

STATE OF ALABAMA)
 ;
SHELBY COUNTY)

This instrument prepared by:
Frank C. Galloway III
Galloway, Scott, Moss & Hancock, LLC
2200 Woodcrest Place, Suite 310
Birmingham, AL 35209

LIMITED WAIVER OF OPTION RIGHTS


COMES NOW the undersigned Ollie W. McClung, Jr., as the successor-in-interest to the option rights of Ollie W. McClung and Ora McClung, his parents and two of the signatories to the Warranty Deeds dated (i) April 13, 1977 and recorded June 10, 1977 in the Office of the Judge of Probate of Shelby County, Alabama (the “Probate Office”) as Instrument #19770610000057100 (the “1977 Deed 1”); (ii) April 13, 1977 and recorded June 10, 1977 in the Probate Office as Instrument #19770610000057200 (the “1977 Deed 2”); and (iii) May 13, 1977 and recorded on June 10, 1977 in the Probate Office as Instrument #19770610000057000 (the “1977 Deed 3”); and hereby confirms that the option rights arising under the aforesaid three deeds and prior deeds¹ are valid and enforceable.

Additionally, Ollie W. McClung, Jr. hereby confirms that he has been given appropriate opportunity and notice to exercise such option rights as per Robert R. Pless’ proposed purchase from Ellen Rebecca B. Hickel and Ellen Rachael Stuart Hayes of (1) approximately 2.2 acres of land subject to the options in the Option Deeds, which land is identified as Parcel # 04-5-16-0-000-003.000 and more particularly described as “Parcel I” on the attached Exhibit A, and (2) an undivided one-third (1/3) interest in the acreage having Parcel #s 04-5-16-0-000-002.000, 04-5-

¹ See the options contained in the instruments recorded in the Probate Office at Book 219 page 4; Book 219, page 6; and Book 225, page 41. These three deeds and the 1977 Deed 1, the 1977 Deed 2 and the 1977 Deed 3 are collectively referred to herein as the “Option Deeds”.

15-0-001-008.000, and 04-5-15-0-001-004.000 and which acreage is more particularly described as Parcel II and Parcel III on the attached Exhibit A, for \$425,000.00. After considering such option, Ollie W. McClung, Jr. hereby knowingly waives such option as per the aforesaid real estate sales contract; however, in doing so Ollie W. McClung, Jr. in no way waives or modifies the ongoing existence and terms of the aforesaid option agreement in the Option Deeds, as such rights shall continue to encumber the lands referenced therein.

Done this 7th day of July, 2017.


Ollie W. McClung, Jr.

STATE OF ALABAMA)
:
JEFFERSON COUNTY)

I, the undersigned notary for said County and in said State, hereby certify that Ollie W. McClung, Jr., whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my official hand and seal this the 7 day of July, 2017.


Notary Public
My Commission Expires:

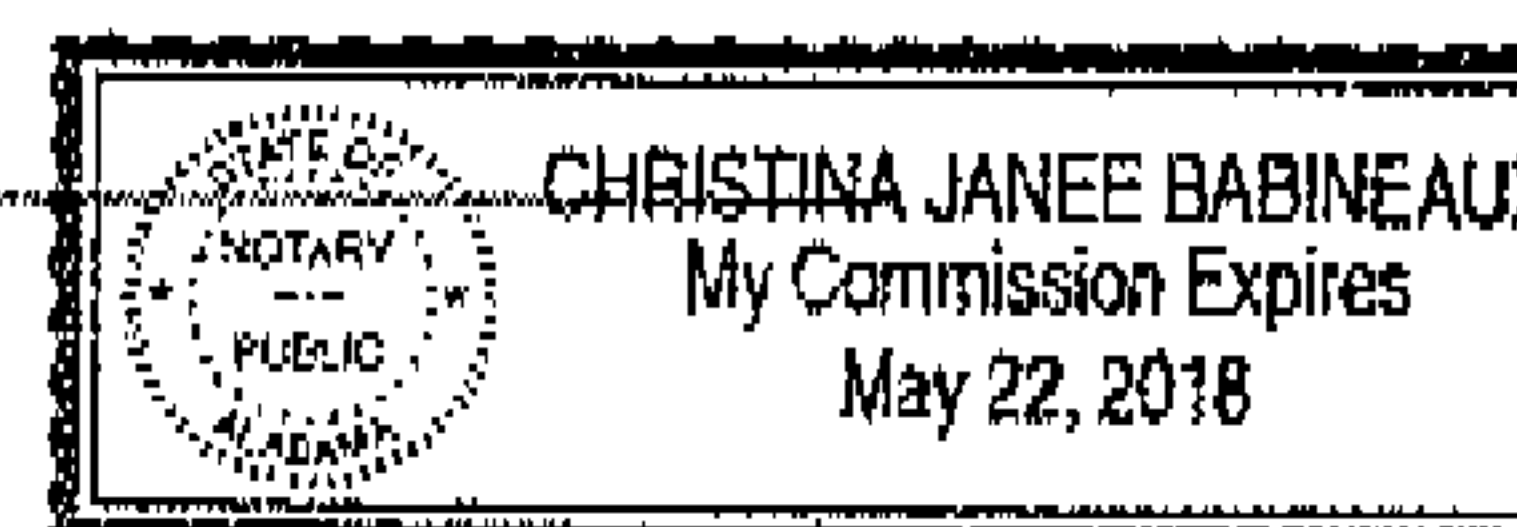


EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL I:

Begin at the Southeast corner of the NE 1/4 of the NE 1/4 of Section 16, Township 18 South, Range 1 East; thence in a northerly direction along the East line of said 1/4-1/4 section 59.71 feet; thence 87 degrees 14 minutes 45 seconds to the left in a westerly direction and parallel with the South line of said 1/4-1/4 section 300.00 feet; thence 92 degrees 45 minutes 15 seconds to the left and parallel with the East line of said 1/4-1/4 section 59.71 feet to the South line of said 1/4-1/4; thence continue along the last described course in a southerly direction into the SE 1/4 of the NE 1/4 of said Section 16, Township 18 South, Range 1 East 140.0 feet; thence 26 degrees 48 minutes 34 seconds to the left in a southeasterly direction 155.0 feet; thence 60 degrees 26 minutes 11 seconds to the left in an easterly direction 230.0 feet to the East line of said SE 1/4 of the NE 1/4; thence 92 degrees 45 minutes 15 seconds to the left in a northerly direction along the East line of said SE 1/4 of the NE 1/4 275.0 feet to the Point of Beginning. Situated in Shelby County, Alabama.

PARCEL II:

Commence at the Northeast corner of the Northeast Quarter of the Northeast Quarter of Section 16, Township 18 South, Range 1 East; thence in a southerly direction along the East line of said quarter-quarter 660.38 feet to the Point of Beginning; thence 92 degrees 45 minutes 7-1/2 seconds to the right and in a westerly direction 1321.98 feet, more or less to the West line of said quarter-quarter; thence continue along the last described course 200.0 feet to a point, said point being situated in the Northwest quarter of the Northeast quarter of Section 16, Township 18 South, Range 1 East; thence 92 degrees 44 minutes 37-1/2 seconds to the left in a southerly direction and parallel with the East line of said Northwest quarter of the Northeast quarter 1331.4 feet to a point, said point being situated in the Southwest quarter of the Northeast quarter of Section 16, Township 18 South, Range 1 East; thence 87 degrees 15 minutes 15 seconds to the left in an easterly direction 200.0 feet to a point on the West line of said Southeast quarter of the Northeast quarter of Section 16, Township 18 South, Range 1 East; thence 87 degrees 18 minutes 15 seconds to the right in a southerly direction along the West line of said Southeast quarter of the Northeast quarter 649.21 feet, more or less to the Southwest corner of said Southeast quarter of the Northeast quarter; thence 87 degrees 15 minutes to the left in an easterly direction along the South line of said Southeast quarter of the Northeast quarter 1321.98 feet, more or less, to the Southeast corner of said Southeast quarter of the Northeast quarter; thence 1 degree 12 minutes 05 seconds to the left in an easterly direction along the South line of the Southwest quarter of the Northwest quarter of Section 15, Township 18 South, Range 1 East, 1328.18 feet to the Southeast corner of said Southwest quarter of the Northwest quarter; thence 91 degrees 14 minutes 25 seconds to the left in a northerly direction along the East line of said Southwest quarter of the Northwest quarter 1318.85 feet to the Northeast corner of said Southwest quarter of the Northwest quarter; thence 91 degrees 19 minutes to the right in an easterly direction along the South line of the Northeast quarter of the Northwest quarter of Section 15, Township 18 South, Range 1 East 200.0 feet; thence 91 degrees 19 minutes to the left in a northerly direction and parallel with the West line of said Northeast quarter of the Northwest quarter 659.30 feet; thence 88 degrees 38 minutes 43 seconds to the left in a westerly direction 200.0 feet to a point on the West line of said Northeast quarter of the a northwest quarter; thence continue along last described course 1339.76 feet to the POINT OF BEGINNING.

EXCEPT from this deed the following described property: Commence at the Northwest corner of the Southeast 1/4 of the Northeast 1/4 of Section 16, Township 18 South, Range 1 East; thence in an easterly direction along the North line of said quarter quarter section 156.27 feet; thence 87 degrees 15 minutes 15 seconds to the right in a southerly direction and parallel with the West line of said quarter quarter section 235.0 feet to the point of beginning; thence continue along the last described course 305.0 feet; thence 87 degrees 15 minutes 15 seconds to the left in an easterly direction and parallel to the North line of said quarter quarter section a distance of 330.0 feet; thence 92 degrees 44 minutes 45 seconds to the left in a northerly direction and parallel to the West line of said quarter-quarter 275.0 feet; thence 82 degrees 05 minutes 15 seconds to the left 332.8 feet to the Point of Beginning.

ALSO EXCEPT from this deed the following described property: Begin at the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 18 South, Range 1 East; thence in a northerly direction along the East line of said quarter quarter section 59.71 feet; thence 87 degrees 14 minutes 45 seconds to the left in a westerly direction and parallel with the South line of said quarter quarter section 300.0 feet; thence 92 degrees 45 minutes 15 seconds to the left and parallel with the East line of said quarter quarter section 59.71 feet to the South line of said quarter quarter; thence continue along the last described course in a southerly direction into the Southeast 1/4 of the Northeast 1/4 of said Section 16, Township 18 South, Range 1 East 140.0 feet; thence 26 degrees 48 minutes 34 seconds to the left in a southeasterly direction 155.0 feet; thence 60 degrees 26 minutes 11 seconds to the left in an easterly direction 230.0 feet to the East line of said Southeast 1/4 of the Northeast 1/4; thence 92 degrees 45 minutes 15 seconds to the left in a northerly direction along the East line of said Southeast 1/4 of the Northeast 1/4 275.0 feet to the Point of Beginning.

ALSO EXCEPT from this deed the following described property: Commence at the Northeast corner of the Northwest one-quarter of the Northwest one-quarter of Section 15, Township 18 South, Range 1 East; run thence in a southerly direction along the East line of said quarter quarter section for a distance of 990.49 feet to a point in the centerline of an existing road; thence turn an angle to the right of 64 degrees 41 minutes 30 seconds and run along the centerline of said existing road for a distance of 255.13 feet; thence turn an angle to the right of 26 degrees 15 minutes and run in a westerly direction along the centerline of said existing road for a distance of 232.47 feet; thence turn an angle to the left of 28 degrees 26 minutes and run in a southwesterly direction along the centerline of said existing road for a distance of 119.79 feet; thence turn an angle to the left of 30 degrees 26 minutes and run in a southwesterly direction along the centerline of an existing road for a distance of 226.75 feet; thence turn an angle to the left of 8 degrees 00 minutes and run in a southwesterly direction along the centerline of an existing road for a distance of 128.29 feet; thence turn an angle to the right of 62 degrees 20 minutes and run in a southwesterly direction for a distance of 119.71 feet to the point of beginning; from the point of beginning thus obtained; thence turn an angle to the right of 180 degrees 00 minutes and run in a northeasterly direction for a distance of 87.13 feet; thence turn an angle to the left of 62 degrees 20 minutes and run

in a northeasterly direction for a distance of 140.18 feet; thence turn an angle to the right of 8 degrees 00 minutes and run in a northeasterly direction for a distance of 178.47 feet; thence turn an angle to the left of 130 degrees 48 minutes and run in a southwesterly direction for a distance of 57.11 feet; thence turn an angle to the left of 2 degrees 20 minutes and run in a southwesterly direction for a distance of 178.00 feet; thence turn an angle to the right of 5 degrees 44 minutes and run in a southwesterly direction for a distance of 52.06 feet; thence turn an angle to the left of 41 degrees 49 minutes 30 seconds and run in a southwesterly direction for a distance of 52.75 feet to a point on the edge of a lake; thence run in a southeasterly, southerly, southwesterly, southeasterly and southwesterly direction along the edge of said waterline of said lake to the point of beginning.

PARCEL III:

The North one-half of Southeast quarter of Northwest quarter of Section 15, Township 18 South, Range 1 East, minerals and mining rights excepted.

ALSO, the Northeast quarter of Northwest quarter of Section 15, Township 18 South, Range 1 East, minerals and mining rights excepted, less and except the following described parcel: Begin at the Southwest corner of the Northeast quarter of the Northwest quarter of Section 15, Township 18 South, Range 1 East; thence in a northerly direction along the westerly line of said Northeast quarter of Northwest quarter 659.43 feet; thence 51 degrees 21 minutes 17 seconds right and in an easterly direction 200.0 feet; thence 88 degrees 38 minutes 43 seconds right and in a southerly direction 859.30 feet to the South line of said Northeast quarter of Northwest quarter; thence 91 degrees 19 minutes right in a westerly direction along the South line of said Northeast quarter of Northwest quarter 200.0 feet to the point of beginning.

All situated in Shelby County, Alabama.



Filed and Recorded
 Official Public Records
 Judge James W. Fuhrmeister, Probate Judge,
 County Clerk
 Shelby County, AL
 07/14/2017 04:01:17 PM
 \$24.00 CHERRY
 20170714000252940