

STATE OF ALABAMA )

COUNTY OF SHELBY )

AMENDED DECLARATION OF EASEMENT

THIS AMENDED DECLARATION OF EASEMENT is entered into on this the 6th day of July, 1992, by the undersigned Weatherly Enterprises, Inc., (hereinafter referred to as "Weatherly") and Roddy O. Sample and Leigh A. Sample (hereinafter referred to collectively as the "Samples").

W I T N E S S E T H:

On or about November 16, 1990, Weatherly entered into a Declaration of Easement, recorded in Book 318, Page 846 in the Probate Office of Shelby County, Alabama in order to provide for a joint driveway and adequate ingress and egress across the real property described therein.

The undersigned Weatherly is the owner of that certain real property located in Shelby County, Alabama and more particularly described in the attached Exhibit "A", which said real property is subject to the above referenced easement.

The undersigned Samples are now the owners of that certain real property located in Shelby County, Alabama and more particularly described in the attached Exhibit "B", which said real property is also subject to the above referenced easement.

Weatherly and the Samples desire to amend and modify the above referenced easement to change the location of the easement.

NOW, THEREFORE, in consideration of the premises and the provisions herein contained, Weatherly and the Samples hereby declare, modify and amend the above referenced easement as follows:

1. The legal description of that portion of the real property which is subject to the above referenced easement is hereby amended and modified as is more particularly described on the attached Exhibit "C".

2. In all other respects, the provisions of the above referenced easement shall remain unchanged.

3. The easement, as hereby amended, shall bind and run with the lands affected hereby forever.

Continued

Executed by the undersigned, effective this the same date as first herein above written.

WEATHERLY ENTERPRISES, INC.

BY:   
STEVEN E. CHAMBERS, PRESIDENT

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Steven E. Chambers, whose name as President of Weatherly Enterprises, Inc., a corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 6th day of July, 1992.

  
Notary Public

My commission expires: 10-23-93

  
RODDY O. SAMPLE

  
LEIGH A. SAMPLE

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned in and for said County in said State, hereby certify that Roddy O. Sample and wife, Leigh A. Sample, whose name 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 this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 7th day of July, 1992.

  
Notary Public

My commission expires: 10-23-93

Exhibit "A"

Lot 2, Weatherly Subdivision, as recorded in Map Book 13, Page 1 in the Office of Probate, Shelby County, Alabama.

Exhibit "B"

Lot 1, Weatherly Subdivision, as recorded in Map Book 13, Page 1 in the Office of Probate, Shelby County, Alabama.

Exhibit "C"

Commence at the NW Corner of the NE 1/4 of the SE 1/4 of Section 20, Township 20 South, Range 2 West, said NW Corner also being the NW Corner of Lot 1, Weatherly subdivision as recorded in Map Book 13, Page 1, in the office of the Judge of Probate, Shelby County, Alabama; thence run S 85 deg. 03 min. 07 sec. E, along the North line of said 1/4-1/4 and along the North line of said Lot 1, 328.38' to the beginning of said easement; thence continue along the last described course, 531.11' to a point on the westerly right-of-way of Granville Lane, said point being on the West line of said Lot 1, said point also being the beginning of a curve to the right, said curve having a central angle of 24 deg. 17 min. 42 sec. and a radius of 15.00', said curve being subtended by a chord which bears S 32 deg. 12 min. W, a distance of 6.31'; thence run Southwesterly along said right-of-way and along the West line of said Lot 1 and along the arc of said curve 6.36' to the end of said curve; thence run S 44 deg. 20 min. 51 sec. W, along said right-of-way and along the East line of said Lot 1, 20.00' to a point, said point being the beginning of a curve to the right, said curve having a central angle of 90 deg. 00 min. and a radius of 15.00, said curve being subtended by a chord which bears S 89 deg. 20 min. 54 sec. W a distance of 21.21'; thence run Westerly along the arc of said curve, along said right-of-way, and along the line of said Lot 1, 23.56', to a point, said point being the beginning of a reverse curve to the left, said curve having a central angle of 96 deg. 10 min. 38 sec. and a radius of 75.00, said curve being subtended by a chord which bears S 86 deg. 15 min. 35 sec. W a distance of 111.63'; thence run Westerly along the arc of said curve, along said right-of-way and along the boundary line of said Lot 1, 125.90' to a point, said point being the NE Corner of Lot 2, Weatherly Subdivision, said point being on a curve to the left, said curve having a central angle of 41 deg. 36 min. 11 sec. and a radius of 75.00, said curve being subtended by a chord which bears S 17 deg. 22 min. 09 sec. W, a distance of 53.27'; thence run Southerly along the boundary line of said Lot 2, along said right-of-way and along the arc of said curve 54.46'; thence run N 88 deg. 11 min. 14 sec. W, along the boundary line of said Lot 2, 238.45'; thence run N 83 deg. 37 min. 13 sec. W, 218.77' to a point on the West line of said Lot 2; thence run N 65 deg. 29 min. 07 sec. E, along the West line of said Lot 2, 96.68'; thence run N 4 deg. 56 min. 53 sec. E, 52.05' to the point of beginning. Containing 0.97 Acres more or less.

Inst # 1992-13297

07/07/1992-13297  
03:20 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 11.50