

STATE OF ALABAMA)

SHELBY COUNTY)

MODIFICATION OF SEWER AGREEMENT

WHEREAS, the undersigned are all parties to or affected by that certain agreement recorded in Book 42, Page 542, Office of the Judge of Probate, Shelby County, Alabama (herein "the agreement"). This is by virtue of property the undersigned owned which is serviced by the sewer system referred to in the agreement.

WHEREAS, William B. Surface and wife, June C. Surface have removed their property serviced by one-tenth (1/10) of the sewer system referred to in the agreement by the installation of septic tanks.

WHEREAS, James G. Surface has removed his property serviced by one-tenth (1/10) of the sewer system referred to in the agreement by the installation of a septic tank.

WHEREAS, the parties hereto are desirous of relieving William B. Surface and wife, June C. Surface and James G. Surface and their property from the obligations and benefits derived from the agreement.

NOW, THEREFORE, in consideration of the mutual benefits, the premises, the undersigned, being all of the owners of the property affected by the agreement, hereby agree as follows:

1. William B. Surface and wife, June C. Surface shall be relieved of the obligations imposed on them and their property by the agreement. In addition, William B. Surface and June C. Surface shall forfeit the benefit to themselves and their property referred to in the agreement.

2. James G. Surface shall be relieved of the obligations imposed on him and his property by the agreement. In addition, James G. Surface shall forfeit the benefit to himself and his property referred to in the agreement.

W. B. Surface
P.O. Box - 74 Monticello - 2511

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3. The remaining parties to the agreement and their property shall remain obligated by the agreement and continue to benefit from the agreement. The benefits and obligations under the agreement shall be divided among the remaining property and owners on a pro rata basis whereby the total number of units served shall be the denominator and the individual unit usage of any one owner or property is the numerator. Said usage and obligations shall be limited as set forth in the agreement.

Except as modified herein, all other portions of the agreement which is incorporated by reference herein shall remain intact and binding on the remaining parties and their property. This modification shall be binding on the heirs, successors or assigns of the undersigned.

IN WITNESS WHEREOF, the undersigned have hereunto placed their hands and seals on this the 4 day of March, 1982.

John A. Simpson
Patricia D. Simpson
James G. McLaughlin
James E. Surface
Orville C. Surface
William D. Surface
Katherine A. Shepherd
W. H. St. Louis
John A. Shepherd
Karen A. Shepherd

STATE OF ALABAMA)

SHELBY COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John A. Simpson and wife, Patricia S. Simpson, whose names are signed to the foregoing Agreement, and who are known to me, acknowledged before me on this day, that being informed of the contents of said Agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 4th day of March, 1982.

Martha L. Simpson
Notary Public

My Commission Expires: Sept 17, 1983

STATE OF ALABAMA)

SHELBY COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Karen A. Shepherd and husband, John C. Shepherd, whose names are signed to the foregoing Agreement, and who are known to me, acknowledged before me on this day, that being informed of the contents of said Agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 4th day of April, 1982.

Laura L. Roberts
Notary Public

My Commission Expires: My Commission Expires June 5, 1984

STATE OF ALABAMA)

SHELBY COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that James J. McLaughlin, unmarried, whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of said Agreement, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 4th day of April, 1982.

Laura L. Roberts
Notary Public

My Commission Expires:

My Commission Expires June 5, 1984

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STATE OF ALABAMA)

SHELBY COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Wilson H. Shepherd and wife, Catherine Shepherd, whose names are signed to the foregoing Agreement, and who are known to me, acknowledged before me on this day, that being informed of the contents of said Agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 4th day of April, 1982.

Sam L. Roberts
Notary Public

My Commission Expires June 9, 1984

My Commission Expires:

STATE OF ALABAMA)

SHELBY COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William B. Surface and wife, June C. Surface, whose names are signed to the foregoing Agreement, and who are known to me, acknowledged before me on this day, that being informed of the contents of said Agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 11th day of April, 1982.

Sam L. Roberts
Notary Public

My Commission Expires:

STATE OF ALABAMA)

SHELBY COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that James G. Surface, unmarried, whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of said Agreement, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 11th day of April, 1982.

Sam L. Roberts
Notary Public

My Commission Expires:

My Commission Expires June 5, 1984

STATE OF ALABAMA, SHELBY CO.
I CERTIFY THIS
NOTARY PUBLIC

1982 APR 20 PM 4:23

James G. Surface, Jr.
JUDGE OF PROBATE

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