20050517000238170 1/2 $14.00
Shelby Cnty Judge of Probate,AL
05/17/2005 02:24:45PM FILED/CERT

STATE OF ALABAMA)
SHELBY COUNTY)

AFFIDAVIT

Before me, the undersigned, personally appeared Michael Hain, who after first being duly sworn, deposes and says the following:

My name is Michael Hain and I am over the age of 21 years and have personally knowledge of the following:

I have own the property located at 374 Havenwood Trail, Montevallo, AL 35115 and being more particularly described in the attached Exhibit "A" for approximately 5 +/- years. The crushed stone driveway as shown on the survey of Robert O. Blain, dated May 10, 1999 does not service as an access road to any other properties.

Michael Hain
AFFIANT: Michael Hain

STATE OF ALABAMA)
COUNTY OF SHELBY)

Sworn to and subscribed before me this,
10th day of May, 2005.

Notary Public
My Commission Expires: 5/13/2008

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SCHEDULE A
LEGAL DESCRIPTION

PARCEL I:
All of the NW 1/4 of the SW 1/4 of the NW 1/4 and [illegible] of the SW 1/4 of the SW 1/4 of the NW 1/4, lying Northwest of the centerline of a 3[illegible] [illegible]ot perpetual easement for ingress and egress as described and shown hereon, of Section 9, Township 22 South, Range 3 West, Shelby County, Alabama.

ALSO, Easement/Right of way Description:
A 30 foot perpetual Easement and Right of way for Ingress and Egress situated in the South 1/2 of the NW 1/4 of Section 9, Township 22 South, Range 3 West, the centerline of which is more particularly described as follows:
Beginning at the NE corner of the North 1/2 of the NE 1/4 of the SE 1/4 of Section 8, Township 22 South, Range 3 West and run North 35 degrees 39 minutes 06 seconds East for a distance of 278.42 feet to a point; thence run North 23 degrees 31 minutes 06 seconds East for a distance of 209.71 feet to a point; thence run North 57 degrees 53 minutes 06 seconds East for a distance of 140.0 feet to a point; thence run North 23 degrees 49 minutes 24 seconds East for a distance of 202.91 feet to a point; thence run North 36 degrees 20 minutes 01 seconds East for a distance of 150.69 feet to a point; thence run North 89 degrees 39 minutes 05 seconds East for a distance of 48.69 feet to the point of ending of that certain 30 foot perpetual easement and right of way established by Civil Action E708-75 in Shelby County, Alabama, Civil Court on October 3, 1975 and being further identified on a survey by B & N Surveying, Inc. on February 24, 2000.

ALSO, A 30 foot perpetual easement and right of way for ingress and egress granted by the Circuit Court in Shelby County, dated October 3, 1975, Civil Action E708-75. Description of easement is as follows: A portion of the S 1/2 of the NW 1/4 of Section 9, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows: Commencing at the SE corner of said subdivision of said section; thence North 11 chains and 77 links to a post; thence West and parallel with the South line of said subdivision of said section to a point on the West right of way line of Shelby County Highway No. 15, which is the point of beginning of the 30 feet easement and right of way herein conveyed; thence continue along said course to a point on the East line of the W 1/2 of the SW 1/4 of the NW 1/4 of said Section 9; thence run South along the East line of said 20 acres for a distance of 30 feet to a point; thence run East and parallel with the South line of said subdivision of said subdivision to a point on the West right of way line of Shelby County Highway No. 15; thence run in a Northerly direction along said West right of way line to the point of beginning; being situated in Shelby County, Alabama.
This easement is subject to the Order of the Circuit Court of Shelby County, Alabama, dated September 20, 1994, Civil Action CV 93-689, specifying the agreement of the use of the easement.

PARCEL II:
All of the SW 1/4 of the SW 1/4 of the NW 1/4 and all NW 1/4 of SW 1/4 of NW 1/4, lying Southeast of the centerline of 30 foot perpetual easement for ingress and egress as described hereon of Section 9, Township 22 South, Range 3 West, Shelby County, Alabama.

PARCEL III:
The NW 1/4 of the NW 1/4 of the SW 1/4 of Section [illegible], Township 22 South, Range 3 West, Shelby County, Alabama.

stewart
title guaranty company