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BARTOW COUNTY

Notes to Clerk of Superior Court:

1. When recorded, please return this document to: **Danny G. Schulman**
Cutler & Schulman, P.C., Attorneys at Law, 1600 South Cobb Drive, Suite 100, Marietta, Georgia 30060 (770) 429-9242

File # 080308-2

STATE OF GEORGIA
COUNTY OF COBB

**DECLARATION OF NON-EXCLUSIVE JOINT AND
RECIPROCAL EASEMENT AGREEMENT**

THIS DECLARATION OF EASEMENT made this date: July 24, 2008, by ALL AMERICAN STORAGE SYSTEMS V, LLC, ("ALL AMERICAN"), of the State of Georgia and County of Pickens, and RED CLAY PARTNERS, LLC, ("RED CLAY"), of the State of Georgia and County of Pickens.

WHEREAS, All American, is the owner of that property lying and being in Land Lots 18 & 55 of the 4th District, 3rd Section, Bartow County, Georgia, (which is labeled as Tract "C" on the attached plat), and Red Clay is the owner of adjoining properties lying and being in Land Lots 18, 19, 54 & 55 of the 4th District, 3rd Section, Bartow County, Georgia, (which is labeled as Tract "A", Tract "B" and Proposed Public Road 60' R/W on the attached plat), which properties are located off the northeasterly right of way of U. S. Highway 41 Joe Frank Harris Parkway, and Clubview Drive, and which are shown on the attached Plat for Red Clay Partners by Southland Engineering, Kevin N. Cooney, Georgia Registered Land Surveyor No. 2980, dated March 15, 2008; and

WHEREAS, it is the intention and desire of All American and Red Clay to make, declare and establish the below-described easement for the benefit of each and every owner and/or authorized user of any portion of such property, their respective heirs, successors and assigns; and

WHEREAS, it is the intention and desire of All American & Red Clay to make, declare and establish the boundaries of each of their respective properties as shown on the attached plat, and to establish the boundaries of such Easement area which shall serve each of the respective properties and shall be deemed to be an appurtenance thereto.

Declaration of Easement Page No. 1

NOW, THEREFORE, All American & Red Clay declare as follows:

1) All American & Red Clay do hereby declare a perpetual, non-exclusive easement and 60 foot right-of-way over, under and through that portion of the All American property, all as is shown and labeled as "Proposed Public Roadway 60' R/W" and which is more particularly described on Exhibit "A", attached hereto and incorporated herein by reference.

2) The easement declared and created by this instrument is for the purpose of ingress and egress to property owned All American and Red Clay and which may, at a future date, be conveyed to a subsequent owner, together with the right to go upon said easement area to grade, gravel, construct, re-construct and pave a roadway thereon, to inspect, maintain and repair the same, to place and maintain utility service over or under said easement area to serve the properties of the respective parties all as may from time to time be necessary and whenever said Parties may see fit, with all rights, members and appurtenances to said easement and right-of-way in any wise appertaining to or thereunto belonging.

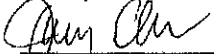
3) The easement conveyed shall be non-exclusive, and does not restrict the right of said parties to convey another easement over said easement area described above to others, however this easement shall be perpetual and shall be deemed to run with the land.

4) Each of the parties will share in the costs for the creation and construction of the said Easement, and both parties shall share in the costs of future maintenance and upkeep of the Easement.

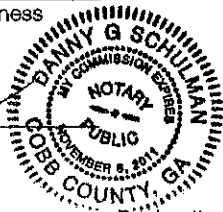
5) This Agreement may be executed in duplicate original counterparts, and each such counterpart shall be deemed as an original for recordation and all other purposes.

IN WITNESS WHEREOF, All American & Red Clay have hereto set their hands and affixed their seals, the day and year above written.


Signed, sealed and delivered
in the presence of:


Unofficial Witness


Notary Public

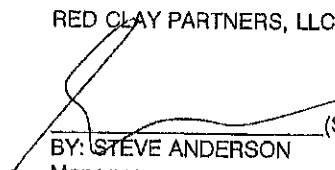



ALL AMERICAN STORAGE
SYSTEMS V, LLC

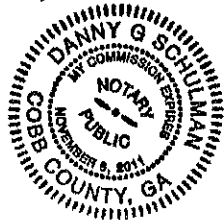

_____(Seal)
BY: STEVE ANDERSON
Manager

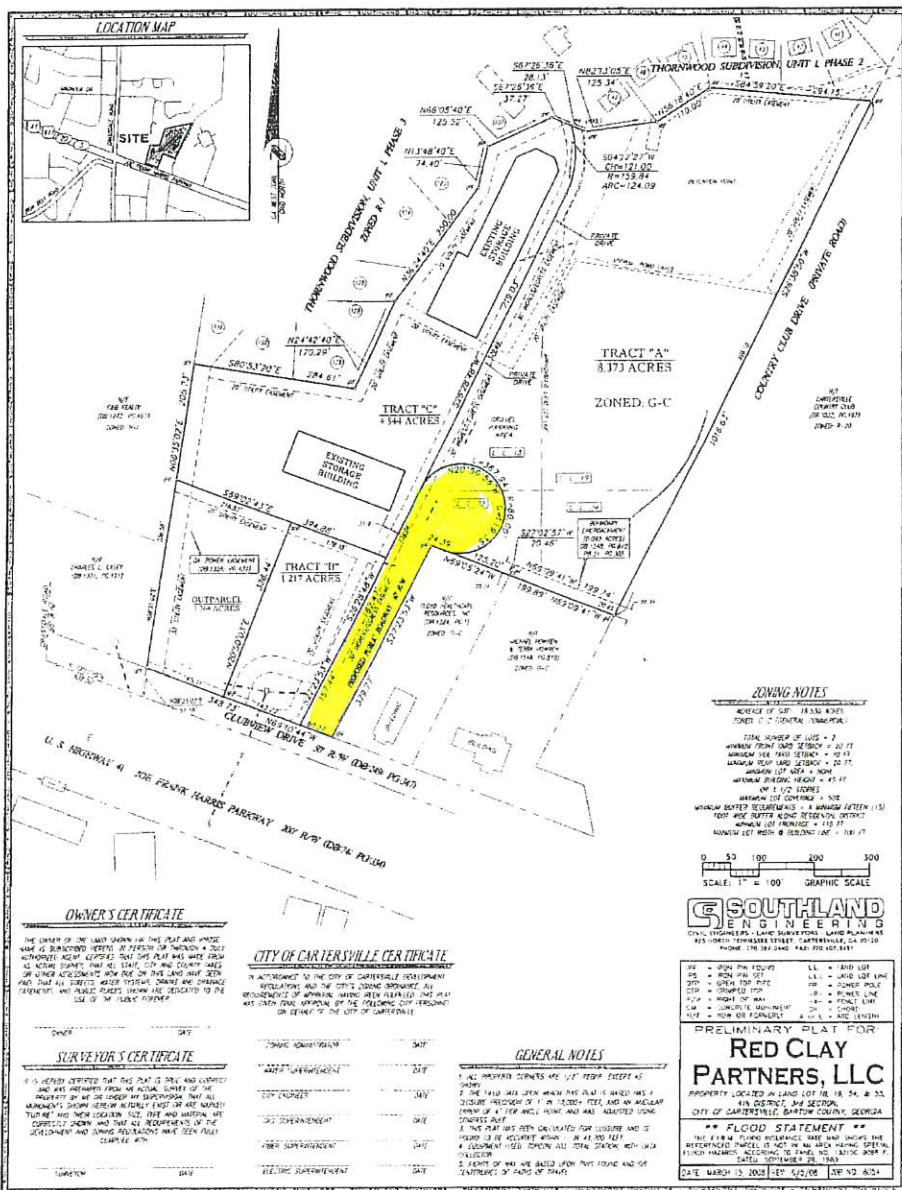
RED CLAY PARTNERS, LLC


Unofficial Witness


BY: STEVE ANDERSON (Seal)
Manager


Notary Public





OWNER'S CERTIFICATE

I, the owner of the land shown on this plat and whose name is designated hereto as person or persons a duly authorized local official certify that this plat was made from all accurate surveys, plans, maps and other reliable data and that all interests, claims and demands have been satisfied and that the title to the land shown hereon is clear and free of all encumbrances.

DATE: _____

OWNER: _____

SURVEYOR'S CERTIFICATE

I, a duly licensed professional surveyor, certify that this plat is true and correct and was prepared from the actual survey of the property on which this plat is based and that all measurements shown hereon were made from true and correct surveys and that the plat is a true and correct representation of the actual conditions on the ground as shown by the survey and that all requirements of the subdivision map and zoning regulations have been fully complied with.

DATE: _____

SURVEYOR: _____

CITY OF CARTERSVILLE CERTIFICATE

IN ATTENDANCE TO THE CITY OF CARTERSVILLE DEVELOPMENT REGULATIONS AND THE CITY'S ZONING ORDINANCE, THE REQUIREMENTS OF APPLICABLE HAVING BEEN REVIEWED, THE CITY HAS GIVEN FINAL APPROVAL OF THIS PRELIMINARY PLAT ON BEHALF OF THE CITY OF CARTERSVILLE.

DATE: _____

CITY ENGINEER: _____

GENERAL NOTES

1. ALL DIMENSIONS GIVEN ARE IN FEET, EXCEPT AS NOTED.
2. THE PLAT SHALL BE VALID WHEN THE LAND HAS BEEN SUBJECT TO RECORDATION OF A DEED, RECORDATION OF A FLOOD HAZARD ZONE AND AN ANGLE OF PLAT HAS BEEN MADE AND HAS BEEN FILED FOR RECORDATION.
3. THIS PLAT HAS BEEN CALCULATED FOR SURFACE AND IS BEING FILED AS SUCH. THE PLAT IS NOT TO BE USED FOR CONVEYANCE OR AS EVIDENCE OF TITLE UNLESS THE SURFACE AND SUBSURFACE ARE IDENTICAL. THE PLAT IS NOT TO BE USED FOR CONVEYANCE OR AS EVIDENCE OF TITLE UNLESS THE SURFACE AND SUBSURFACE ARE IDENTICAL.
4. THE PLAT IS NOT TO BE USED FOR CONVEYANCE OR AS EVIDENCE OF TITLE UNLESS THE SURFACE AND SUBSURFACE ARE IDENTICAL.

ZONING NOTES

PURPOSE OF USE: RESIDENTIAL

MINIMUM LOT WIDTH: 100 FT.

MINIMUM LOT AREA: 10,000 SQ. FT.

MINIMUM FRONT SETBACK: 25 FT.

MINIMUM SIDE AND REAR SETBACK: 25 FT.

MINIMUM LOT AREA: 10,000 SQ. FT.

MINIMUM FRONT SETBACK: 25 FT.

MINIMUM SIDE AND REAR SETBACK: 25 FT.

SOUTHLAND ENGINEERS

CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS

105 NORTH THOMAS STREET, CARTERSVILLE, GA 30130

PHONE: 770.382.5345 FAX: 770.382.1837

PRELIMINARY PLAT FOR RED CLAY PARTNERS, LLC

PROPERTY LOCATED IN LAND LOT 108, 118, 124, & 23, 4TH DISTRICT, 1ST SECTION, CITY OF CARTERSVILLE, BARTOW COUNTY, GEORGIA.

FLOOD STATEMENT

THE PLAT IS NOT TO BE USED FOR CONVEYANCE OR AS EVIDENCE OF TITLE UNLESS THE SURFACE AND SUBSURFACE ARE IDENTICAL. THE PLAT IS NOT TO BE USED FOR CONVEYANCE OR AS EVIDENCE OF TITLE UNLESS THE SURFACE AND SUBSURFACE ARE IDENTICAL.

DATE: MARCH 13, 2008 TIME: 10:25 AM SITE NO. 0024

EXHIBIT "A"
LEGAL DESCRIPTION

EASEMENT AREA PARCEL

All that tract or parcel of land lying and being in Land Lots 54 & 55, of the 4th District, 3rd Section, City of Cartersville, Bartow County, Georgia and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at intersection of the northerly right of way of U.S. Highway 41 (200 foot right of way) and the easterly right of way of Grassdale Road (80 foot right of way); run thence South 69 degrees 11 minutes 10 seconds East a distance of 632.20 feet to a point on the north right of way of U.S. Highway 41; thence North 08 degrees 35 minutes 02 seconds East a distance of 51.16 feet to an iron pin on the North side of Clubview Drive (50 foot easement); run thence South 69 degrees 10 minutes 44 seconds East 288.33 feet to a point located on the north right of way of Clubview Drive and the TRUE POINT OF BEGINNING. From the TRUE POINT OF BEGINNING as thus established, thence North 27 degrees 23 minutes 53 seconds East a distance of 167.44 feet to a point; thence North 26 degrees 28 minutes 48 seconds East a distance of 162.47 feet to a point; thence North 26 degrees 28 minutes 48 seconds East a distance of 139.04 feet to a point; run thence northeasterly, easterly, southeasterly, southerly, southwesterly and westerly along the arc of a curve having a radius of 80.00 feet and an arc distance of 367.94 feet, said arc being subtended by a chord bearing South 20 degrees 50 minutes 56 seconds East a chord distance of 119.35 feet to a point; run thence North 69 degrees 05 minutes 24 seconds West a distance of 24.39 feet to an iron pin found and corner; run thence South 27 degrees 23 minutes 53 seconds West a distance of 379.77 feet to an iron pin found and corner located on the north right of way of Clubview Drive; run thence North 69 degrees 10 minutes 44 seconds West along the north right of way of Clubview Drive a distance of 60.37 feet to a point located on the north right of way of Clubview Drive and the TRUE POINT OF BEGINNING.

Being shown as PROPOSED PUBLIC ROADWAY (60' R/W) on plat for Red Clay Partners dated March 15, 2008, revised June 5, 2008, by Southland Engineering.