees, 04 minutes, 27 seconds and run in a Westerly direction for a distance of 1,344.86 feet to the point of beginning; said parcel of land containing 29.00 acres, more or less

ALSO:

A 60 foot easement for ingress and egress and utilities, situated in Section 17 and 20, Township 21 South, Range 1 East, Shelby County, Alabama, lying 30 feet each side of a centerline, being more particularly described as follows:

Commence at a 3/4 inch rebar found locally accepted to be the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 17; thence run East along the North line of said quarter-quarter section for a distance of 1,267.63 feet to an iron pin set; thence turn an angle to the right of 87 degrees, 36 minutes, 39 seconds and run in a Southeasterly direction for a distance of 1,084.03 feet to a point; thence turn an angle to the left of 88 degrees, 00 minutes, 00 seconds and run in an Easterly direction for a distance of 30.02 feet to the point of beginning; thence turn an angle to the right of 88 degrees, 00 minutes, 00 seconds and run in a Southeasterly direction for a distance of 85.95 feet to a point; thence turn an angle to the right of 02 degrees, 09 minutes, 42 seconds and run in a Southeasterly direction for a distance of 307.01 feet to a point on a curve to the left, having a central angle of 25 degrees, 40 minutes, 07 seconds a radius of 520.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 232.96 feet to a point on a reverse curve to the right having a central angle of 43 degrees, 55 minutes, 07 seconds and a radius 185.00 feet; thence run in a Southeasterly to Southwesterly direction along the arc of said curve for a distance of 141.81 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 47.84 feet to a point on a curve to the left, having a central angle of 18 degrees, 16 minutes, 23 seconds and a radius of 150.00 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 47.93 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 201.55 feet to a point on a curve to the right, having a central angle of 07 degrees, 36 minutes, 50 seconds and a radius of 280.00 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 37.37 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 383.49 feet to a point on a curve to the left, having a central angle of 98 degrees, 26 minutes, 18 seconds and a radius of 100.00 feet; thence run in a Southwesterly to Southeasterly direction along the arc of said curve for a distance of 171.81 feet to a point; thence run tangent to last stated curve in an Easterly direction for a distance of 491.39 feet to a point on a curve to the right, having a central angle of 58 degrees, 48 minutes, 18 seconds and a radius of 207.12 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 216.19 feet to a point; thence run tangent to last stated curve in a Southeasterly direction for a distance of 85.91 feet to the North right of way line of Shelby County Highway No. 30 and the end of said easement.

A 60 foot easement for ingress and egress and utilities, situated in Section 17, Township 21 South, Range 1 East Shelby County, Alabama, lying 30 feet each side of a centerline, being more particularly described as follows:

Commence at a 3/4 inch rebar found locally accepted to be the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 17; thence run East along the North line of said quarter-quarter section for a distance of 1,267.63 feet to an iron pin set; thence turn an angle to the right of 87 degrees, 36 minutes, 39 seconds and run in a Southeasterly direction for a distance of 544.00 feet to a point; thence turn an angle to the left of 88 degrees, 00 minutes, 00 seconds and run in an Easterly direction for a distance of 30.02 feet to a point; thence turn an angle to the right of 88 degrees, 00 minutes, 00 seconds and run in a Southeasterly direction for a distance of 540.21 feet to the point of beginning; thence turn an angle to the right of 76 degrees, 41 minutes, 43 seconds and run in a Southwesterly direction for a distance of 152.19 feet to a point on a curve to the right, having a central angle of 26 degrees, 01 minutes, 04 seconds and a radius of 455.00 feet; thence run in a Southwesterly to Northwesterly direction along the arc of said curve for a distance of 206.81 feet to a point on a compound curve to the right, having a central angle of 66 degrees, 08 minutes, 16 seconds and a radius of 100.00 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 115.43 feet to a point; thence run tangent to last stated curve in a Northwesterly direction for a distance of 96.12 feet to the end of said easement.

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 X unshaded according to F.I.R.M. community panel 010191 0430 D, Shelby County, Alabama; dated 9-29-2006; that the correct address is as follows:_____ according to my survey of August 25, 2009. Survey is not valid unless it is sealed with embossed seal or stamped in red.

Order No. 56447
Purchaser: Thorn
Type of Survey: Mortgage Loan

SURVEYING SOLUTIONS, INC.
5611 HIGHWAY 280 EAST, SUITE 314
BIRMINGHAM, AL 35242
PHONE 991-8885

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

Date of Signature

20090923000363970 4/4 $20.00
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09/23/2009 03:02:36 PM FILED/CERT

MAP CHECKED BY: MRW/MBB/BR
F.B. # 321
SOATaYAWN
JACAD-PROJECTS-YAWN-SURVEY-SCR-17-T21S-R1E-29AC