

**STATE OF ALABAMA
SHELBY COUNTY**

DISCLAIMER

This Disclaimer is made this 81 day of DEC, 2011 by Sidney W. Smyer, III, a married man (Sid) for himself and for Shephard Gap Associates, an Alabama General Partnership (Shephard Gap).

Whereas, there exists a gravel road (the Road) running north to south located within the eastern 60 feet of Lot 11 The Shires, Phase IV as recorded in Map Book 42, Page 96, Probate Office of Shelby County, Alabama (Lot 11); and

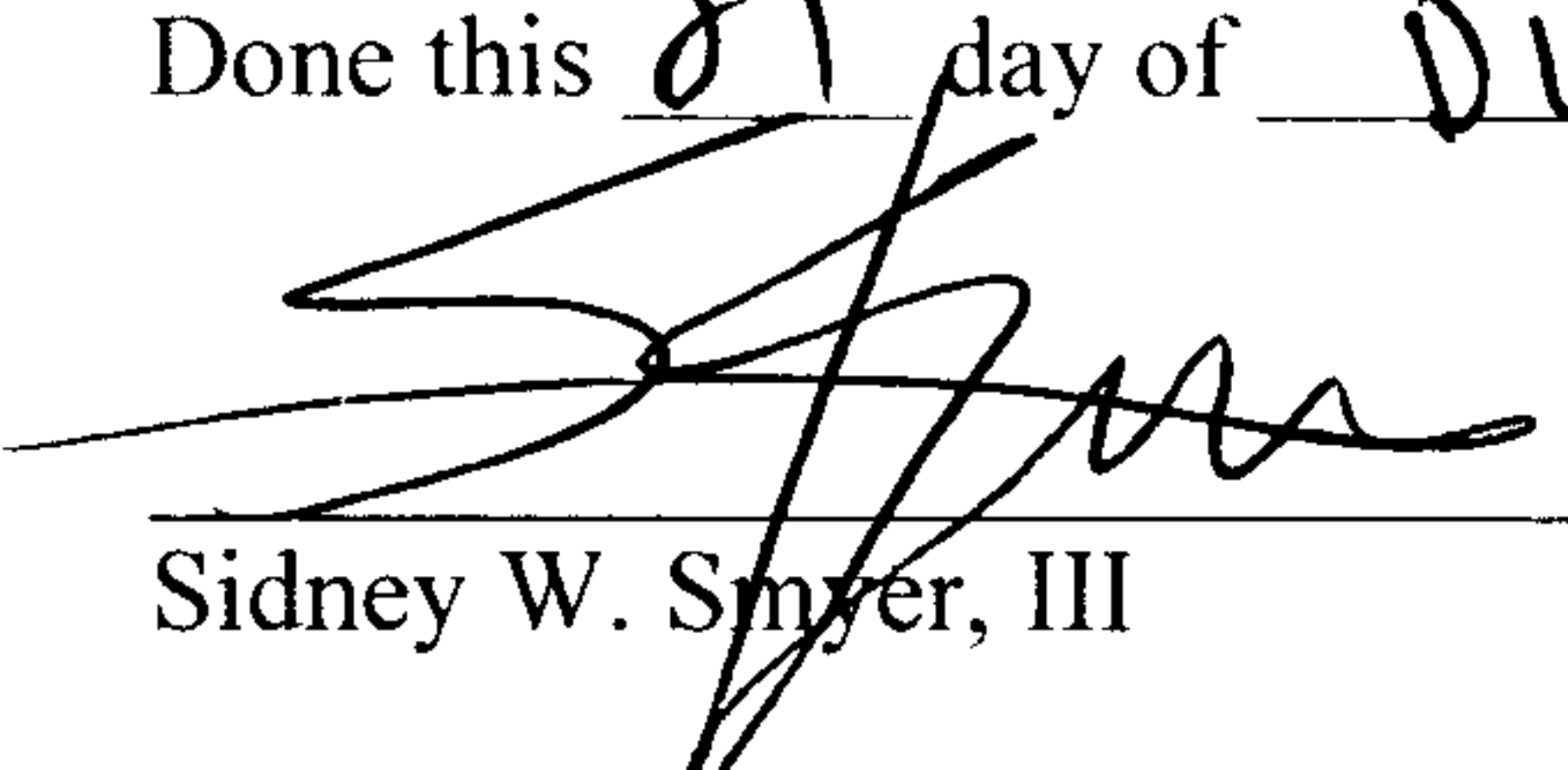
Whereas, Shephard Gap owns that certain real property located in Shelby County, Alabama described as; the East ½ of the SE ¼ of Section 14, Township 18 South, Range 1 West, Shelby County, Alabama (the Shephard Gap Property); and

Whereas, Sid, for himself, his heirs, successors and assigns and as general partner of Shephard Gap desires to disclaim certain rights with respect to the Road.

Now, therefore, in consideration of the premises, and for other good and valuable considerations, Sid, for himself, his heirs, successors and assigns and as General Partner of Shephard Gap Associates does hereby do the following:

1. Disclaim any right to use the Road for ingress and egress to the Shephard Gap Property and any other real property owned by Sid or Shephard Gap.
2. This Disclaimer relates to any claims with respect to the Road arising from adverse possession, prescription, necessity or otherwise.
3. Nothing contained herein is intended to disturb reservation contained in deed conveying the said Lot 11, which reservation shall grant ingress and egress by way of the gravel road located within the eastern 60 feet of Lot 11 to the Shephard Gap Property for a period of 540 days from date of closing.
4. None of the real property described herein is the homestead of Sid or his spouse.

Done this 81 day of DEC, 2011.




Sidney W. Smyer, III

Shephard Gap Associates, an Alabama General Partnership

By: 

Sidney W. Smyer, III, General Partner


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Shelby Cnty Judge of Probate, AL
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STATE OF ALABAMA)
Jefferson COUNTY)

I, the undersigned, a Notary Public for the State of Alabama at Large do hereby certify that Sidney W. Smyer, III , whose name is signed to the foregoing Disclaimer, and who is known to me, acknowledged before me this day that, being informed of the contents of said Disclaimer, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 21 day of December, 2011.



Notary Public

My Commission Exp. 3-1-14

STATE OF ALABAMA)
Jefferson COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Sidney W. Smyer, III as General Partner of Shephard Gap Associates, an Alabama general partnership whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this Disclaimer, he, in his capacity as such partner, executed the same voluntarily, for and as the act of said general partnership.

Given under my hand and official seal this 21 day of December, 2011.



Notary Public

My Commission Expires: 3-1-14

PREPARED BY:
JAMES F. BURKHARDT
ATTORNEY
1318 ALFORD AVE
SUITE 101
BIRMINGHAM, AL.
35226



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