

PREPARED BY AND AFTER
RECORDING RETURN TO:
Linda J. Peacock, Esq.
Baker, Donelson, Bearman, Caldwell
& Berkowitz, P.C.
420 N. 20th Street, Suite 1600
Birmingham, AL 35203

SEND TAX NOTICE TO:

Shelby County, Alabama

Columbiana, AL _____

STATE OF ALABAMA)

SHELBY COUNTY)

500.00 value

**RIGHT-OF-WAY DEED
FOR PUBLIC ROAD**

KNOW ALL PERSONS BY THESE PRESENTS THAT:

WHEREAS, in 1942 BESSIE MAE LAWLER acquired certain land in Shelby County, Alabama from W. A. James and wife, Eva James, pursuant to that certain deed recorded at Deed Book 115, Page 152 in the Office of the Judge of Probate of Shelby County, Alabama;

WHEREAS, in 1980 and 1981 BESSIE MAE LAWLER and her husband, W. L. LAWLER, SR., also known as William Lister Lawler, Sr., conveyed all of the land to WILLIAM PHILLIP LAWLER, DIANNE LAWLER ANDREE (now know as DIAN LAWLER JOHNSON), WAYNE KEITH LAWLER, ANN D. LAWLER and W. L. LAWLER, JR. (also know as WILLIAM LISTER LAWLER, JR.) (collectively, the "Lawlers") pursuant to deeds recorded at Deed Book 330, Page 110 and Deed Book 332, Page 356 in the Office of the Judge of Probate of Shelby County, Alabama;

WHEREAS, in 1999 the Lawlers subsequently conveyed a portion of the land to Lawler Properties, LLC, an Alabama limited liability company (the "Company") pursuant to that certain deed recorded as instrument #1999-51515 in the Office of the Judge of Probate of Shelby County, Alabama (collectively, the Lawlers and Lawler Properties are hereinafter referred to as "Grantors");

WHEREAS, in 1956 Southern Railway Company acquired an easement or right of way over, upon and across the property owned by BESSIE MAE LAWLER and her husband, W. L. LAWLER, SR., pursuant to deed recorded at Book 180, Page 271 in the Office of the Judge of Probate of Shelby County, Alabama;

WHEREAS, in 1966 Shelby County filed a Notice of Lis Pendens recorded at Lis Pendens Book 4, Page 294 in the Office of the Judge of Probate of Shelby County, Alabama, and styled "Shelby County, a Body Corporate vs. W.L. Lawler, et al" seeking to condemn certain property owned by W.L. Lawler and Bessie Mae Lawler for a "public road right of way", said property being described as located in "Sec. 6, T 24 N, R 13 E";

WHEREAS, a condemnation proceeding was filed and recorded in Lis Pendens Book 29, Page 211;



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Shelby Cnty Judge of Probate, AL
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WHEREAS, an order of condemnation was entered and recorded in Lis Pendens Book 29, Page 225 condemning the "rights, easements, ways and rights of way ...on, across, and over the land described in said application";

WHEREAS the property described in the application and Lis Pendens is actually located in Section 5 of Township 24 North, Range 13 East;

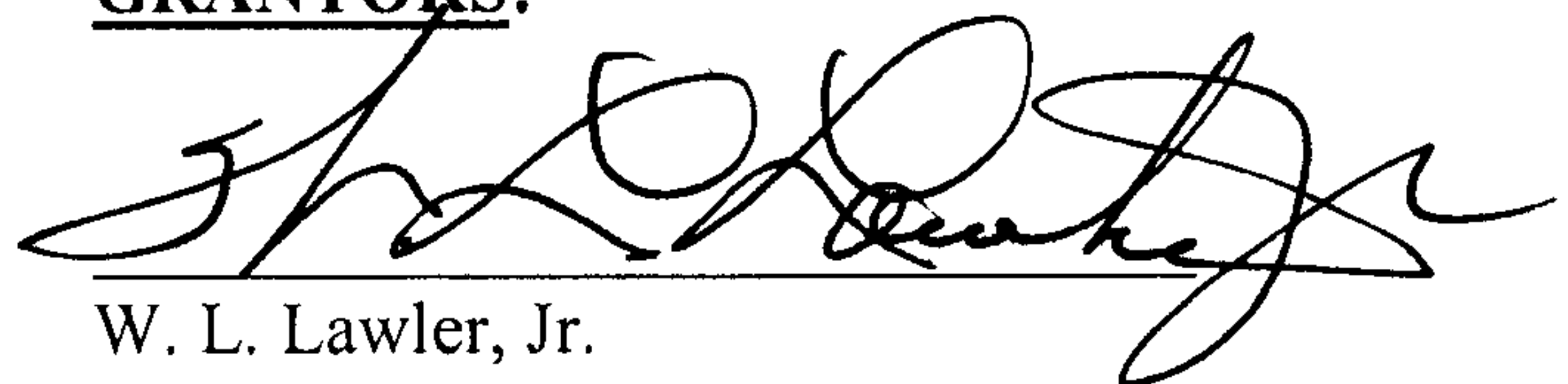
WHEREAS, the Grantors desire to correctly identify the location of the right of way granted to SHELBY COUNTY, a body corporate (the "Grantee");


NOW, THEREFORE, in consideration of ten dollars (\$10.00) in hand paid to Grantors by Grantee and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged by Grantors, the said Grantors do by these presents grant, bargain, sell and convey unto Grantee an Easement or Right-of-Way over, upon and across the Property described in Exhibit A attached hereto (the "Property") for the maintenance and operation of a public road; provided, however, that Grantor specifically retains the right to any and all minerals and materials, including, without limitation, oil, gas, rock, stone, granite, sand, gravel, clay, limestone, dolomite, shale, coal, and iron ore in, on or under the Property.

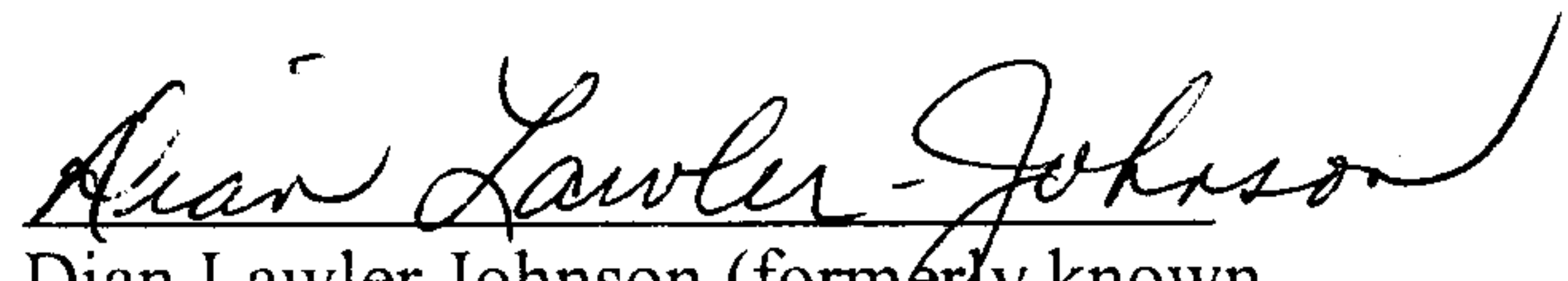
TO HAVE AND TO HOLD to said Grantee, its successors and assigns, for the uses and purposes for which said Easement or Right-of-Way is granted for so long as Grantee maintains and operates said public road. In the event Grantee abandons the Property or no longer maintains or operates the Property as a public road, then the Property shall be transferred to LAFARGE BUILDING MATERIALS INC., an Alabama corporation, its successors and assigns.


IN WITNESS WHEREOF, the undersigned have executed this Right-of-Way Deed on this 27TH day of July, 2011.

GRANTORS:


W. L. Lawler, Jr.


Ann D. Lawler

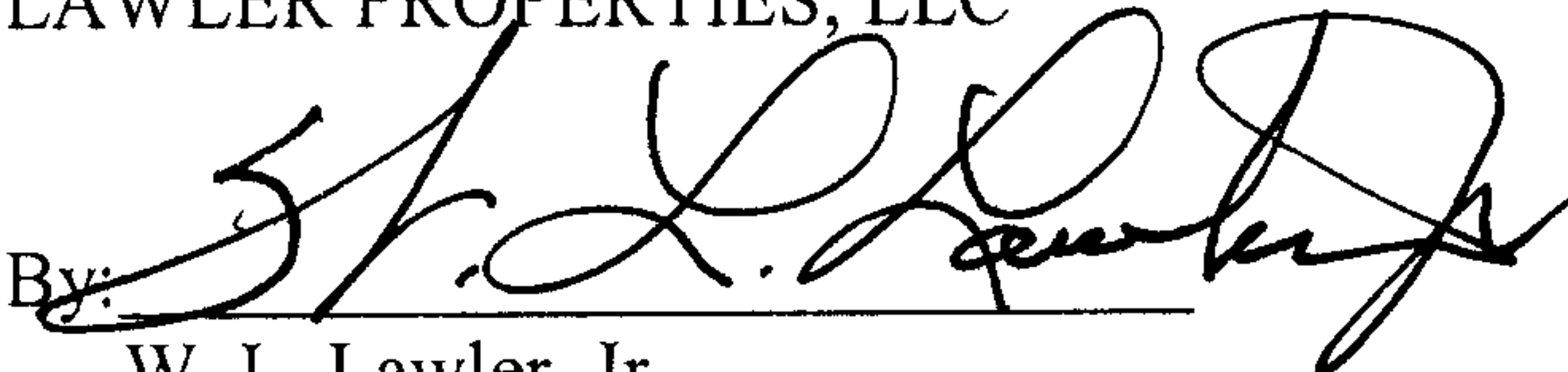

Dian Lawler Johnson (formerly known
as Dianne Lawler Andree)


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Shelby Cnty Judge of Probate, AL
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William Philip Lawler


Wayne Keith Lawler

LAWLER PROPERTIES, LLC

By: 
W. L. Lawler, Jr.
Its Manager



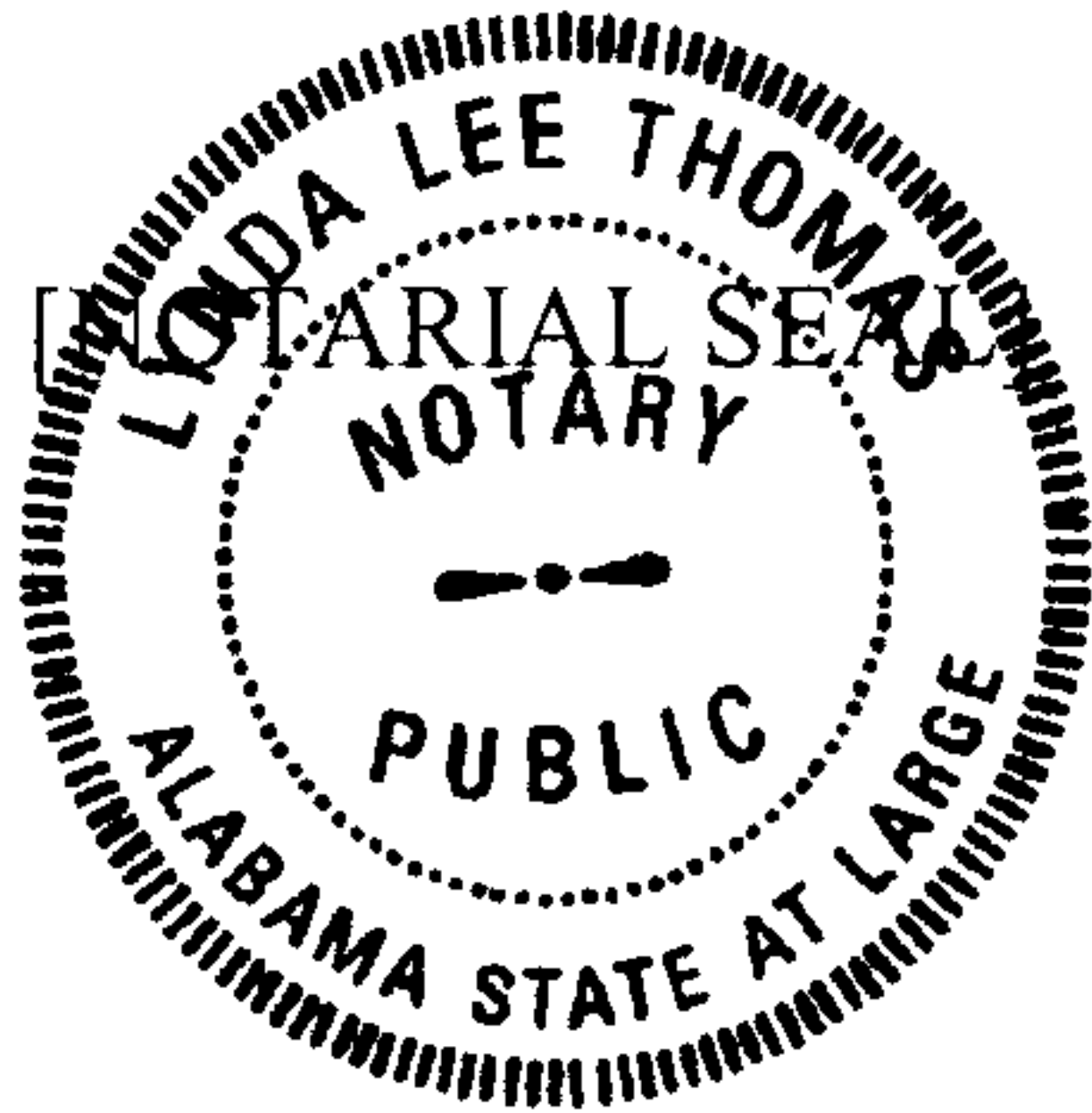
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STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that W.L. Lawler, Jr., whose name is signed to the foregoing Right of Way Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Right of Way Deed, he executed the same voluntarily on the day the same bears date.

Given under my hand this the 27th day of July, 2011.



Lynda Lee Thomas

Notary Public

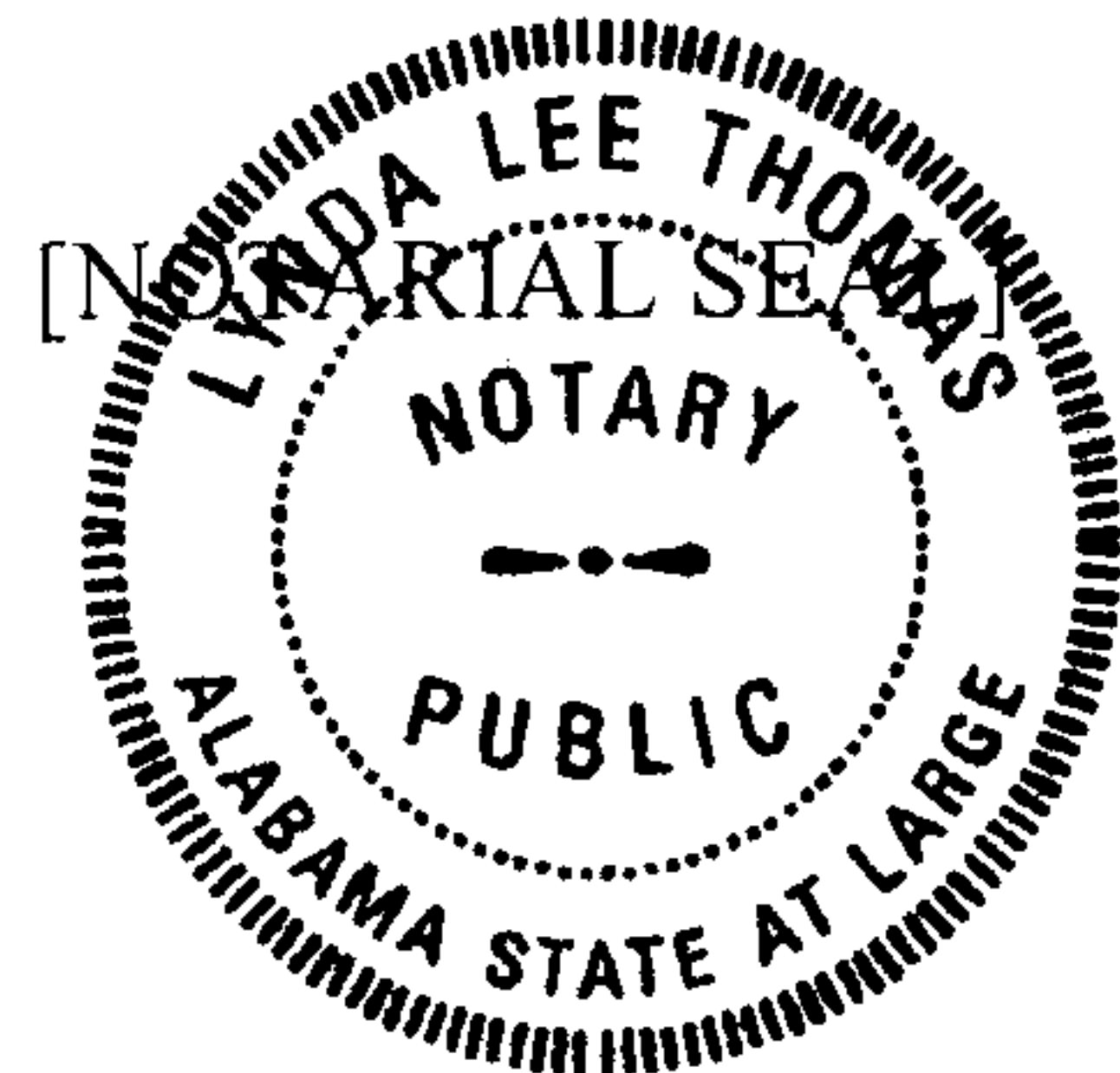
My Commission Expires: 8/20/2011

STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Ann D. Lawler, whose name is signed to the foregoing Right of Way Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Right of Way Deed, she executed the same voluntarily on the day the same bears date.

Given under my hand this the 27th day of July, 2011.



Lynda Lee Thomas

Notary Public

My Commission Expires: 8/20/2011

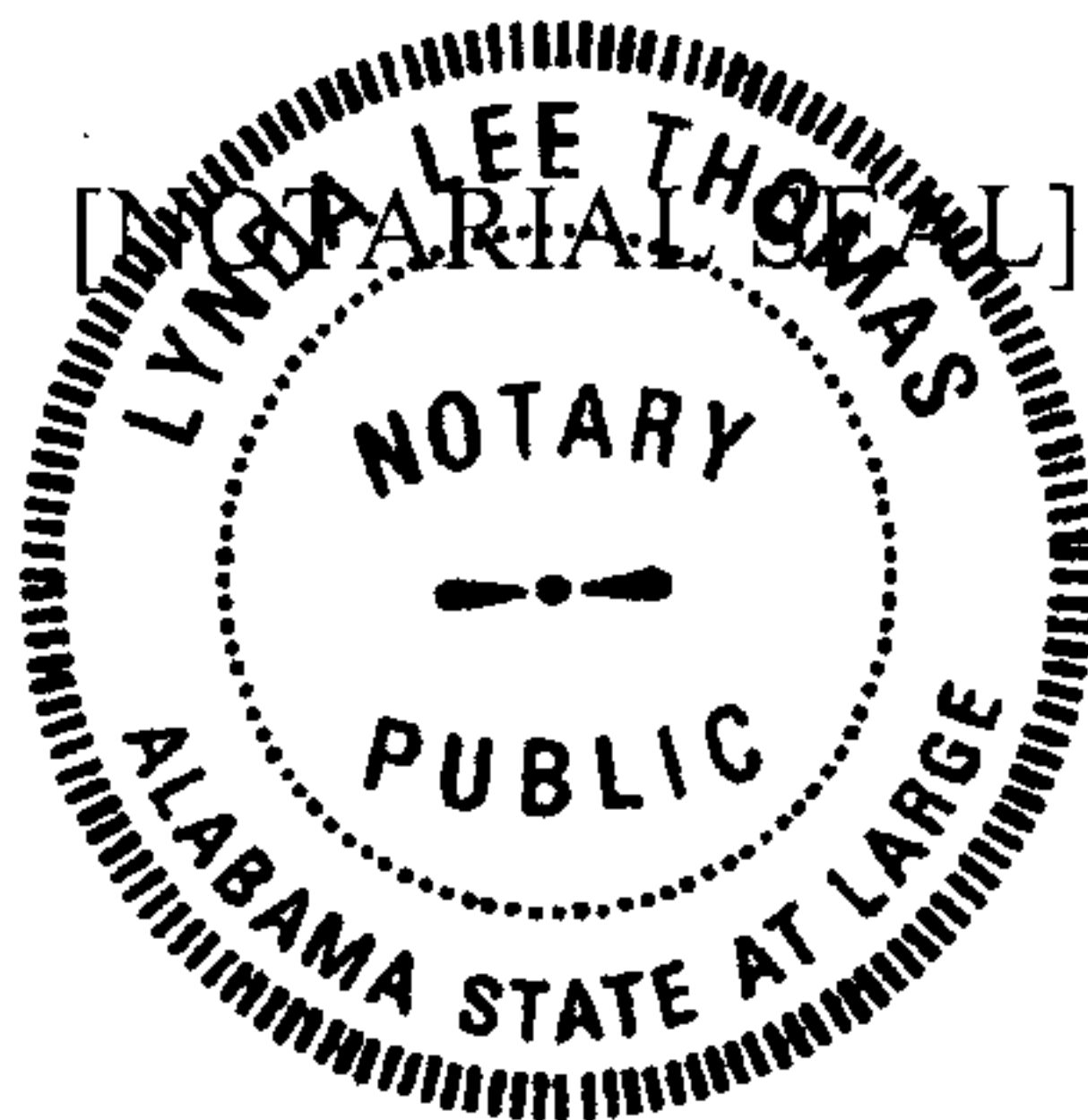
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STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Dian Lawler Johnson (formerly known as Dianne Lawler Andree), whose name is signed to the foregoing Right of Way Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Right of Way Deed, she executed the same voluntarily on the day the same bears date.

Given under my hand this the 27th day of July, 2011.



Lynda Lee Thomas

Notary Public

My Commission Expires: 8/20/2011

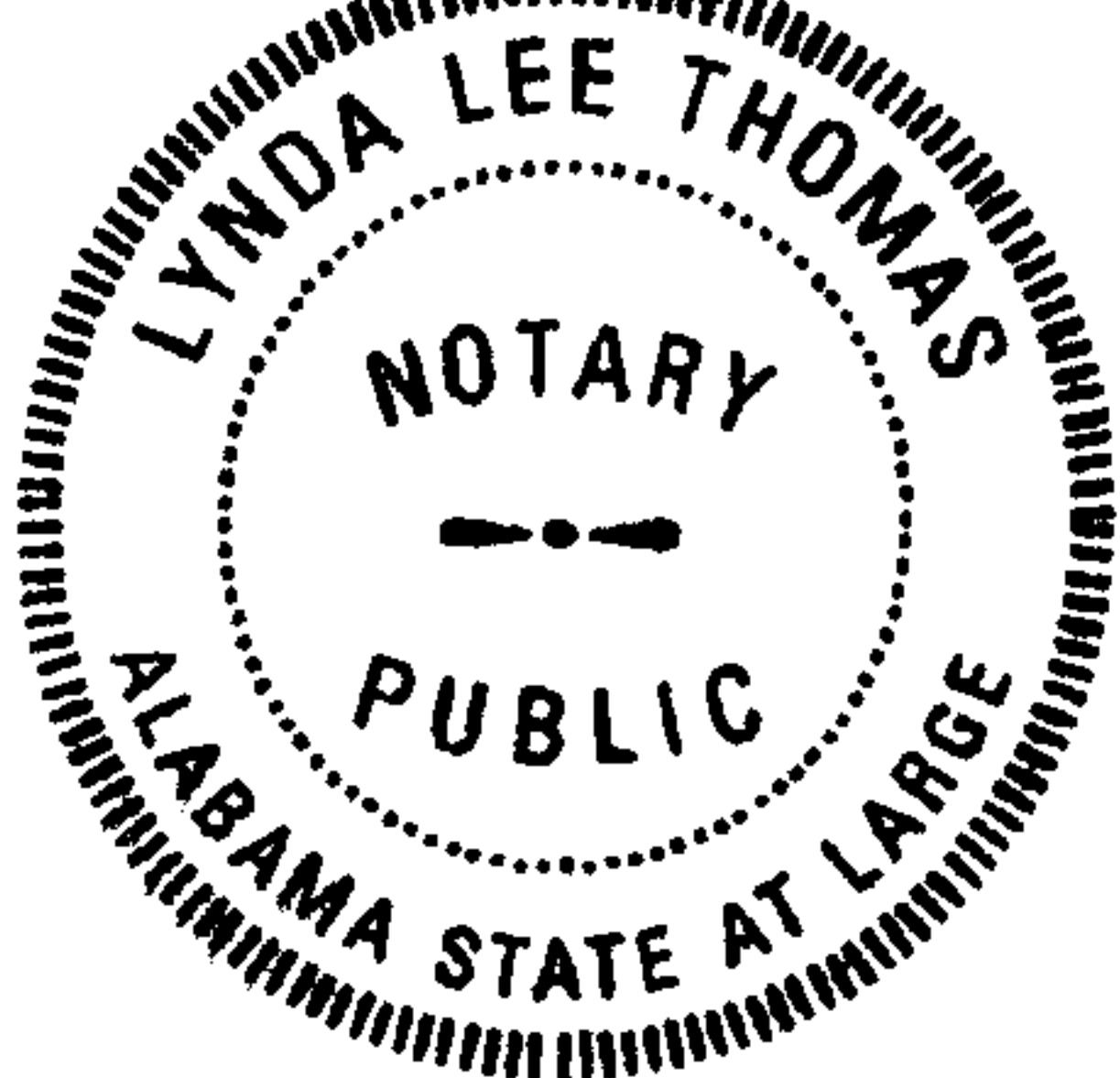
STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that William Philip Lawler, whose name is signed to the foregoing Right of Way Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Right of Way Deed, he executed the same voluntarily on the day the same bears date.

Given under my hand this the 27th day of July, 2011.

[NOTARIAL SEAL]



Lynda Lee Thomas

Notary Public

My Commission Expires: 8/20/2011



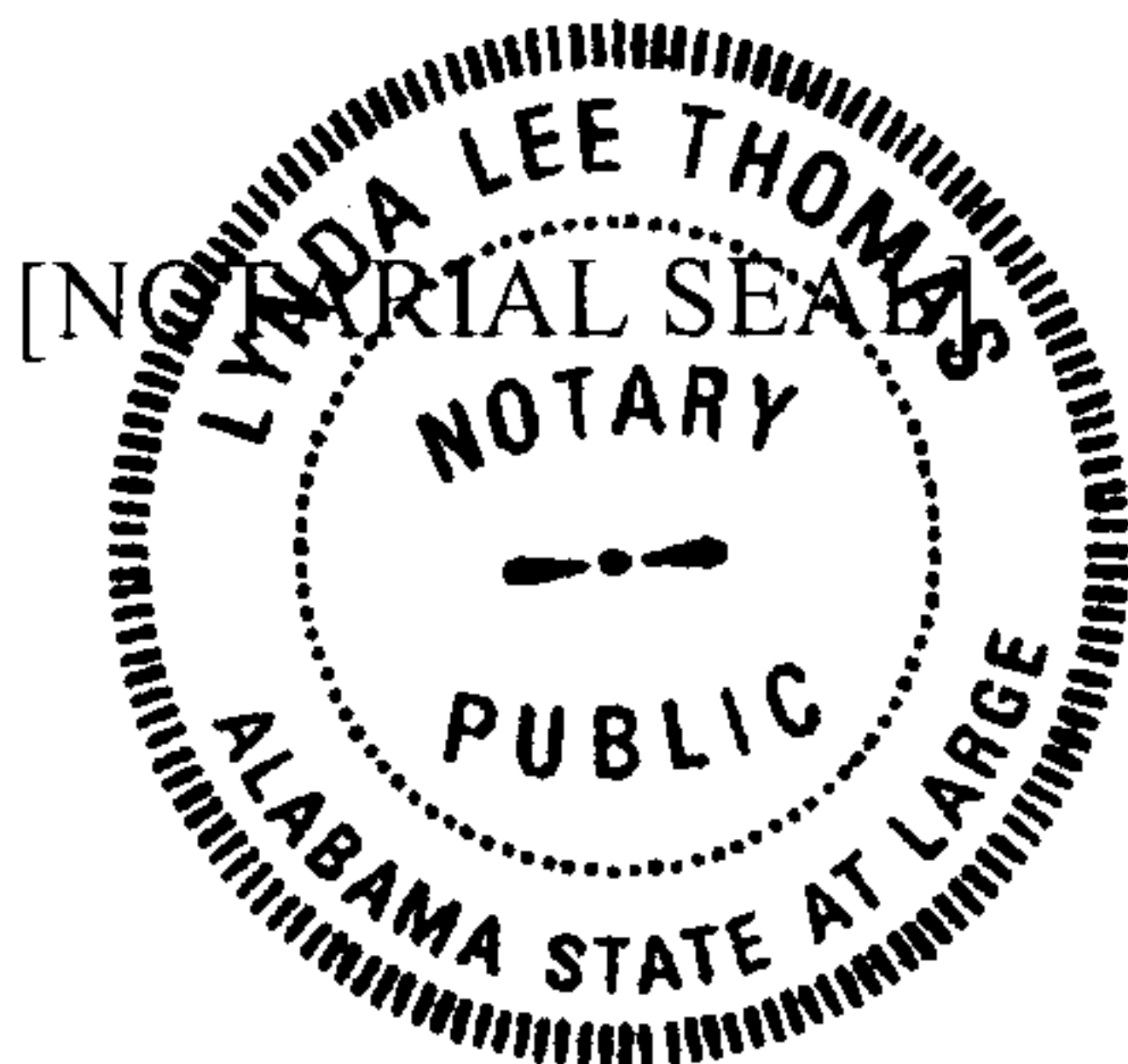
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STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Wayne Keith Lawler, whose name is signed to the foregoing Right of Way Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Right of Way Deed, he executed the same voluntarily on the day the same bears date.

Given under my hand this the 27th day of July, 2011.



Lynda Lee Thomas

Notary Public

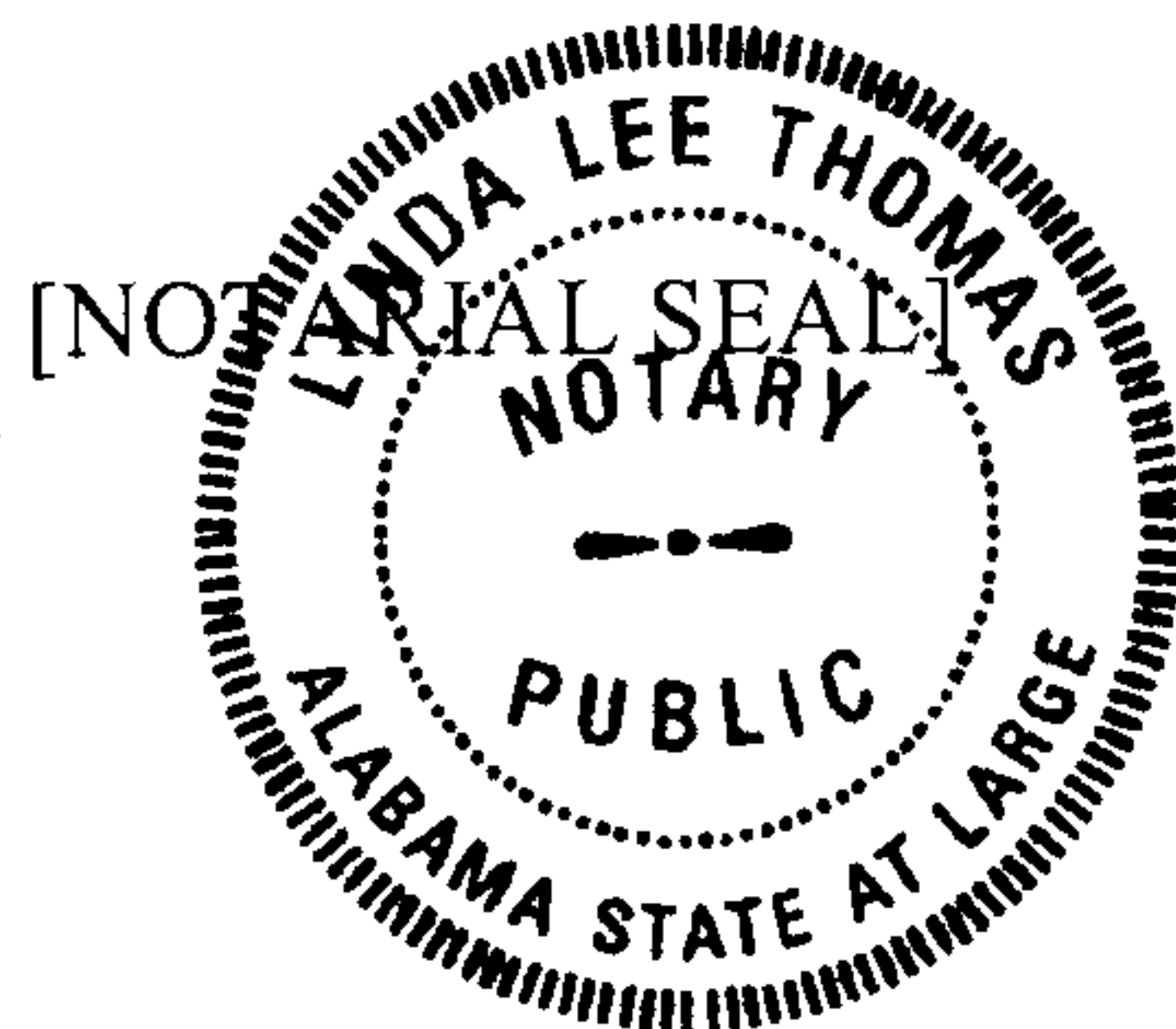
My Commission Expires: 8/20/2011

STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that W.L. Lawler, Jr., whose name as Sole Managing Member of LAWLER PROPERTIES, LLC, an Alabama limited liability company, is signed to the foregoing Right of Way Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Right of Way Deed, he, in such capacity and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand this the 27th day of July, 2011.



Lynda Lee Thomas

Notary Public

My Commission Expires: 8/20/2011



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EXHIBIT A

DESCRIPTION OF RIGHT-OF-WAY

WEST HALF OF THE RIGHT OF WAY FOR SHELBY COUNTY ROAD 23

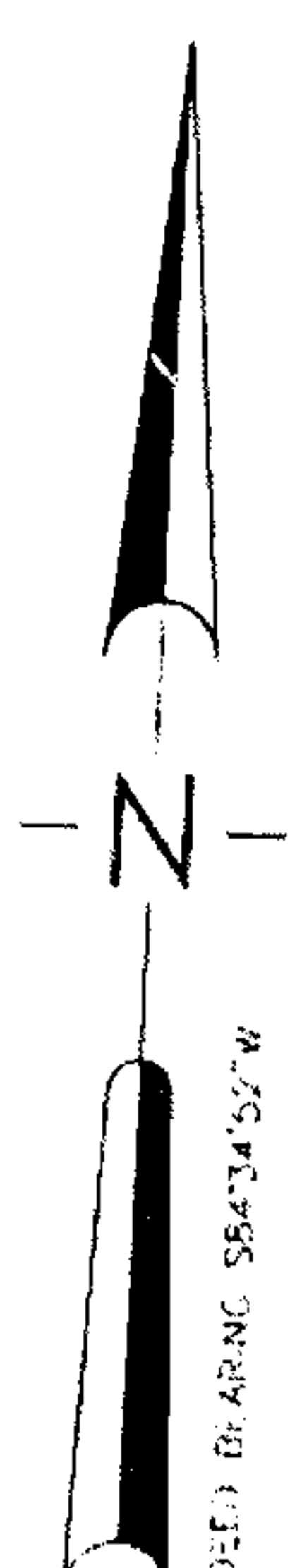
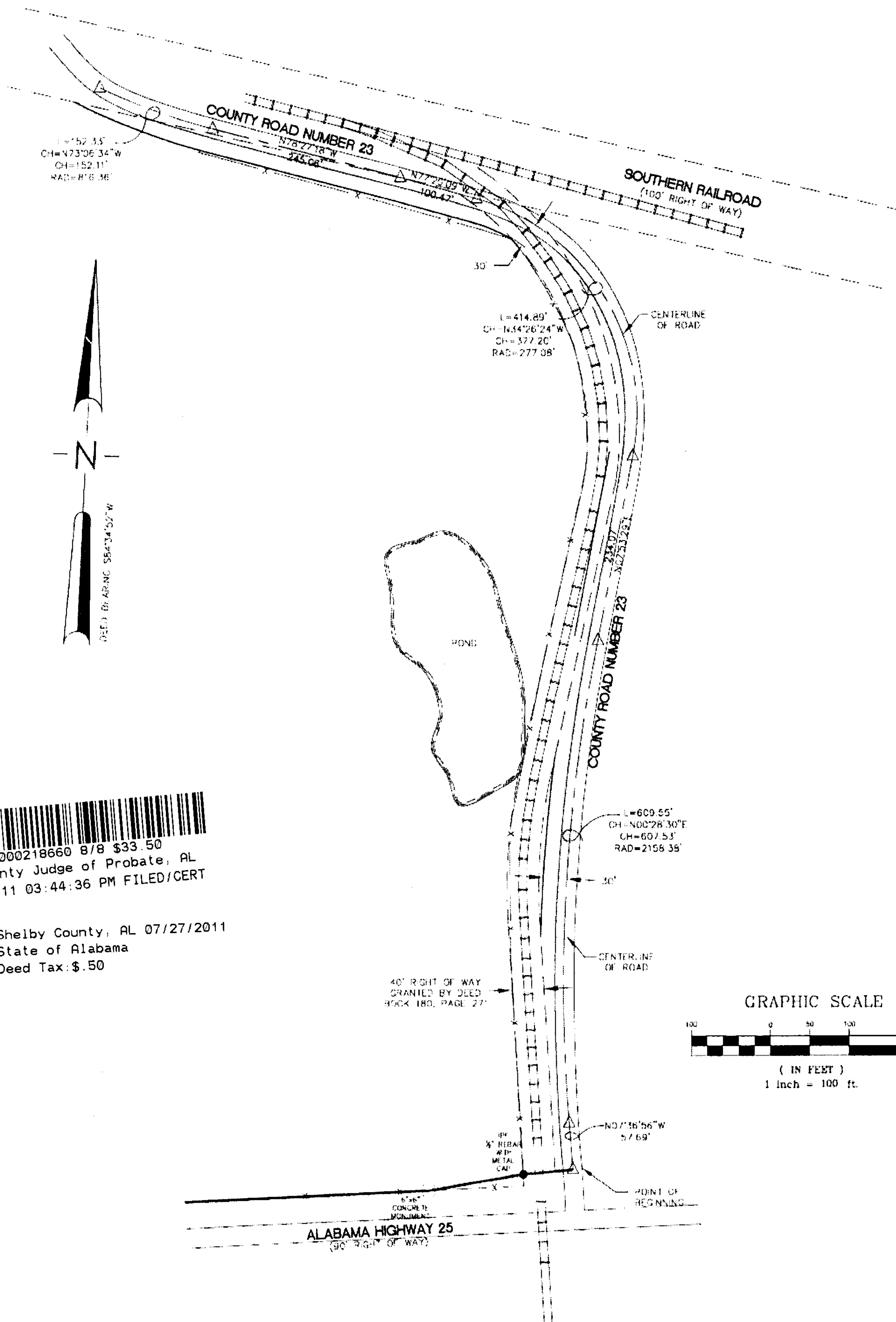
A 30 FOOT STRIP OF LAND LYING WEST OF AND RUNNING CONTIGUOUS WITH THE CENTER LINE OF SHELBY COUNTY ROAD 23, BEING ALSO DESCRIBED AS THE WEST HALF OF A 60 FOOT WIDE RIGHT OF WAY FOR SHELBY COUNTY ROAD 23 THAT RUNS FROM THE NORTH RIGHT OF WAY LINE OF ALABAMA HIGHWAY 25 TO THE SOUTH RIGHT OF WAY LINE OF THE SOUTHERN RAILROAD AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF ALABAMA HIGHWAY 25 AND THE CENTERLINE OF SHELBY COUNTY ROAD 23, AND RUN ALONG SAID CENTERLINE NORTH 07° 36' 56" WEST, A DISTANCE OF 57.69 FEET TO A POINT OF CURVATURE IN SAID CENTERLINE; THENCE RUN ALONG SAID CURVE (CONCAVE EASTERLY) HAVING A RADIUS OF 2158.38 FEET, THE CHORD OF WHICH BEARS NORTH 00° 28' 30" EAST A DISTANCE OF 607.53 FEET; THENCE CONTINUE ALONG SAID CENTERLINE, NORTH 07° 53' 29" EAST A DISTANCE OF 234.07 FEET TO A POINT OF CURVATURE; THENCE RUN ALONG SAID CURVE (CONCAVE SOUTHWESTERLY) HAVING A RADIUS OF 277.08 FEET, THE CHORD OF WHICH BEARS NORTH 34° 26' 24" WEST A DISTANCE OF 377.20 FEET; THENCE CONTINUE ALONG SAID CENTERLINE, NORTH 77° 20' 09" WEST A DISTANCE OF 100.47 FEET; THENCE CONTINUE ALONG SAID CENTERLINE NORTH 78° 27' 18" WEST A DISTANCE OF 245.06 FEET TO A POINT OF CURVATURE; THENCE RUN ALONG SAID CURVE (CONCAVE NORTHERLY) HAVING A RADIUS OF 816.36 FEET, THE CHORD OF WHICH BEARS NORTH 73° 06' 34" WEST A DISTANCE OF 152.11 FEET TO THE POINT OF ENDING.

LESS AND EXCEPT ANY PARCEL OF LAND LYING WITHIN THE RIGHT OF WAY OF A RAILROAD SPUR TRACT (40 FOOT RIGHT OF WAY), RIGHT OF WAY RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY ALABAMA IN DEED BOOK 180 AT PAGE 271

SAID PARCEL LYING IN THE NORTHWEST QUARTER OF SECTION 5, AND IN THE NORTHEAST QUARTER OF SECTION 6, ALL LYING IN TOWNSHIP 24 NORTH, RANGE 13 EAST, LOCATED IN SHELBY COUNTY, ALABAMA AND CONTAINING 0.92 ACRES, MORE OR LESS.



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Shelby County, AL 07/27/2011
State of Alabama
Deed Tax: \$.50

