


This Instrument Prepared By:
Clayton T. Sweeney, Attorney at Law
2700 Highway 280 East, Suite 160
Birmingham, AL 35223


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Shelby Cnty Judge of Probate, AL
06/20/2016 08:11:21 AM FILED/CERT

EASEMENT

STATE OF ALABAMA }
COUNTY OF SHELBY }

KNOW ALL MEN BY THESE PRESENTS,

500.00

That for and in consideration of Ten Dollars and other good and valuable consideration to the undersigned Grantor, in hand paid by the Grantee herein, the receipt of which is hereby acknowledged, **HIGHPOINTE INVESTMENTS, LLC, an Alabama limited liability company**, (hereinafter referred to as Grantor), does grant, bargain, sell and convey unto **NEWCASTLE DEVELOPMENT, LLC, an Alabama limited liability company**, its successors and assigns (hereinafter referred to as Grantee), a non-exclusive easement for ingress, egress, utilities and drainage to be used as an access road or right-of-way over the following described property strip of land, commonly referred to as an extension of "Eagle Point Parkway", to-wit:

A parcel of land situated in the SW 1/4 of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at a cross at the SW corner of the SE 1/4 of the SW 1/4 of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama; thence N 07°52'52" E a distance of 125.49 feet to a point; thence S 88°21'30" E a distance of 84.09 feet to a point on the westerly right-of-way of Eagle Point Drive said point also being on a non-tangent curve to the left having a central angle of 21°34'54" and a radius of 445.00 feet, said curve subtended by a chord bearing S 06°47'50" E and a chord distance of 166.63 feet; thence along the arc of said curve and along said right-of-way a distance of 167.62 feet to a point; thence S 17°35'17" E a distance of 254.22 feet to the POINT OF BEGINNING, said point also being a point of curve to the right having a central angle of 107°04'26" and a radius of 25.00 feet, said curve subtended by a chord bearing S 35°56'56" W and a chord distance of 40.21 feet; thence along the arc of said curve and leaving said right-of-way a distance of 46.72 feet; thence S 89°29'09" W a distance of 39.53 feet to a point of curve to the left having a central angle of 42°02'10" and a radius of 180.00 feet, said curve subtended by a chord bearing S 68°28'04" W and a chord distance of 129.12 feet; thence along the arc of said curve a distance of 132.06 feet to a point; thence S 47°26'59" W a distance of 243.93 feet to a point; thence S 47°26'59" W a distance of 99.78 feet to a point; thence S 45°37'43" W a distance of 82.15 feet to a point on a curve to the right having a central angle of 12°12'06" and a radius of 270.00 feet, said curve subtended by a chord bearing S 42°16'18" E and a chord distance of 57.39 feet; thence along the arc of said curve a distance of 57.50 feet to a point; thence N 47°26'59" E a distance of 426.09 feet to a point of curve to the right having a central angle of 42°02'10" and a radius of 120.00 feet; thence along the arc a distance of 88.04 feet; thence N 89°29'09" E a distance of 61.69 feet to a point; thence S 60°12'13" E a distance of 29.79 feet to a point on the westerly right-of-way of Eagle Point Drive said point also being on a non-tangent curve to the left having a central angle of 19°10'43" and a radius of 169.19 feet, said curve subtended by a chord bearing N 08°47'57" W and a chord distance of 56.37 feet; thence along the arc of said curve and along said right-of-way a distance of 56.63 feet to a point; thence N 17°35'17" W along said right-of-way a distance of 53.97 feet to the POINT OF BEGINNING. (Hereinafter referred to as the "Access Road")

CLAYTON T. SWEENEY, ATTORNEY AT LAW

1. Grantor, for itself, its successors and assigns, does hereby grant unto the Grantee, its successors and assigns the ingress, egress, utilities and drainage easement on, over, under and upon the Access Road, together with the right to construct, locate and maintain utilities in, to, upon and over the Access Road; said Access Road shall serve the property of the Grantee, its successors and assigns, said property being more particularly described on Exhibit "A" and commonly referred to as Parcel "B" in Griffin Park at Eagle Point and further shall serve Grantor's remaining property commonly referred to as Parcels "C" and "D" in Griffin Park at Eagle Point, which is more particularly described on Exhibit "B".
2. With regard to the Access Road known as an extension of Eagle Point Parkway, such Access Road shall be constructed by Grantor or its successors and assigns in accordance with the requirements of the Shelby County Planning Commission for a roadway to be dedicated to the county for public maintenance. The entire costs associated with the construction of such Access Road shall be paid for by the fee owner of said Access Road, whether such owner of the fee title be the Grantor or a third party. Grantor, for itself and its successors and assigns, reserves the right to dedicate the Access Road to the public to be used as a public roadway at such time as the Grantor or its successors and assigns deems appropriate. The Grantor or its successors and assigns shall endeavor to complete the construction of said Access Road not later than one year from the date hereof. In the event that said Access Road is not dedicated to the public for maintenance, the Grantor, its successor and assigns shall grant, bargain, sell and convey the fee title to the Griffin Park at Eagle Point Residential Association, Inc. for the purposes of owning and maintaining said Access Road.
3. In the event that the either the Grantors or its successors or assigns have failed to complete the Access Road within one year from the date hereof, the Grantee, its successors and assigns may at its option, construct or complete construction of said Access Road and place a lien on the property of Grantor or its successors and assigns (specifically, Parcels "C" and "D") which shall be served by said Access Road. The Grantee, its successors and assigns shall not share in the maintenance of the Access Road or right of way located in, upon or over said easement. Grantor reserves for itself, its successors and assigns, the same rights herein conveyed to the Grantee, its successors and assigns.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns, forever.



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IN WITNESS WHEREOF, the Grantor, through its duly authorized officer, has hereunto set its hand and seal, this 15th day of June, 2016.

HIGHPOINTE INVESTMENTS, LLC
an Alabama limited liability company

By: [Signature]
Connor Farmer
Its: Member

Witness

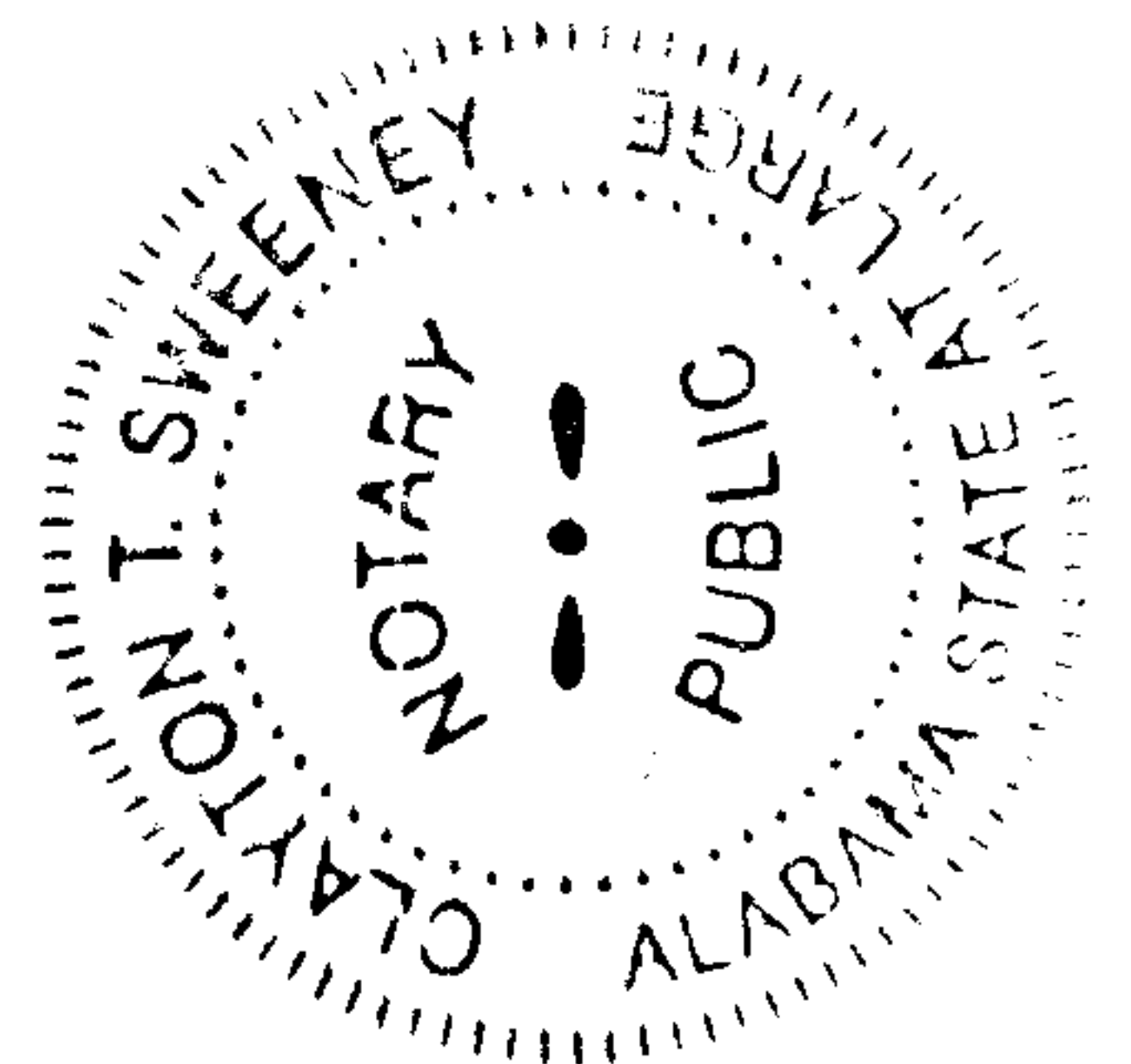
STATE OF ALABAMA }
COUNTY OF SHELBY }

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Connor Farmer whose name as Member of HIGHPOINTE INVESTMENTS, LLC, an Alabama limited liability company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance, he, as such Member, with full authority, executed the same voluntarily for and as the act of said limited liability company.

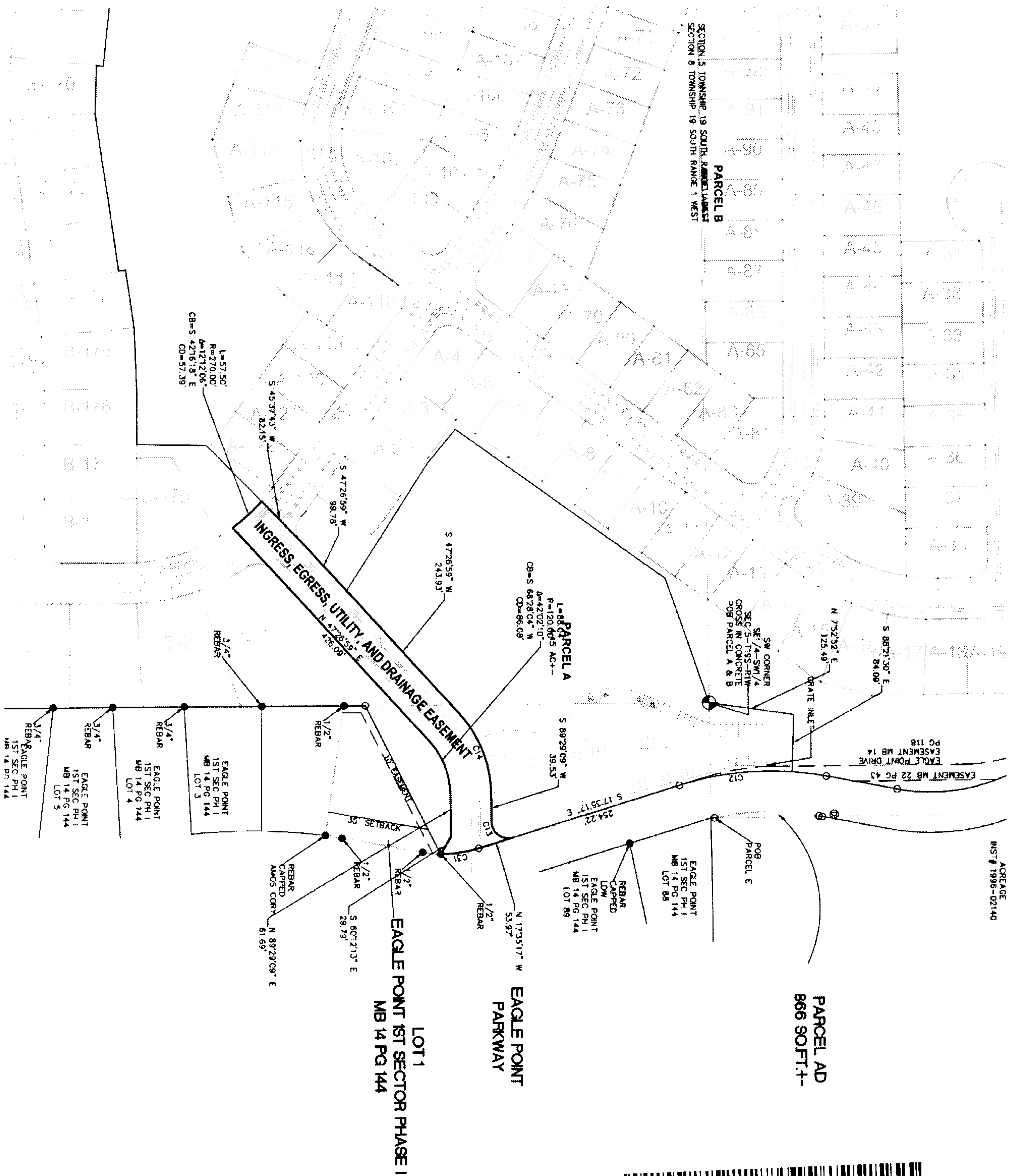
Given under my hand and official seal this 15th day of June, 2016.

[Signature]
Notary Public

My Commission Expires: 6-2-2019



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Curve #	Length	Radius	Delta	Chord Data	
				Chord	Dist
C1	148.28'	330.00'	25°55'09"	N 35°22'00"	
C2	18.51'	25.00'	42°24'48"	N 24°30'00"	
C3	88.77'	155.00'	33°11'06"	N 62°18'00"	
C4	23.56'	25.00'	53°59'45"	S 69°34'15"	
C5	9.42'	215.00'	2°30'41"	S 43°49'31"	
C6	163.29'	330.00'	28°21'04"	N 75°54'11"	
C7	261.03'	455.90'	35°05'18"	S 71°22'35"	
C8	154.39'	385.00'	22°58'34"	S 05°57'59"	
C9	50.70'	445.00'	6°31'41"	N 71°52'28"	
C10	478.79'	270.00'	101°36'07"	N 42°16'44"	
C11	347.23'	398.90'	49°52'28"	S 63°58'55"	
C12	167.62'	445.00'	21°34'54"	S 64°57'50"	
C13	46.72'	25.00'	107°04'26"	S 35°56'54"	
C14	132.06'	180.00'	42°02'10"	S 68°28'00"	
C23	33.92'	280.00'	6°56'24"	N 18°20'31"	
C24	81.32'	270.00'	17°52'23"	N 13°13'21"	
C25	4.07'	330.00'	0°42'26"	S 14°9'20"	
C26	81.32'	270.00'	17°52'23"	N 13°13'21"	
C29	4.07'	330.00'	0°42'26"	S 14°9'20"	
C31	56.63'	169.19'	19°10'43"	S 84°57'57"	

EXHIBIT "A"

PARCEL B in Griffin Park at Eagle Point

A parcel of land situated in Sections 5, 7, and 8, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

BEGIN at a cross at the SW corner of the SE 1/4 of the SW 1/4 of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama; thence N 07°52'52" E a distance of 125.49 feet to a point; thence S 88°21'30" E a distance of 84.09 feet to a point on the southwestern right-of-way of Eagle Point Drive, said point also being a point on a non-tangent curve to the right having a central angle of 06°31'41" and a radius of 445.00 feet, said curve subtended by a chord bearing N 07°15'28" E and a chord distance of 50.67 feet; thence along the arc of said curve and along said right-of-way a distance of 50.70 feet; thence N 10°31'18" E along said right-of-way a distance of 106.28 feet to a point of curve to the left having a central angle of 101°36'07" and a radius of 270.00 feet, said curve subtended by a chord bearing N 40°16'46" W and a chord distance of 418.48 feet; thence along the arc of said curve and along said right-of-way a distance of 478.79 feet to a point; thence S 88°55'11" W along said right-of-way a distance of 629.71 feet to a point of curve to the left having a central angle of 49°52'28" and a radius of 398.90 feet, said curve subtended by a chord bearing S 63°58'57" W and a chord distance of 336.37 feet; thence along the arc of said curve and along said right-of-way a distance of 347.23 feet to a point; thence S 39°02'42" W along said right-of-way a distance of 108.74 feet to a point; thence S 27°49'31" W and leaving said right-of-way a distance of 384.55 feet to a point; thence S 39°24'53" W along the eastern line of lot 30 of Eagle Point 12th Sector Phase I as recorded in Map Book 22 Page 433 in the office of the Judge of Probate in Shelby County, Alabama, a distance of 150.77 feet to a point; thence S 32°45'09" W along said lot 30 and lot A of Resurvey Lots 1 & 2 Eagle Point 12th Sector Phase I as recorded in Map Book 31 Page 133, a distance of 238.27 feet to a point; thence S 16°50'10" W along said Lot A and Lot 3 of Eagle Point 12th Sector Phase I, a distance of 179.02 feet to a point; thence S 71°52'25" E a distance of 369.43 feet to a point; thence S 56°32'34" E a distance of 48.01 feet to a point; thence S 27°08'36" W a distance of 199.74 feet to a point; thence S 62°51'24" E a distance of 149.87 feet to a point; thence S 83°30'52" E a distance of 66.10 feet to a point; thence S 84°18'19" E a distance of 160.00 feet to a point; thence S 05°41'41" W a distance of 10.00 feet to a point; thence S 88°21'22" E a distance of 71.74 feet to a point; thence N 81°41'33" E a distance of 237.25 feet to a point; thence N 08°18'27" W a distance of 10.00 feet to a point; thence N 81°41'33" E a distance of 85.90 feet to a point; thence N 87°38'26" E a distance of 88.81 feet to a point; thence N 90°00'00" E a distance of 82.07 feet to a point; thence N 00°55'30" E a distance of 101.92 feet to a point; thence N 45°37'43" E a distance of 197.86 feet to a point; thence N 47°26'59" E a distance of 99.78 feet to a point; thence N 57°38'23" W a distance of 221.37 feet to a point; thence N 50°42'32" W a distance of 65.82 feet to a point; thence N 35°41'34" E a distance of 377.45 feet to a point; thence N 70°35'14" E a distance of 193.87 feet to the POINT OF BEGINNING.




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EXHIBIT "B"

PARCEL C in Griffin Park at Eagle Point

A parcel of land situated in Sections 7, and 8, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

BEGIN at a 3" capped Pipe at the SW corner of the SE 1/4 of the NE 1/4 of the NE 1/4 of Section 7, Township 19 South, Range 1 West, Shelby County, Alabama; thence N 00°46'56" W along the west line of said 1/4-1/4-1/4 section a distance of 117.02 feet to a rebar capped JAR; thence N 27°49'27" E a distance of 779.73 feet to a point; thence N 16°50'10" E along the eastern line of Lot 2 of Eagle Point 12th Sector Phase I First Add as recorded in Map Book 26 Page 59 in the Office of the Judge of Probate in Shelby County, Alabama, a distance of 80.66 feet to a point; thence S 71°52'25" E a distance of 369.43 feet to a point; thence S 56°32'34" W a distance of 48.01 feet to a point; thence S 27°08'36" W a distance of 199.74 feet to a point; thence S 62°51'24" E a distance of 149.87 feet to a point; thence S 83°30'52" E a distance of 66.10 feet to a point; thence S 84°18'19" E a distance of 160.00 feet to a point; thence S 05°41'41" W a distance of 10.00 feet to a point; thence S 88°21'22" E a distance of 71.74 feet to a point; thence N 81°41'33" E a distance of 237.25 feet to a point; thence N 08°18'27" W a distance of 10.00 feet to a point; thence N 81°41'33" E a distance of 85.90 feet to a point; thence N 87°38'26" E a distance of 88.81 feet to a point; thence N 90°00'00" E a distance of 82.07 feet to a point; thence N 00°55'30" E a distance of 101.92 feet to a point; thence N 45°37'43" E a distance of 197.86 feet to a point; thence N 47°26'59" E a distance of 343.71 feet to a point of curve to the right having a central angle of 42°02'10" and a radius of 180.00 feet, said curve subtended by a chord bearing N 68°28'04" E and a chord distance of 129.12 feet; thence along the arc of said curve a distance of 132.06 feet to a point; thence N 89°29'09" E a distance of 39.53 feet to a point of curve to the left having a central angle of 107°04'26" and a radius of 25.00 feet, said curve subtended by a chord bearing N 35°56'56" E and a chord distance of 40.21 feet; thence along the arc of said curve a distance of 46.72 feet to a point on the wester right-of-way of Eagle Point Drive; thence S 17°35'17" E along said right-of-way a distance of 53.97 feet to a point non-tangent curve to the right having a central angle of 19°10'43" and a radius of 169.19 feet, said curve subtended by a chord bearing S 08°47'57" E and a chord distance of 56.37 feet; thence along the arc of said curve and along said right-of-way a distance of 56.63 feet to a 1/2" rebar at the NE corner of Lot 1 of Eagle Point 1st Sector Phase I as recorded in Map Book 14 Page 144; thence S 63°12'39" W leaving said right-of-way and along the northern line of Lot 1 a distance of 245.37 feet to the NW corner of Lot 1; thence S 00°08'50" E along the west line of Lots 1 through 3 a distance of 266.12 feet to a 3/4" rebar at the NW corner of Lot 4; thence S 00°21'20" E along the west line of Lots 4 through Lot 8 a distance of 467.63 feet to a point; thence N 90°00'00" E along a distance of 154.01 feet to a point; thence S 0°00'00" E a distance of 11.51 feet to a point; thence N 90°00'00" W a distance of 205.00 feet to a point; thence N 0°00'00" E a distance of 80.00 feet to a point; thence N 90°00'00" W a distance of 40.00 feet to a point; thence S 89°40'44" W a distance of 78.22 feet to a point; thence S 85°36'37" W a distance of 73.80 feet to a point; thence S 81°52'13" W a distance of 78.69 feet to a point; thence S 81°41'33" W a distance of 160.00 feet to a point; thence S 83°51'23" W a distance of 91.79 feet to a point; thence S 88°17'37" W along the south line of said 1/4-1/4 section a distance of 96.56 feet to a point; thence N 84°18'19" W a distance of 84.34 feet to a point; Thence S 5°41'41" W a distance of 135.00 feet to a point; thence S 84°18'19" E a distance of 29.28 feet to a point; thence S 5°41'41" W a distance of 390.00 feet to a point; thence N 84°18'19" W a distance of 12.15 feet to a point of curve to the right having a central angle of 4°41'39" and a radius of 330.00 feet, said curve subtended by a chord bearing N 81°57'29" W and a chord distance of 27.03 feet; thence along the arc of said curve a distance of 27.04 feet to a point; thence S 10°23'20" W a distance of 136.57 feet to a point; thence S 8°07'05" W a distance of 290.04 feet to a point; thence S 17°25'27" W a distance of 383.56 feet to a point; thence S 6°44'07" W a distance of 147.64 feet to a 3" capped pipe at the SE corner of the SE 1/4 of the NE 1/4 of Section 7, Township 19 South, Range 1 West; thence S 88°17'38" W along the south line of said 1/4-1/4 section a distance of 448.75 feet to a point; thence N 19°21'19" E leaving said 1/4-1/4 line a distance of 381.06 feet to a point; thence N 26°13'25" E a distance of 100.00 feet to a point; thence N 22°38'49" E a distance of 92.74 feet to a point; thence N 17°25'27" E a distance of 100.00 feet to a point; thence N 11°34'09" E a distance of 94.17 feet to a point; thence N 10°42'53" E a distance of 110.70 feet to a point; thence S 75°07'34" E a distance of 151.14 feet to a point of curve to the right having a central angle of 6°56'24" and a radius of


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280.00 feet, said curve subtended by a chord bearing N 18°20'38" E and a chord distance of 33.89 feet; thence along the arc of said curve a distance of 33.92 feet to a point; thence N 21°48'50" E a distance of 267.50 feet to a point of curve to the left having a central angle of 17°15'23" and a radius of 270.00 feet, said curve subtended by a chord bearing N 13°13'25" E and a chord distance of 81.01 feet; thence along the arc of said curve a distance of 81.32 feet to a point; thence N 84°18'19" W a distance of 95.00 feet to a point; thence N 85°21'14" W a distance of 99.54 feet to a point; thence N 65°39'54" W a distance of 109.96 feet to a point; thence N 62°51'24" W a distance of 179.31 feet to a point; thence S 7°42'45" E a distance of 373.34 feet to a point; thence S 87°49'27" W a distance of 137.18 feet to a point of curve to the left having a central angle of 0°42'26" and a radius of 330.00 feet, said curve subtended by a chord bearing S 1°49'20" E and a chord distance of 4.07 feet; thence along the arc of said curve a distance of 4.07 feet to a point; thence S 88°31'53" W a distance of 60.00 feet; thence S 88°31'53" W a distance of 134.19 feet to a point; thence N 7°42'45" W a distance of 406.61 feet to the north line of the NW 1/4 of the SE 1/4 of the NE 1/4 of Section 7, Township 19 South, Range 1 West; thence N 88°32'13" E a distance of 12.79 feet to the POINT OF BEGINNING. Said parcel of land contains 38.33 acres, more or less.

PARCEL D in Griffin Park at Eagle Point

A parcel of land situated in Sections 7, and 8, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

BEGIN at a 3" capped pipe at the SW corner of the SW 1/4 of the NW 1/4 of said Section 8, Township 19 South, Range 1 West, Shelby County, Alabama; thence N 89°50'15" E along the south line of said 1/4-1/4 section a distance of 861.57 feet to a point; thence N 23°18'25" E leaving said 1/4-1/4 line a distance of 611.07 feet to a point; thence N 1°34'23" E a distance of 149.11 feet to a point; thence S 88°25'37" E a distance of 87.07 feet to a point on a curve to the right having a central angle of 88°06'49" and a radius of 55.00 feet, said curve subtended by a chord bearing N 45°37'48" E and a chord distance of 76.49 feet; thence along the arc of said curve a distance of 84.58 feet to the SW corner of Lot 15A of Resurvey Lots 12; thence N 00°37'55" W along the west line of Lot 15A a distance of 158.75 feet to a point; thence N 52°05'39" E along the western line of Lot 15A and 12A a distance of 93.06 feet to a 3/4" rebar at the SW corner of Lot 11 Eagle Point 1st Sector Phase I as recorded in Map Book 14 Page 144 in the Office of the Judge of Probate in Shelby County, Alabama; thence N 0°18'46" W along the west line of Lots 11 through 9 a distance of 326.34 feet to a 3/4" rebar at the SW corner of Lot 8; thence N 0°21'20" W along the west line of Lot 8 a distance of 118.74 feet to a point; thence N 90°00'00" E along a distance of 154.01 feet to a point; thence S 0°00'00" E a distance of 11.51 feet to a point; thence N 90°00'00" W a distance of 205.00 feet to a point; thence N 0°00'00" E a distance of 80.00 feet to a point; thence N 90°00'00" W a distance of 40.00 feet to a point; thence S 89°40'44" W a distance of 78.22 feet to a point; thence S 85°36'37" W a distance of 73.80 feet to a point; thence S 81°52'13" W a distance of 78.69 feet to a point; thence S 81°41'33" W a distance of 160.00 feet to a point; thence S 83°51'23" W a distance of 91.79 feet to a point; thence S 88°17'37" W along the south line of said 1/4-1/4 section a distance of 96.56 feet to a point; thence N 84°18'19" W a distance of 84.34 feet to a point; Thence S 5°41'41" W a distance of 135.00 feet to a point; thence S 84°18'19" E a distance of 29.28 feet to a point; thence S 5°41'41" W a distance of 390.00 feet to a point; thence N 84°18'19" W a distance of 12.15 feet to a point of curve to the right having a central angle of 4°41'39" and a radius of 330.00 feet, said curve subtended by a chord bearing N 81°57'29" W and a chord distance of 27.03 feet; thence along the arc of said curve a distance of 27.04 feet to a point; thence S 10°23'20" W a distance of 136.57 feet to a point; thence S 8°07'05" W a distance of 290.04 feet to a point; thence S 17°25'27" W a distance of 383.56 feet to a point; thence S 6°44'07" W a distance of 147.64 feet to the POINT OF BEGINNING. Said parcel of land contains 33.12 acres, more or less.

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