

STATE OF ALABAMA  
SHELBY COUNTY

DRIVEWAY AND MAINTENANCE AGREEMENT

This agreement is entered into between Charles Russell Bentley and wife, Charlena Maria Bentley, and Ray Bentley and wife Connie Bentley, who mutually agree as follows:

1. Charles Russell Bentley and wife, Charlena Maria Bentley, are the owners of the following described property situated in Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A".

2. Ray Bentley and wife, Connie Bentley, are the owners of the following described property, situated in Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "B".

3. There is a driveway serving a portion of both of the above described properties as shown on the survey of Larry W. Carver, a copy of which is attached as Exhibit "C", and made a part hereof, although its primary benefit and use is to Charles Russell Bentley and wife, Charlena Maria Bentley. The parties hereto affirm that ingress and egress are afforded to both properties through said joint driveway to Bentley Road and the County public road, which the parties hereto certify has been unobstructed, and no one has interfered or objected to the use of said driveway giving ingress and egress to said properties to and from the said Bentley Road.

4. The driveway referred to herein was constructed by Ray Bentley and wife, Connie Bentley, for the purpose of providing ingress and egress to their son, Charles Russell Bentley, and his wife Charlena Maria Bentley, after having given them approximately 2.07 acres on which to make their home. Charles Russell Bentley and wife, Charlena Maria Bentley, shall be responsible for the upkeep and maintenance of said driveway, and shall be responsible for any damage occurring to said driveway, and shall be solely responsible for the expense of repairs, and to eliminate any deteriorated condition that may occur on the said driveway. The said driveway does not lead to the home of Ray Bentley and wife, Connie Bentley, and hence its primary benefit and use is to Charles Russell Bentley and wife, Charlena Maria Bentley.

5. In consideration of the sum of One Dollar and other good and valuable consideration, in hand paid by Charles Russell Bentley and wife, Charlena Maria Bentley, to Ray Bentley and wife Connie Bentley, and in further consideration of the mutual covenants contained herein, the said Ray Bentley and wife, Connie Bentley, hereby grant, bargain, sell and convey to

Inst # 1993-41504

12/28/1993-41504  
04:39 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
18.50  
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STEWART TITLE

Charles Russell Bentley and wife, Charlena Maria Bentley, a right of way and utility easement over and across the driveway as presently located, and as shown by Exhibit "C" attached hereto, said which said easement shall run with the land, in favor of and against the heirs, administrators, executors and assigns of the parties hereto. Ray Bentley and wife, Connie Bentley, reserve full right of use and benefit of said easement for themselves, their heirs, administrators, and assigns forever.

Executed this the 26<sup>th</sup> day of August, 1993.

Charles Russell Bentley  
Charles Russell Bentley

Charlena Marie Bentley  
Charlena Maria Bentley

Ray Bentley  
Ray Bentley

Connie Bentley  
Connie Bentley

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Charles Russell Bentley and wife, Charlena Maria Bentley, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26<sup>th</sup> day of August, 1993.

Stan Largent  
Notary Public  
My commission expires: 5-7-95

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Ray Bentley and wife, Connie Bentley, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, 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 26<sup>th</sup> day of August, 1993.

Stan Largent  
Notary Public  
My commission expires: 5/7/95

CASE NO. 93080044

EXHIBIT A - LEGAL DESCRIPTION

Commence at the Southeast corner of the of Northeast Quarter of Southwest Quarter, Section 5, Township 21 South, Range 1 West, Shelby County, Alabama, and run Westerly along the South line said quarter-quarter Section a distance of 800.0 feet to the point of beginning of the property being described: thence continue along last described course a distance of 300.0 feet to a point; thence turn 90 deg 00 min right and run Northerly a distance of 300.0 feet to a point; thence turn 90 deg 00 min right and run Easterly a distance of 300.0 feet to a point: thence turn 90 deg 00 min right and run Southerly a distance of 300.0 feet to the point of beginning.

ALSO AN EASEMENT FOR INGRESS AND EGRESS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: Commence at the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 5, Township 21 South, Range 1 West: thence run North along the West boundary line of said quarter-quarter section for 7.5 feet to the point of beginning: thence run east and parrallel with the south boundary line of said quarter-quarter section 1558.61 feet more or less to the West property line of the Russell Bentley lot for the point of beginning.

Situated in Shelby County, Alabama.

EXHIBIT B

1046

This instrument was prepared by

(Name).....

(Address).....

Form 1-1-6 Rev. 1-66  
WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR—LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA }  
Shelby COUNTY } KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One Dollar and other good and valuable consideration.....

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,  
Elbert Ward Bentley, a widower

(herein referred to as grantors) do grant, bargain, sell and convey unto  
Ray Bentley and wife, Connie Bentley

(herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor  
of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated  
in Shelby County, Alabama to-wit:

S $\frac{1}{2}$  of NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 5, Township 21, Range 1 West.  
S $\frac{1}{2}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 5, Township 21, Range 1 West.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
Dec 24 5P  
1968 JAN - 9 PM 1:45  
U.C.C. FILE NUMBER OR  
REC. BR. & PAGE AS SHOWN ABOVE  
Conveyance  
JUDGE OF PROBATE

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them,  
then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent  
remainder and right of reversion.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES,  
their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances,  
unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our)  
heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever,  
against the lawful claims of all persons.

IN WITNESS WHEREOF..... have hereunto set..... hand(s) and seal(s); this..... day of....., 1968.

WITNESS:

..... (Seal)  
..... (Seal)  
..... (Seal)

Elbert Ward Bentley  
Elbert Ward Bentley  
.....  
.....

286  
STATE OF ALABAMA }  
Shelby COUNTY }

General Acknowledgment

I, Martha B. Joiner, a Notary Public in and for said County, in said State,  
hereby certify that Elbert Ward Bentley, a widower  
whose name..... 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..... executed the same voluntarily  
on the day/the same bears date.  
Given under my hand and official seal this..... day of..... A. D., 1968.

Martha B. Joiner  
Notary Public.

## EXHIBIT C

### Description of the centerline of dirt drive.

Commence at the Southeast Corner of the Northeast Quarter of the Southwest Quarter of Section 5 Township 21 South Range 1 West Shelby County, Alabama and run westerly along the south line of said quarter - quarter section a distance of 1100.0 feet to a point : thence turn 90 deg 00 min right and run northerly a distance of 289.96 feet to the point of beginning of the centerline of a dirt drive thence turn 153 deg 02 min 05 sec to the right and run a distance of 20.67 feet : thence turn an angle of 07 deg 19 min 35 sec to the right and run 24.01 feet : thence turn an angle of 20 deg 20 min 05 sec to the right and run 23.07 feet : thence turn an angle of 25 deg 28 min 05 sec to the right and run 22.12 feet : thence turn an angle of 16 deg 04 min 38 sec to the right and run 34.11 feet : thence turn an angle of 06 deg 56 min 06 sec to the right and run 68.08 feet : thence turn an angle of 07 deg 54 min 00 sec to the left and run 46.36 feet : thence turn an angle of 06 deg 18 min 33 sec to the left and run 172.15 feet : thence turn an angle of 03 deg 25 min 40 sec to the left and run 58.12 feet : thence turn an angle of 03 deg 35 min 16 sec to the left and run 138.41 feet : thence turn an angle of 04 deg 38 min 49 sec to the right and run 47.30 feet : thence turn an angle of 09 deg 10 min 08 sec to the right and run 49.72 feet : thence turn an angle of 08 deg 01 min 53 sec to the right and run 50.86 feet : thence turn an angle of 00 deg 46 min 06 sec to the right and run 48.41 feet : thence turn an angle of 05 deg 50 min 19 sec to the left and run 47.45 feet : thence turn an angle of 08 deg 19 min 21 sec to the left and run 63.88 feet : thence turn an angle of 03 deg 51 min 13 sec to the left and run 45.05 feet : thence turn an angle of 03 deg 54 min 44 sec to the left and run 46.62 feet : thence turn an angle of 06 deg 03 min 26 sec to the right and run 22.49 feet : thence turn an angle of 08 deg 42 min 22 sec to the left and run 51.25 feet : thence turn an angle of 08 deg 18 min 47 sec to the left and run 297.43 feet : thence turn an angle of 21 deg 43 min 34 sec to the left and run 32.39 feet : thence turn an angle of 47 deg 50 min 42 sec to the right and run 37.71 feet : thence turn an angle of 13 deg 10 min 57 sec to the left and run 85.4 feet more or less to the centerline of a county graded dirt road the point of ending.

Inst # 1993-41504

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SHELBY COUNTY JUDGE OF PROBATE  
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