

Please index as:

Grantee: Dan L. Howard and Patricia A. Howard

Grantor: Wiley Howard Cooper, IV



20101229000437660 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
12/29/2010 11:23:39 AM FILED/CERT

This instrument was prepared by:
Foster D. Key, Attorney
P. O. Box 360345
Birmingham, Alabama 35236

AGREEMENT OF RIGHT OF FIRST REFUSAL

STATE OF ALABAMA)
COUNTY OF SHELBY)

Before me, the undersigned, a Notary Public in and for said County in said State, personally appeared DAN L. HOWARD and wife, PATRICIA A. HOWARD, hereinafter referred to as Purchasers, and WILEY HOWARD COOPER, IV, hereinafter referred to as Seller, whose names are signed to this AGREEMENT OF RIGHT OF FIRST REFUSAL and who are known to me, and who, being by me first duly sworn, deposes and says as follows:

The undersigned Purchasers hereby grant to the Seller, his heirs and/or assigns or estate, the first right to purchase the hereinafter described real property which is situated in Shelby County, Alabama, for a period of 4 years from December 31, 2010 at the same sales price of \$400,000.00 plus the cost of any improvements. It is further agreed that at expiration of this period, being December 31, 2014, should Purchasers decide to sell the hereinafter described property, then Purchasers shall offer Seller first right of refusal to purchase this same property at whatever market price that Purchasers seek at such time prior to selling to any other party. Nothing herein shall be construed to obligate Seller to purchase property at any time or at any price.

The property referred to in this agreement is more fully described as follows, to-wit:

A part of the NE ¼ of the SE ¼, of Section 12, Township 19 South, Range 1 East, and the NW ¼ of the SW ¼ of Section 7, Township 19 South, Range 2 East, Shelby County, Alabama and being more particularly described as follows:

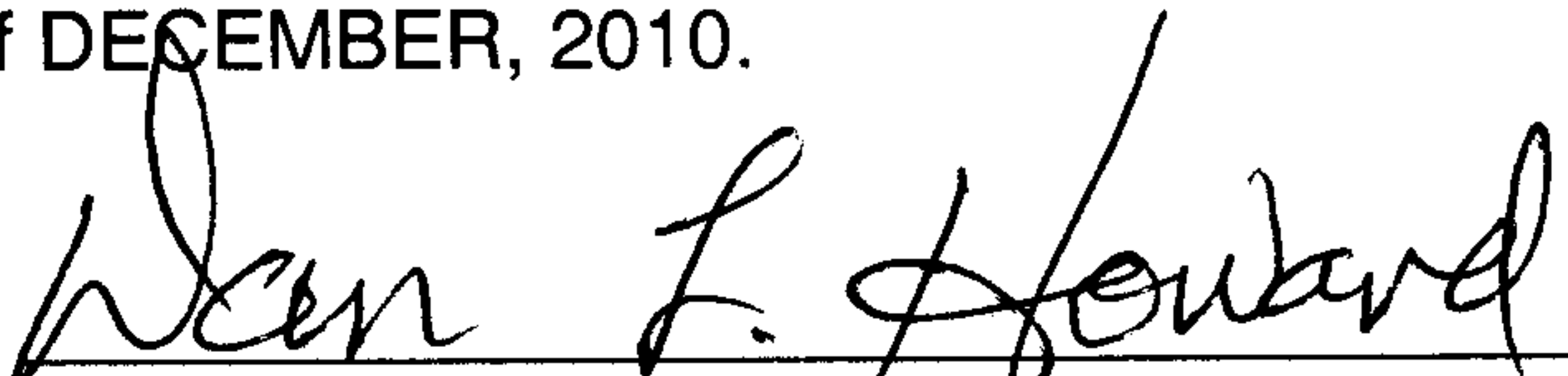
Commence at the NW corner of Section 7, Township 19 South, Range 2 East, Shelby County, Alabama and proceed South 3 degrees 32 minutes 53 seconds West along the West boundary of Section 7 for 2743.89 feet to the point of beginning; thence from said point of beginning proceed South 88 degrees 33 minutes 52 seconds East 689.11 feet; thence proceed South 72 degrees 29 minutes 27 seconds East 590.95 feet; thence proceed South 23 degrees 39 minutes 28 seconds West 425.00 feet; thence proceed North 57 degrees 44 minutes 49 seconds West 586.43 feet; thence proceed South 87 degrees 40 minutes 20 seconds West 2113.09 feet; thence proceed North 23 degrees 59 minutes 35 seconds East 428.05 feet; thence proceed South 88 degrees 33 minutes 52 seconds East 1351.73 feet back to the point of beginning; being situated in Shelby County, Alabama.


ALSO, a 40 foot easement for ingress and egress along an existing gravel and chert road from the above described tract of land to Shelby County Highway No. 55, said description of the 40 foot easement being along the center line of the aforementioned gravel and chert road and being more

particularly described as follows: Commence at the NW corner of Section 7, Township 19 South, Range 2 East, Shelby County, Alabama and proceed South 3 degrees 32 minutes 53 seconds West along the West boundary of Section 7 for 2743.89 feet; thence proceed South 83 degrees 00 minutes 05 seconds West 1456.20 feet to a point in the center of an existing gravel and chert road, said point being the point of beginning of herein described 40 foot easement; thence from said point of beginning continue along the center of said easement the following courses: North 38 degrees 24 minutes 38 seconds West 65.96 feet, North 71 degrees 18 minutes 28 seconds West 473.59 feet, South 87 degrees 11 minutes 02 seconds West 248.79 feet, South 51 degrees 52 minutes 37 seconds West 188.06 feet, South 72 degrees 01 minutes 05 seconds West 185.93 feet, South 86 degrees 21 minutes 57 seconds West 287.03 feet, South 59 degrees 15 minutes 22 seconds West 73.17 feet, South 10 degrees 44 minutes 14 seconds East 202.24 feet, South 25 degrees 14 minutes 07 seconds West 143.45 feet, South 55 degrees 14 minutes 45 seconds West 148.56 feet, North 84 degrees 39 minutes 28 seconds West 428.95 feet, North 66 degrees 50 minutes 23 seconds West 314.49 feet, South 83 degrees 21 minutes 22 seconds West 318.01 feet, South 34 degrees 12 minutes 40 seconds West 169.53 feet, South 43 degrees 33 minutes 50 seconds West 186.27 feet, South 20 degrees 01 minutes 40 seconds West 136.67 feet, North 81 degrees 47 minutes 00 seconds West 64.16 feet, North 7 degrees 14 minutes 28 seconds East 304.17 feet, North 4 degrees 36 minutes 44 seconds West 191.11 feet, North 8 degrees 11 minutes 19 seconds East 206.92 feet, North 8 degrees 58 minutes 53 seconds West 195.50 feet, North 0 degrees 32 minutes 09 seconds West 414.23 feet, North 25 degrees 27 minutes 50 seconds West 111.40 feet, North 37 degrees 17 minutes 22 seconds West 521.14 feet, North 21 degrees 47 minutes 52 seconds West 653.52 feet, North 41 degrees 44 minutes 54 seconds West 207.80 feet, North 27 degrees 31 minutes 42 seconds West 152.04 feet, North 18 degrees 42 minutes 05 seconds West 372.46 feet, North 47 degrees 36 minutes 27 seconds West 248.06 feet, North 61 degrees 24 minutes 37 seconds West 321.39 feet, North 71 degrees 49 minutes 39 seconds West 475.69 feet, North 81 degrees 50 minutes 54 seconds West 246.01 feet, South 51 degrees 40 minutes 09 seconds West 231.93 feet, South 34 degrees 11 minutes 48 seconds West 579.85 feet, South 18 degrees 45 minutes 40 seconds West 334.11 feet, South 32 degrees 33 minutes 21 seconds West 306.38, South 55 degrees 00 minutes 03 seconds West 220.50 feet, North 69 degrees 02 minutes 50 seconds West 182.67 feet to the point of termination of herein described 40 foot easement; being situated in Shelby County, Alabama.

This agreement shall be binding upon Purchasers and their heirs and/or assigns and their estates.


In Witness Whereof, the undersigned Purchasers and Seller have hereunto set their hands and seals on this the 10TH day of DECEMBER, 2010.


PURCHASER - DAN L. HOWARD


PURCHASER - PATRICIA A. HOWARD

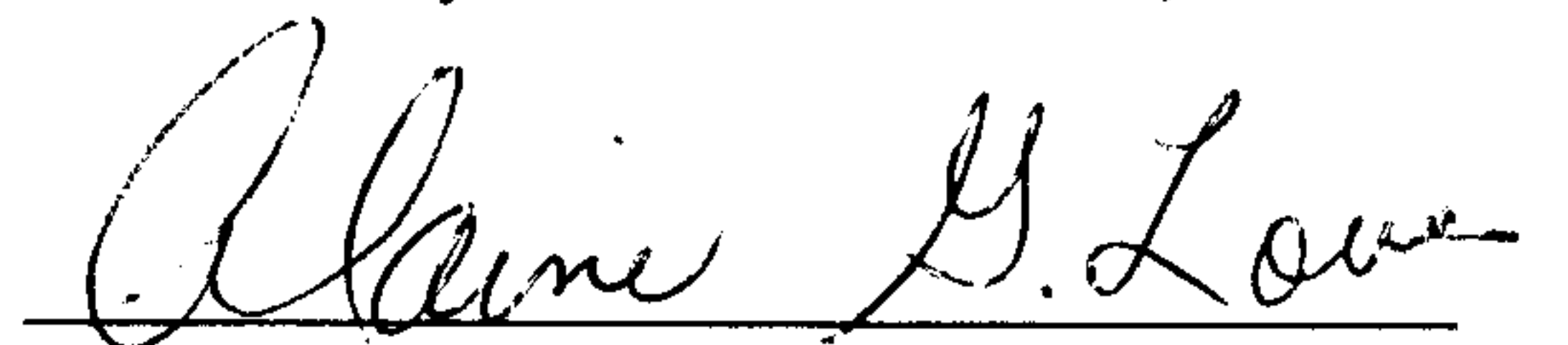

SELLER - WILEY HOWARD COOPER, IV

STATE OF ALABAMA
COUNTY OF SHELBY


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Shelby Cnty Judge of Probate, AL
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I, the undersigned, a notary public in and for said county, in said state, hereby certify that DAN L. HOWARD and PATRICIA A. HOWARD, whose names are signed to the foregoing AGREEMENT OF RIGHT OF FIRST REFUSAL and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of DECEMBER, 2010.


NOTARY PUBLIC
My Commission Expires: 10/31/2011

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a notary public in and for said county, in said state, hereby certify that WILEY HOWARD COOPER, IV, whose name is signed to the foregoing AGREEMENT OF RIGHT OF FIRST REFUSAL and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of DECEMBER, 2010.


NOTARY PUBLIC
My Commission Expires: 10/31/2011