

STATE OF ALABAMA

COUNTY OF JEFFERSON

Inst # 1993-36173

11/15/1993-36173
02:15 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 MCD 21.50

EASEMENT AND RIGHT OF WAY DEED

KNOW ALL MEN BY THESE PRESENTS that Paul J. Mitchell, Jr., an unmarried man, The Grantor, in consideration for \$10.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby GRANT, BARGAIN, SELL and CONVEY unto Robert V. Sykes and Tippi J. Sykes, husband and wife, the Grantees, a perpetual right of way and easement for ingress and egress over that certain real property situated in the County of Shelby, State of Alabama, for the sole purpose of ingress and egress over that certain real property situated in the County of Shelby, State of Alabama, described in Exhibit A, attached hereto and made a part hereof.

Said easement and right of way shall be appurtenant to and run with the parcel of land of the Grantees lying Northerly from the easement and right of way herein conveyed, said parcel of land being more particularly described in Exhibit B, attached hereto and made a part hereof.

Grantees, their heirs, successors and assigns and their successors in interest in the land described in Exhibit B shall have full and free right and liberty for themselves and their tenants, servants, visitors, licensees, and in common with all others having the like right, at all times hereafter, with or without vehicles of any description, for all purposes except as set out below, connected with use and enjoyment of said land of the

Mary L. Paulini

Grantees, to pass and repass along said right of way and easement for the purpose of passing over the existing driveway serving the land of Grantees described in Exhibit B, being the driveway serving the Grantees land described in Exhibit B and encroaching onto Grantor's land described in Exhibit A, as shown by the Survey attached as Exhibit C.

The right for which this easement is granted cannot be expanded to other lands not described in Exhibit B without the written consent of the Grantor.

The right for which said easement is granted does not include the right to expand the use of said easement.

The Grantor shall have no liability for maintaining the said easement and right of way in any way at any time, and shall not be responsible in any way for the conditions thereof.

The use of the said easement shall not interfere with the utility easement along the Southerly lot line of the land described in Exhibit A.

TO HAVE AND TO HOLD said easement and right of way unto the Grantees, their heirs, successors and assigns, as appurtenant to the said land of the Grantees forever.

IN WITNESS WHEREOF, these presents have been executed this

11th day of October, 1993.



Paul J. Mitchell, Jr., Grantor

STATE OF ALABAMA

COUNTY OF

JEFFERSON

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

Given under my hand and seal this 11th day of October, 1993.

Mary Lynn Campisi
Notary Public

My commission expires: 6-16-95

This instrument was prepared by:
Mary Lynn Campisi
Attorney At Law
3017 Pump House Road
Birmingham, Alabama 35243

Grantees' Address:
2057 Shagbark Road
Birmingham, Alabama 35244

Exhibit A

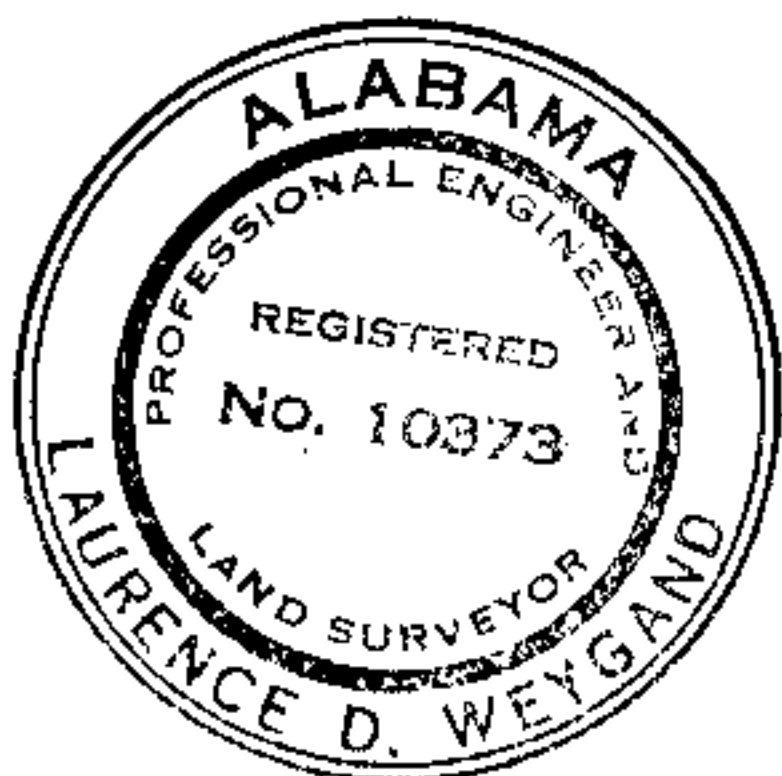
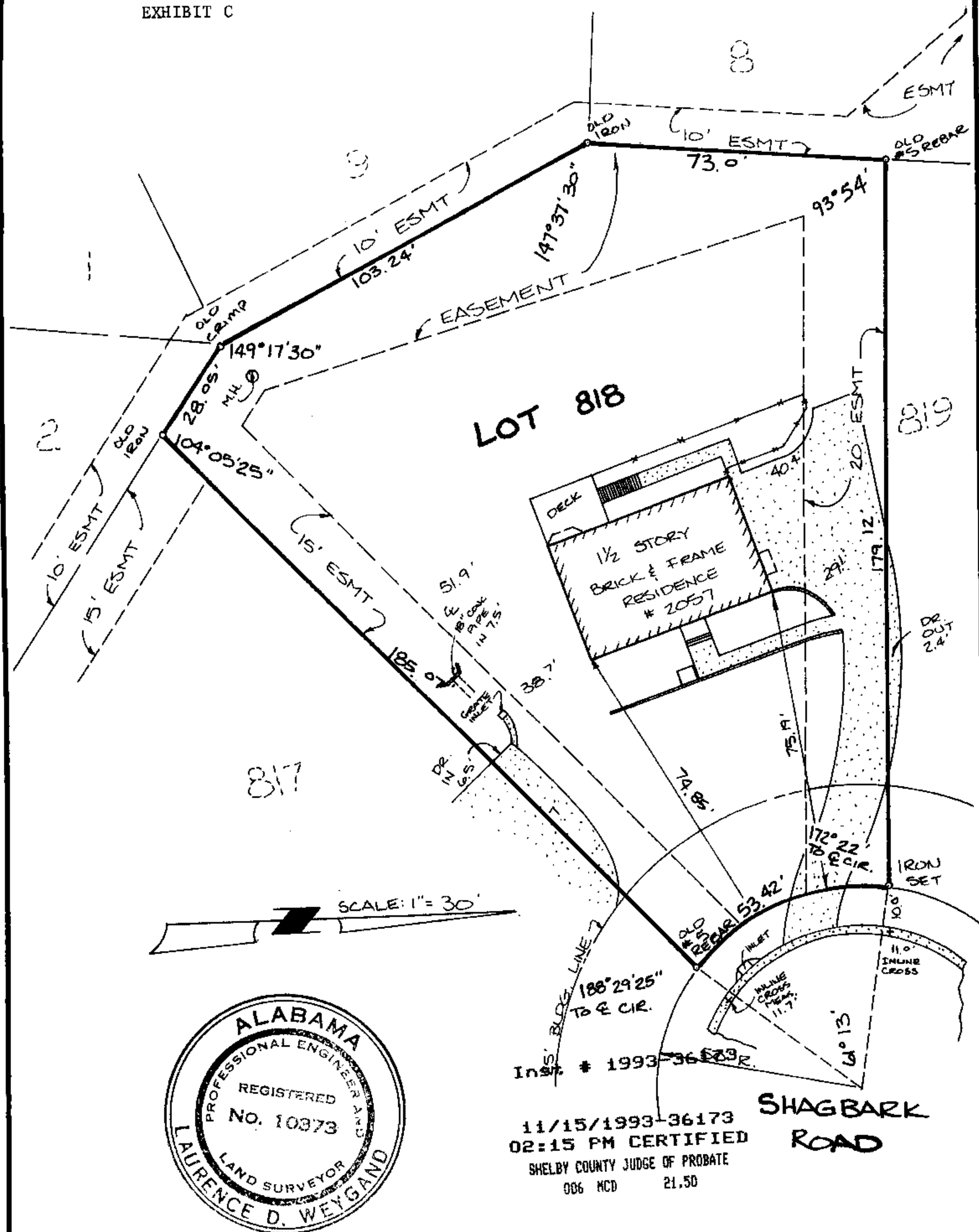
Legal Description of 2057 Shagbark Road, Birmingham, Alabama, 35244

Lot 818, according to the Survey of Fifteenth Addition, Riverchase Country Club, as recorded in Map Book 8, Page 168, in the Probate Office of Shelby County, Alabama.

Exhibit B

Lot 817, according to the Survey of Fifteenth Addition, Riverchase Country Club, as recorded in Map Book 8, Page 168, in the Probate Office of Shelby County, Alabama.

EXHIBIT C



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AS-BUILT SURVEY

I, Laurence D. Weygand, a registered Engineer-Land Surveyor, certify that I have surveyed Lot 818, Block FIFTEENTH, ADDITION RIVERCHASE COUNTRY CLUB, as recorded in Map Volume 8, Page 168, in the office of the Judge of Probate SHELBY County, Alabama; that there are no rights-of-way, easements, or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said premises except as shown; that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is not located in "a special flood hazard area"; that there are no encroachments on said lot except as shown; that improvements are located as shown above; that this survey meets the minimum technical standards for surveys as required by the State of Alabama (using 14" long #5 iron rebars); and that the correct address is as follows: 2057 SHAGBARK ROAD; according to my survey of: OCTOBER 5, 1993

Survey invalid if not sealed in red.

Flood Zone "C"

Community Panel No.: 010191 0040 B

Laurence D. Weygand
Laurence D. Weygand, Reg. P.E. & L.S. #10373
169 Oxmoor Road, Birmingham, AL 35209
PH: 942-0086 FAX: 942-0087

MITCHELL

Order No. 60934