

1230  
RIGHT OF WAY EASEMENT

This agreement made on the 15<sup>TH</sup> day of ~~January~~ <sup>FEBRUARY</sup>, 1988, by and between Catherine S. Bowden of 7032 BRUCE DRIVE, Bessemer, Alabama, hereinafter referred to as party of the first part, and Larry A. Butler and Sheila W. Butler of 3501 ROAD 39, Chelsea, Alabama, hereinafter referred to as party of the second part.

WITNESSETH, that the party of the first part, for herself, her heirs and assigns, grants and conveys unto the party of the second part, their heirs and assigns, an easement in, to, upon and over all of that portion of an existing dirt road running from Shelby County Road No. 39 to that certain parcel of real estate owned by party of the second part and which is described in the deeds filed for record on September 30, 1977 and recorded in Book 308, Pages 104 and 105 in the Probate Office of Shelby County, Alabama. Said roadway is reflected on the survey of William J. Eagan, Jr. according to his survey dated April 29, 1977 of a portion of the Northeast quarter of the Northwest quarter, and the Northeast quarter, and the Northeast quarter of the Southeast quarter of Section 25, Township 20 south, range 2 West, Shelby County, Alabama.

Said easement is given for the sole purpose of ingress and egress and it is agreed and understood that it is not to be construed as an easement given to the exclusion of the party of the first part, her heirs and assigns, or to others later granted a similar right.

The party of the second part, their heirs and assigns, covenant with the party of the first part, her heirs and assigns, to at all times maintain and make necessary repairs, at their own expenses, should the roadway require same for its proper upkeep and maintenance.

*Courtney Mason*

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To have and to hold same easement unto the party of the second part or unto their successors and assigns forever.

IN WITNESS WHEREOF, the parties have duly executed this agreement on the day and year first above written.

Catherine S. Bowden  
Catherine S. Bowden

Larry A. Butler  
Larry A. Butler

Sheila W. Butler  
Sheila W. Butler

STATE OF ALABAMA:  
COUNTY OF SHELBY:

I, the undersigned, a Notary Public in and for said county and state hereby certify that Catherine S. Bowden whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 15<sup>th</sup> day of ~~January~~, 1988.  
February

[Signature]  
Notary Public

STATE OF ALABAMA:  
COUNTY OF SHELBY:

I, the undersigned, a Notary Public in and for said county and state hereby certify that Larry A. Butler and Sheila W. Butler whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this date that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 15<sup>th</sup> day of ~~January~~, 1988.  
February

[Signature]  
Notary Public

My Commission Expires March 10, 1991

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

88 FEB 19 AM 8:15

Thomas A. Snowden, Jr.  
JUDGE OF PROBATE

1. Dead Tax \$ 50  
2. Mtg. Tax 00  
3. Recording Fee 2.00  
4. Indexing Fee 1.00  
TOTAL 6.50