

STATE OF ALABAMA  
SHELBY COUNTY

Exhibit "C"

# 500.00

GRANT OF EASEMENT

This Grant of Easement is made this 6 day of August, 2012 by Rita Kennedy, an unmarried woman (Grantor) in favor of MS One, LLC (the Owner of Parcel 1 attached hereto and incorporated by reference herein) and Holland Real Estate Company, LLC (the Owner of Parcel 2 attached hereto and incorporated by reference herein) (Holland). Collectively herein MS One, LLC and Holland are referred as the Grantees.

Rita Kennedy is the Owner of Parcel 3 attached hereto and incorporated by reference herein. Included within Parcel 3 is a strip of land which is more particularly described on Exhibit A attached hereto and incorporated by reference herein (the Easement Area).

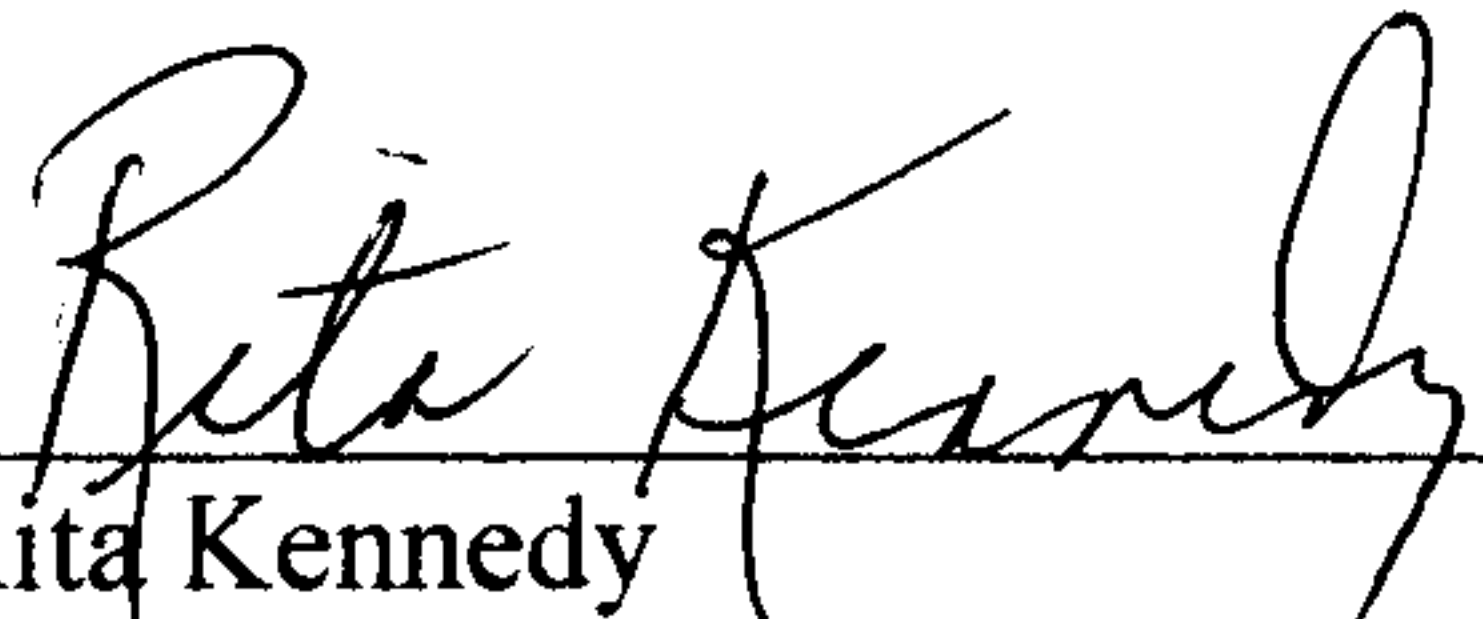
For the purpose of this instrument, Parcels 1 and 2 are referred to as the Dominant Estate and the Easement Area is referred to as the Servient Estate.

Now, therefore, in consideration of the premises, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantees an exclusive easement for ingress, egress, utilities and drainage, running with the land over, across and under the Servient Estate for the benefit of Grantees, their successors and assigns and the Dominant Estate provided; however, the easement shall terminate and be extinguished in the event the Dominant Estate (88 acres referenced above) becomes accessible by a road meeting the subdivision requirements of Shelby County. This easement and the restrictions entered into in this agreement regarding easement shall run with the land and shall bind all future owners of the Dominant Estate (88 acres now currently owned by MS One, LLC and Holland Real Estate Company, LLC).


By their execution hereof, MS One, LLC and Holland authorize Grantor a license for the use of the Dominant Estate for the purpose of horseback riding for Grantor and her guests and invitees. Grantees do not warrant the suitability of the Dominant Estate for the purpose of horseback riding and accept no responsibility whatsoever for damage to person or property resulting from the use by Grantor or her guests or invitees of the Dominant Estate for horseback riding. Further, Grantor does hereby expressly indemnify and hold harmless Grantees from damage to person or property occasioned to Grantor or her guests or invitees in conjunction with the exercise of the license granted herein.

Grantee and their assigns shall maintain the Easement Area. Grantor or assigns shall have no responsibility to maintain the Easement Area.

To have and to hold unto Grantees, their successors and assigns forever.

  
Rita Kennedy

Shelby County, AL 08/07/2012  
State of Alabama  
Deed Tax: \$.50

  
20120807000288920 1/6 \$27.50  
Shelby Cnty Judge of Probate, AL  
08/07/2012 09:54:50 AM FILED/CERT

MS One, LLC

By: [Signature]

Its: Managing Member

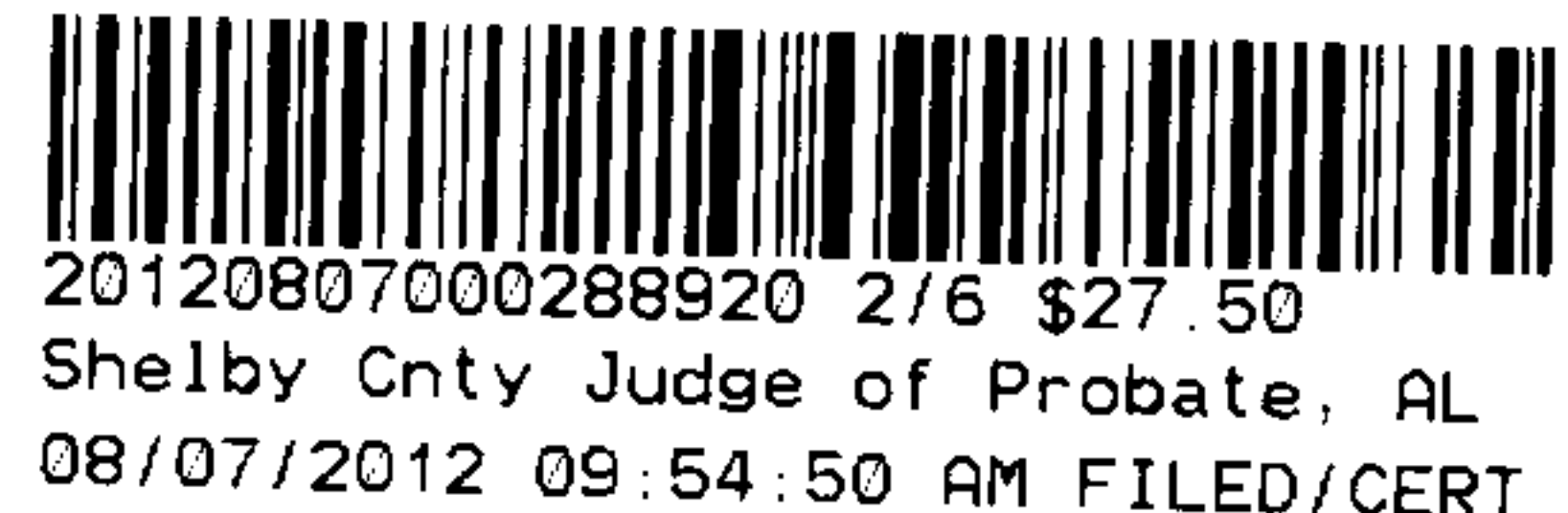
Holland Real Estate Company, LLC

By: Clay Holland

Its: member

(Notary Acknowledgments on following page)

STATE OF ALABAMA )  
Jefferson COUNTY )



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

Given under my hand and official seal this 6<sup>th</sup> day of August, 2012.

[Signature]

Notary Public

My Commission Exp. 4/25/15

STATE OF ALABAMA )  
MOBILE COUNTY )

**LLC ACKNOWLEDGMENT**

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that as Michael Delaney of MS One, LLC, 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 instrument, he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 27<sup>th</sup> day of July, 2012.

[Signature]

Notary Public

My Commission Expires: 7/25/14

STATE OF ALABAMA )  
Jefferson COUNTY )

**LLC ACKNOWLEDGMENT**

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that as Clay Holland of Holland Real Estate Company, LLC, 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 instrument, he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.



Given under my hand and official seal this 2 day of August, 2012.

  
Notary Public

My Commission Expires: 3.1.14



20120807000288920 3/6 \$27.50  
Shelby Cnty Judge of Probate, AL  
08/07/2012 09:54:50 AM FILED/CERT

Prepared by:

Randy Gaggans

228 Hawthorn St.

Birmingham, AL 35242


LEGAL DESCRIPTION

Parcel II - *Holland Real Estate Company, LLC*

Begin at the Northwest corner of the Northeast  $\frac{1}{4}$  Northwest  $\frac{1}{4}$  of Section 36, Township 20 South, Range 2 West; thence S  $89^{\circ}39'08''$  E, along the North line of said  $\frac{1}{4}$   $\frac{1}{4}$  Section a distance of 695.04'; thence, leaving said  $\frac{1}{4}$   $\frac{1}{4}$  Section line S  $0^{\circ}01'40''$  W a distance of 2848.78'; thence N  $81^{\circ}53'50''$  W a distance of 657.75'; thence N  $0^{\circ}52'54''$  W a distance of 2760.62' to the point of beginning. All being situated in Shelby County, Alabama.

Parcel I - *MS ONE, LLC*

Begin at the NE corner of the Northwest  $\frac{1}{4}$  of Section 36, Township 20 South, Range 2 West; thence S  $0^{\circ}52'56''$  W a distance of 2937.62'; thence N  $81^{\circ}53'50''$  W a distance of 657.76'; thence N  $0^{\circ}01'40''$  E a distance of 2848.78' to a point lying on the North line of said  $\frac{1}{4}$  Section; thence S  $89^{\circ}39'08''$  E, along said North line a distance of 695.05' to the point of beginning. All being situated in Shelby County, Alabama.

  
20120807000288920 4/6 \$27.50  
Shelby Cnty Judge of Probate, AL  
08/07/2012 09:54:50 AM FILED/CERT

ALTA Commitment (6-17-06)  
Schedule A

Copyright 2006-2009 American Land Title Association. All rights reserved. The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

AMERICAN  
LAND TITLE  
ASSOCIATION

STATE OF ALABAMA  
SHELBY COUNTY

*Rita Kennedy Property - legal description PARCEL 3*

I, Rodney Y. Shiflett, a Registered Professional Land Surveyor in the State of Alabama do hereby certify that this is a true and correct plat of my survey as shown hereon. That there are no visible encroachments of any kind upon the subject lot except as shown hereon, excluding utility service lines, wires or pipes that serve the subject lot only that are within dedicated easements or rights of way. That steel corners have been found or installed at all lot corners. I further certify that this survey and this plat meet the minimum technical standards for the practice of land surveying the the State of Alabama, the correct legal description being as follows:

BEGIN at the SE Corner of the SW 1/4 of the NW 1/4 of Section 36, Township 20 South, Range 2 West, Shelby County, Alabama, said point being the POINT OF BEGINNING; thence N86°48'50"W, a distance of 602.75' to a point lying on the Easterly R.O.W. line of Shelby County Highway #331 (Firetower Road), 60' R.O.W., said point also being the beginning of a non tangent curve to the left, having a radius of 506.20', a central angle of 17°07'47", and subtended by a chord which bears N03°54'20"E, and a chord distance of 150.78'; thence along the arc of said curve and said R.O.W. line, a distance of 151.34' to a point, said point being the beginning of a non tangent curve to the right, having a radius of 1,259.81', a central angle of 12°23'40", and subtended by a chord which bears N01°21'40"E, and a chord distance of 272.00'; thence along the arc of said curve and said R.O.W. line, a distance of 272.353 to a point, said point being the beginning of a non tangent curve to the left, having a radius of 977.40', a central angle of 12°34'14", and subtended by a chord which bears N00°13'27"E, and a chord distance of 214.01'; thence along the arc of said curve and said R.O.W. line, a distance of 214.44'; thence N07°39'33"W and along said R.O.W. line, a distance of 79.77' to a point, said point being the beginning of a non tangent curve to the left, having a radius of 1,328.26', a central angle of 13°46'05", and subtended by a chord which bears N14°31'32"W, and a chord distance of 318.41'; thence along the arc of said curve and said R.O.W. line, a distance of 319.18' to a point, said point being the beginning of a non tangent curve to the right, having a radius of 392.30', a central angle of 27°57'30", and subtended by a chord which bears N13°51'25"W, and a chord distance of 189.54'; thence along the arc of said curve and said R.O.W. line, a distance of 191.43'; thence N00°07'22"W and along said R.O.W. line, a distance of 148.23' to a point, said point being the beginning of a non tangent curve to the left, having a radius of 314.41', a central angle of 35°00'54", and subtended by a chord which bears N24°54'04"W, and a chord distance of 189.17'; thence along the arc of said curve and said R.O.W. line, a distance of 192.14' to a point, said point being the beginning of a non tangent curve to the right, having a radius of 286.19', a central angle of 24°34'36", and subtended by a chord which bears N24°07'15"W, and a chord distance of 121.82'; thence along the arc of said curve and said R.O.W. line, a distance of 122.76' to a point, said point being the beginning of a non tangent curve to the left, having a radius of 668.85', a central angle of 16°09'34", and subtended by a chord which bears N25°24'04"W, and a chord distance of 188.01'; thence along the arc of said curve and said R.O.W. line, a distance of 188.64'; thence S89°39'06"E and leaving said R.O.W. line, a distance of 824.97'; thence S03°17'23"E, a distance of 1,840.02' to the POINT OF BEGINNING.

Said Parcel containing 26.02 acres, more or less.

ALSO AND INCLUDING an Ingress/Egress, Utility and Drainage Easement, having 25,694± square feet and being more particularly described as follows:

Commence at the NE Corner of the NW 1/4 of the NW 1/4 of Section 36, Township 20 South, Range 2 West, Shelby County, Alabama; thence S00°51'29"E, a distance of 1041.83' to the POINT OF BEGINNING OF SAID EASEMENT; thence S03°17'23"E, a distance of 50.00'; thence N89°39'06"W, a distance of 50.00'; thence N48°05'24"W, a distance of 30.00'; thence N89°39'07"W, a distance of 616.55'; thence S35°19'41"W, a distance of 123.62' to a point lying on the Easterly R.O.W. line of Shelby County Highway #331 (Firetower Road), 60' R.O.W., said point also being the beginning of a non tangent curve to the left, having a radius of 668.85', a central angle of 03°02'35", and subtended by a chord which bears N22°17'59"W, and a chord distance of 35.52'; thence along the arc of said curve and said R.O.W. line, a distance of 35.52'; thence N35°19'41"E and leaving said R.O.W. line, a distance of 120.22'; thence S89°39'06"E, a distance of 701.45' to the POINT OF BEGINNING OF SAID EASEMENT

According to my updated survey of July 10, 2012

*Rodney Y. Shiflett*  
Rodney Y. Shiflett Al. Reg. #21784

20120807000288920 5/6 \$27.50  
Shelby Cnty Judge of Probate, AL  
08/07/2012 09:54:50 AM FILED/CERT



LEGAL DESCRIPTION OF ESMT

Exhibit "A"

ALSO AND INCLUDING an Ingress/Egress, Utility and Drainage Easement, having 25,694± square feet and being more particularly described as follows:

Commence at the NE Corner of the NW 1/4 of the NW 1/4 of Section 36, Township 20 South, Range 2 West, Shelby County, Alabama; thence S00°51'29"E, a distance of 1041.83' to the POINT OF BEGINNING OF SAID EASEMENT; thence S03°17'23"E, a distance of 50.00'; thence N89°39'06"W, a distance of 50.00'; thence N48°05'24"W, a distance of 30.00'; thence N89°39'07"W, a distance of 616.55'; thence S35°19'41"W, a distance of 123.62' to a point lying on the Easterly R.O.W. line of Shelby County Highway #331 (Firetower Road), 60' R.O.W., said point also being the beginning of a non tangent curve to the left, having a radius of 668.85, a central angle of 03°02'35", and subtended by a chord which bears N22°17'59"W, and a chord distance of 35.52'; thence along the arc of said curve and said R.O.W. line, a distance of 35.52'; thence N35°19'41"E and leaving said R.O.W. line, a distance of 120.22'; thence S89°39'06"E, a distance of 701.45' to the POINT OF BEGINNING OF SAID EASEMENT



20120807000288920 6/6 \$27.50  
Shelby Cnty Judge of Probate, AL  
08/07/2012 09:54:50 AM FILED/CERT

7/23/2012