

AFFIDAVIT

STATE OF ALABAMA  
SHELBY COUNTY

Before me, the undersigned authority, a Notary Public in and for said county, in said State, personally appeared Lillian D. Heath, who, after being by me first duly sworn to speak the truth, deposes and says as follows:

My name is Lillian D. Heath. I reside at 5229 Dunnavant Valley Cove Road, Birmingham, Alabama 35242. I am familiar with that certain right-of-way conveyance dated April 22, 1995 by which certain property owners, including your affiant, purport to convey to the Shelby County Commission an easement for a road right-of-way, a copy of which said right-of-way instrument is attached hereto as Exhibit "A" and made part and parcel hereof as fully as if set out herein. Said easement conveyed to the County by the deed, a copy of which is shown on Exhibit "A", is sixty feet in width and is more particularly described on the survey of Ralph R. Pippin, a copy of which is attached hereto as Exhibit "B" and made part and parcel hereof as fully as if set out herein. I have personal knowledge and know that the grantors in said right-of-way deed shown on Exhibit "A" did intend to convey and did convey by said deed unto Shelby County an easement and right-of-way for public road purposes sixty (60) feet in width, lying and being thirty (30) feet on either side of the existing center line of the Dunnavant Valley Cove Road in Shelby County, Alabama.

Lillian D. Heath  
Lillian D. Heath

Sworn to and subscribed to before  
me on this 3rd day of June,  
1995.

John I. Horn  
Notary Public

Inst # 1995-19318

07/21/1995-19318  
10:08 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 NCD .00

Kain (Alex)

THE STATE OF ALABAMA )  
SHELBY COUNTY )

This Agreement, made this the 22nd day of April, 1995, by and between the undersigned and their wives, hereinafter referred to as the Grantors, and the Shelby County Commission, Shelby county, Alabama, hereinafter referred to the Grantees:

WITNESSETH:

Whereas, the Grantors have heretofore conveyed to the Grantees the dedication of a continuous sixty (60) foot road right-of-way with acceptable alignment for the entire length of the proposed dedication;

Whereas, the road right-of-way to be dedicated is uninterrupted and continuous to a point of intersection with an existing public road right-of-way;

Whereas, the road is at least 700 feet in length;

Whereas, the road serves as the only access for seven (7) or more residential dwellings and is not a private family road;

Whereas, the road has been in existence and has been serving (5) or more residential dwellings for at least the last (7) seven years; and

Whereas, it has been determined by the Grantors that the granting of the additional land to the Grantors will be advantageous and to the last interest of the Grantors and will afford to them a more useful and satisfactory ingress and egress in and to their remaining property.

Now, Therefore, in consideration of the sum of \$10.00 Dollars and other good and valuable consideration, the Grantors do hereby grant unto the Grantees a permanent easement for a right-of-way hereinafter described over, on, upon, and across certain lands of the Grantors in Shelby county, Alabama, for the maintenance of a Public Road, said existing Road Right-Of-Way herein granted being more particularly described as follows: to wit:

LEGAL DESCRIPTION

COM SE COR SE1/4 NW1/4 N410.84 TO POB NW274.3 W720 WLY523.2 S30 SELY540 E467.9 E543.98 TO POB S10 T19S RIW DIM 30X540 IR R AC 1.71C DB 282 PG 879. (Dunnavant Valley Cove Road is offered for dedication to Shelby County, Alabama).

To Have and to Hold the same unto the said Grantees and its assigns for the uses and purposes for which said land is granted, so long as said land is used by the Grantees or its assigns as a Public Road.

In Witness Whereof, the said Grantors have hereunto set their hands and seals on this the 22nd day of April, 1995.

Michael F. Parker  
 Carol Hanna Parker  
 Felim D. Heath  
 Nancy R. Diles  
 William H. Porter Jr.  
 Donna J. Porter  
 King M. Roberts  
 Ron [unclear]  
 Robert [unclear]  
 Sarah Kallum Hanna  
 C. Beatty Hanna

STATE OF ALABAMA )  
 SHELBY COUNTY )

**ACKNOWLEDGEMENT**

I, John T. Horn, a Notary Public in and for said County, in said State, hereby certify that Grantors, 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 22nd day of April, 1995.

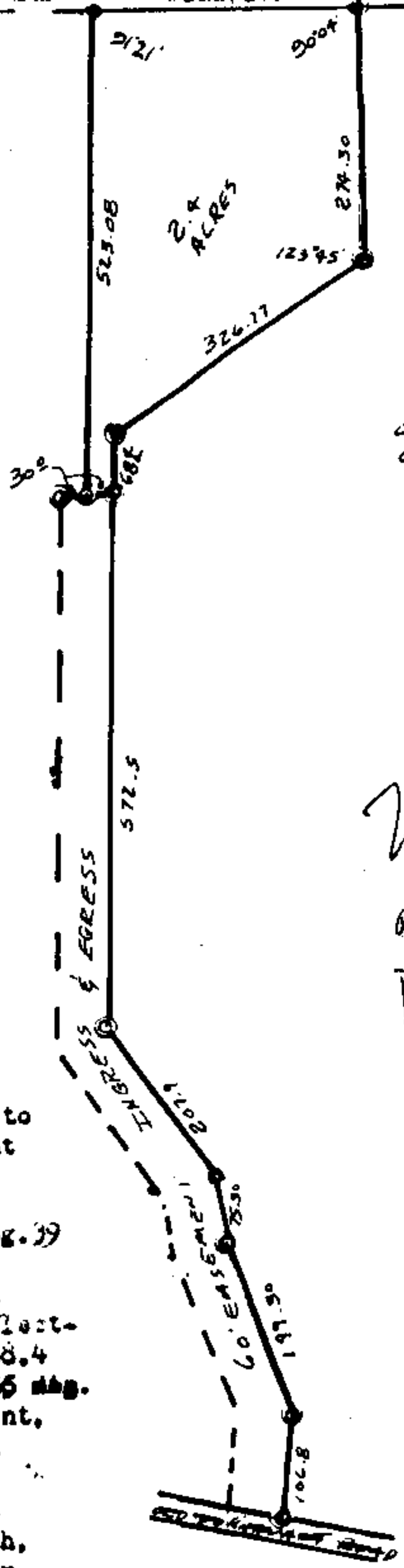
John T. Horn  
 Notary Public  
 My Commission Expires: 3-24-97

**THIS INSTRUMENT PREPARED BY:**  
 John Thomas Horn, Attorney At Law  
 3560 Independence Drive, Suite 102-A  
 Birmingham, AL 35209  
 Phone: (205) 879-9023

# EXHIBIT "B"

SE COR.  
SE 1/4 - NW 1/4  
SEC 10 TWP 19 S  
RANGE 1 - WEST  
STONE FOUND IN PLACE

20' for release  
of part of property  
3150 according to some



2.4  
Inst # 1995-19318  
07/21/1995-19318  
10:08 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DDA MCD

State of Alabama  
Shelby County

I, Ralph K. Pippin, a registered Land Surveyor of Jefferson County, Alabama, hereby certify that the foregoing is a true and correct map of a parcel of land, more particularly described as follows: Commencing at the SE corner of the SE Quarter of the NW Quarter of Sec. 10, Twp 19 S, R 1 W, thence north along the east line of said SE Quarter a distance of 410.84 ft to the point of beginning. Thence from point of beginning continue along east line of said SE Quarter a distance of 289.49 ft to a point, thence deflecting left 88 deg. 39 min. a distance of 523.08 ft to a point, thence deflecting left 91 deg. 28 min. a distance of 30 ft to a point, thence deflecting left 89 deg. 57 min. a distance of 68.4 ft to a point, thence deflecting right 55 deg. 15 min. a distance of 326.77 ft to a point, thence deflecting left 56 deg. 15 min. a distance of 274.30 ft to the point of beginning. This parcel of land is a part of the land owned by Ms. Lillian D. Heath, as recorded in Deed Book 282, page 879 in the office of the Probate Judge of Shelby County, Alabama.

William Hugh T  
and wife  
Donna Taylor  
8002 8th Ave  
35206

according to my Survey this 3rd day of August 1983.

*Ralph K. Pippin*  
Ralph K. Pippin Aug. 11 1983

A non-exclusive 60 ft easement for ingress and egress shown above, the south line of said 60 ft easement being more particularly described as follows: An easement situated in the SE quarter and the SW quarter of the NW quarter of Sec. 10, R 1 W, in Shelby County, Alabama commencing at the SE Corner of the SE quarter of the NW quarter of Sec. 10; Thence north along east line of SE quarter of the NW quarter, a distance of 410.84 ft to a point; Thence deflecting left 90 deg. 04 min. a distance of 1012.15 ft to a point, thence deflecting right 08 deg. 53 min. a distance of 630.00 ft to the point of beginning. Said point of beginning centerline of old Dunning Road, from point of beginning deflecting 180 deg. 00 min. a distance of 106.8 ft to a point, thence deflecting left 29 deg. 52 min. a distance of 199.30 ft to a point, thence deflecting right 12 deg. 45 min. a distance of 75.30 ft. to a point, thence deflecting left 26 deg. 58 min. a distance of 207.90 ft to a point, thence deflecting right 37 deg. 24 min. a distance of 572.5 ft to a point, said point being the ending of the south line of said 60 ft. easement.

I accept *William H. Porter*

