

This Instrument prepared by: Clayton T. Sweeney, Attorney 2700 Highway 280 East Suite 160 Birmingham, AL 35223

## PARTIAL TERMINATION OF EASEMENT

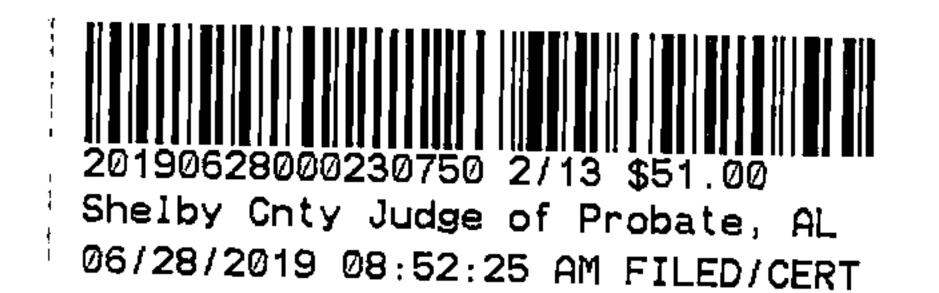
STATE OF ALABAMA	)
· i	:
COUNTY OF SHELBY	)

Whereas, HERITAGE OAKS, LLC, an Alabama limited liability company (Hereinafter referred to as "HERITAGE OAKS") is the owner of property described as follows:

TRACT.6 SPRINGSTONE ESTATES

A TRACT OF LAND LYING IN THE SOUTHEAST 1/4 OF SECTION 14 AND THE WEST 1/2 OF SECTION 13, ALL IN TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

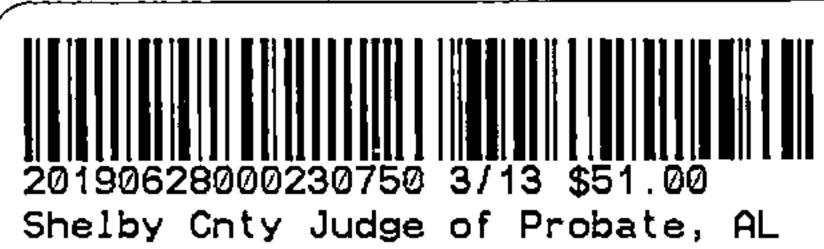
COMMENCE AT THE SOUTHWEST CORNER OF SOUTHWEST 1/4 SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; THENCE RUN NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST ALONG THE WEST LINE OF SAID SECTION FOR 345.44 FEET TO A POINT; THENCE RUN NORTH 63 DEGREES 37 MINUTES 55 SECONDS WEST FOR 150.50 FEET; THENCE RUN NORTH 57 DEGREES 34 MINUTES 39 SECONDS WEST FOR 112.04 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, A CHORD BEARING OF NORTH 36 DEGREES 43 MINUTES 42 SECONDS WEST, AND A CHORD LENGTH OF 71.18 FEET; THENCE RUN ALONG SAID ARC FOR 72.78 FEET; THENCE RUN NORTH 15 DEGREES 52 MINUTES 44 SECONDS WEST FOR 145.46 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 600.00 FEET, A CHORD BEARING OF NORTH 06 DEGREES 43 MINUTES 50 SECONDS WEST, AND A CHORD LENGTH OF 190.79 FEET; THENCE RUN ALONG SAID ARC FOR 191.61 FEET; THENCE RUN NORTH 02 DEGREES 25 MINUTES 05 SECONDS EAST FOR 302.97 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, A CHORD BEARING OF NORTH 17 DEGREES 57 MINUTES 13 SECONDS WEST, AND A CHORD LENGTH OF 121.84 FEET; THENCE RUN ALONG SAID ARC FOR 124.44 FEET; THENCE RUN NORTH 38 DEGREES 19 MINUTES 32 SECONDS WEST FOR 147.09 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 75.00 FEET, A CHORD BEARING OF NORTH 32 DEGREES 51 MINUTES 43 SECONDS WEST, AND A CHORD LENGTH OF 14.28, FEET; THENCE RUN ALONG SAID ARC FOR 14.30 FEET; THENCE RUN NORTH 27 DEGREES 23 MINUTES 54 SECONDS WEST FOR 72.30 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 75.00 FEET, CHORD BEARING OF NORTH 37 DEGREES 17 MINUTES 47 SECONDS WEST, AND A CHORD LENGTH OF 25.78 FEET; THENCE RUN ALONG SAID ARC FOR 25.91 FEET TO A REVERSE CURVE TO THE RIGHT,



HAVING A RADIUS OF 110.00 FEET, A CHORD BEARING OF NORTH 18 DEGREES 39 MINUTES 04 SECONDS WEST, AND A CHORD LENGTH OF 105.12 FEET; THENCE RUN ALONG SAID ARC FOR 109.60 FEET; THENCE RUN NORTH 09 DEGREES 53 MINUTES 32 SECONDS EAST FOR 12.68 FEET TO A CURVE TO THE RIGHT, HAVING À RADIUS OF 750.00 FEET, A CHORD BEARING OF NORTH 18 DEGREES 27 MINUTES 33 SECONDS EAST, AND A CHORD LENGTH OF 223.45 FEET; THENCE RUN ALONG SAID ARC FOR 224.29 FEET; THENCE RUN NORTH 27 DEGREES 01 MINUTES 34 SECONDS EAST FOR 251.81 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE NORTH 50 DEGREES 07 MINUTES 12 SECONDS WEST FOR 283.83 FEET TO A CAPPED IRON PIN FOUND "ARRINGTON"; THENCE NORTH 28 DEGREES 21 MINUTES 28 SECONDS EAST FOR 504.62 FEET TO A CAPPED IRON PIN FOUND "ARRINGTON" ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 14; THENCE NORTH 89 DEGREES 21 MINUTES 59 SECONDS EAST FOR 332.36 FEET TO A 1/2" REBAR FOUND AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF SAID SECTION 14, SAID POINT ALSO BEING ON THE WEST LINE OF SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 00 DEGREES 01 MINUTES 18 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 2668.53 FEET TO A 3" CAPPED PIPE FOUND; THENCE NORTH 89 DEGREES 25 MINUTES 54 SECONDS EAST FOR A DISTANCE OF 571.46 FEET TO A 1/2" REBAR FOUND; THENCE SOUTH 00 DEGREES 03 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 1088.83 FEET TO AN IRON PIN SET; THENCE SOUTH 89 DEGREES 56 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 511.44 FEET TO AN IRON PIN SE; THENCE SOUTH 00 DEGREES 03 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 1513.35 FEET TO A P.K. NAIL FOUND IN THE CENTERLINE OF A 100' EASEMENT FOR INGRESS, EGRESS, UTILITIES AND MAINTENANCE; THENCE ALONG THE CENTERLINE OF SAID EASEMENT THE FOLLOWING FIVE CALLS: SOUTH 00 DEGREES 41 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 130.77 FEET TO A CAPPED IRON PIN FOUND "ARRINGTON"; THENCE SOUTH 89 DEGREES 21 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 155.57 FEET TO A CAPPED IRON PIN FOUND "ARRINGTON"; THENCE SOUTH 25 DEGREES 22 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 371.59 FEET TO A P.K. NAIL FOUND; THENCE SOUTH 20 DEGREES 35 MINUTES 53 SECONDS WEST FOR A DISTANCE OF 152.85 FEET TO A P.K. NAIL FOUND; THENCE SOUTH 27 DEGREES 01 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 100.91 FEET TO THE POINT OF BEGINNING. CONTAINING 20.17 ACRES, MORE OR LESS.

The above described property is under contract to be sold to MATTHEW TODD JENNINGS and MICHELLE JENNINGS (Hereinafter referred to as "JENNINGS") and the hereinabove tract which contain 20.17 acres, more or less, will be referred to as "Tract 6").

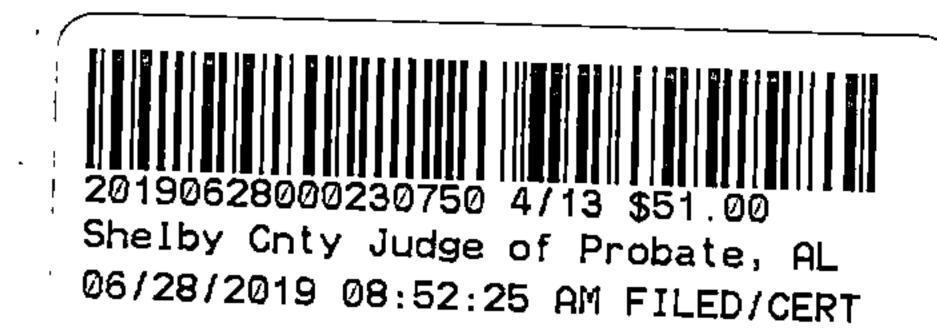
Whereas, **HERITAGE OAKS**, has established a non-exclusive easement for ingress, egress and utilities to serve **Tract 6** and other properties by Instrument recorded in Instrument No. 20180530000184450, in the Probate Office of Shelby County, Alabama (Hereinafter referred to as "**SPRINGSTONE TRAIL**") being more particularly described as follows:



Shelby Cnty Judge of Probate, AL 06/28/2019 08:52:25 AM FILED/CERT

A 100 FOOT EASEMENT FOR INGRESS, EGRESS, UTILITIES AND MAINTENANCE LYING IN THE SOUTHEAST 1/4 OF SECTION 14 AND THE WEST 1/2 OF SECTION 13, ALL IN TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; THENCE RUN NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST ALONG THE WEST LINE OF SAID SECTION FOR 345.44 FEET TO A POINT: THENCE RUN NORTH 63 DEGREES 37 MINUTES 55 SECONDS WEST FOR 150.50 FEET; THENCE RUN NORTH 57 DEGREES 34 MINUTES 39 SECONDS WEST FOR 112.04 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, A CHORD BEARING OF NORTH 36 DEGREES 43 MINUTES 42 SECONDS WEST, AND A CHORD LENGTH OF 71.18 FEET; THENCE RUN ALONG SAID ARC FOR 72.78 FEET; THENCE RUN NORTH 15 DEGREES 52 MINUTES 44 SECONDS WEST FOR 145.46 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 600.00 FEET, A CHORD BEARING OF NORTH 06 DEGREES 43 MINUTES 50 SECONDS WEST, AND A CHORD LENGTH OF 190.79 FEET; THENCE RUN ALONG SAID ARC FOR 191.61 FEET; THENCE RUN NORTH 02 DEGREES 25 MINUTES 05 SECONDS EAST FOR 302.97 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, A CHORD BEARING OF NORTH 17 DEGREES 57 MINUTES 13 SECONDS WEST, AND A CHORD LENGTH OF 121.84 FEET; THENCE RUN ALONG SAID ARC FOR 124.44 FEET; THENCE RUN NORTH 38 DEGREES 19 MINUTES 32 SECONDS WEST FOR 147.09 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 75.00 FEET, A CHORD BEARING OF NORTH 32 DEGREES 51 MINUTES 43 SECONDS WEST, AND A CHORD LENGTH OF 14.28 FEET; THENCE RUN ALONG SAID ARC FOR 14.30 FEET; THENCE RUN NORTH 27 DEGREES 23 MINUTES 54 SECONDS WEST FOR 72.30 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 75.00 FEET, CHORD BEARING OF NORTH 37 DEGREES 17 MINUTES 47 SECONDS WEST, AND A CHORD LENGTH OF 25.78 FEET; THENCE RUN ALONG SAID ARC FOR 25.91 FEET TO A REVERSE CURVE TO THE RIGHT, HAVING A RADIUS OF 110.00 FEET, A CHORD BEARING OF NORTH 18 DEGREES 39 MINUTES 04 SECONDS WEST, AND A CHORD LENGTH OF 105.12 FEET; THENCE RUN ALONG SAID ARC FOR 109.60 FEET; THENCE RUN NORTH 09 DEGREES 53 MINUTES 32 SECONDS EAST FOR 12.68 FEET TO A CURVE TO THE RIGHT, HAVING A RADIUS OF 750.00 FEET, A CHORD BEARING OF NORTH 18 DEGREES 27 MINUTES 33 SECONDS EAST, AND A CHORD LENGTH OF 223.45 FEET; THENCE RUN ALONG SAID ARC FOR 224.29 FEET; THENCE RUN NORTH 27 DEGREES 01 MINUTES 34 SECONDS EAST FOR 352.72 FEET; THENCE RUN NORTH 20 DEGREES 35 MINUTES 53 SECONDS EAST FOR 152.85 FEET; THENCE RUN NORTH 25 DEGREES 22 MINUTES 46 SECONDS EAST FOR 371.59 FEET; THENCE RUN NORTH89 DEGREES 21 MINUTES 37 SECONDS EAST FOR 155.57 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 37 SECONDS EAST FOR 130.77 FEET; THENCE RUN NORTH 68 DEGREES 24 MINUTES 40 SECONDS EAST FOR 114.87 FEET; THENCE RUN NORTH 67 DEGREES 36 MINUTES 50 SEC~NDS EAST FOR 155.85 FEET; THENCE RUN NORTH 61 DEGREES 35 MINUTES 19 SECONDS EAST FOR 54.22 FEET; THENCE RUN NORTH 56 DEG ES 00 MINUTES 36



SECONDS EAST FOR 295.16 FEET; THENCE RUN NORTH 72 DEGREES 01 MINUTES 00 SECONDS EAST FOR 109.16 FEET; T ENCE RUN NORTH 46 DEGREES 40 MINUTES 54 SECONDS EAST FOR 114.74 FEET; THENCE RUN NORTH 60 DEGREES 32 MINUTES 27 SECONDS EAST FOR 106.87 FEET; THENCE RUN NORTH 71 DEGREES 11 MINUTES 41 SECONDS EAST FOR 106.19 FEET TO THE END OF SAID EASEMENT CENTERLINE. THE EDGES OF SAID EASEMENT ON THE NORTH SIDE TO EXTEND OR SUBTEND TO THE NORTH LINE OF TRACT 4-5 AND ON THE SOUTH SIDE TO EXTEND OR SUBTEND TO THE EAST LINE OF SECTION 14, TOWNSHIP 18 SOUTH, RANGE 1 WEST.

Whereas, O.B. Grayson Hall, Jr. and wife, Susan Elaine Hall, Leslie S. Wright, III, and Kelli H. Wright, and McKenzie Investments, LLL were granted the 100 foot easement for ingress, egress, utilities and maintenance in their respective deed from Heritage Oaks, LLC.

Whereas, **JENNINGS** has requested that a portion of the easement which serves **Tract** 6 be abandoned, terminated and vacated along the southwest edge of the lower portion of **Tract** 6, as shown on the attached Exhibit "A". The remaining portion of the **SPRINGSTONE TRAIL** easement shall remain in its present location and description.

Whereas, the parties are desirous of terminating and vacating a portion of the above described 100 FOOT INGESS/EGRESS AND UTILITY EASEMENT with said terminated portion being more particularly described as follows:

THAT PORTION OF THE 100 FOOT EASEMENT FOR INGRESS, EGRESS, UTILITIES AND MAINTENANCE TO BE ABANDONED, LYING IN THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WESTERLY 30 FEET OF THAT PORTION OF THE 100 FOOT INGRESS, EGRESS, UTILITY AND MAINTENANCE EASEMENT AS DESCRIBED HEREINABOVE LYING 20 WEST OF THE CENTERLINE OF THE EXISTING ASPHALT ROADWAY REFERRED TO AS SPRINGSTONE TRAIL LYING WITHIN TRACT 6 AS DESCRIBED HEREINABOVE, BUT LEAVING AT LEAST 10 FEET FOR INGRESS, EGRESS, UTILITIES AND MAINTENANCE LYING TO THE WEST OF THE EXISTING ASPHALT ROADWAY.

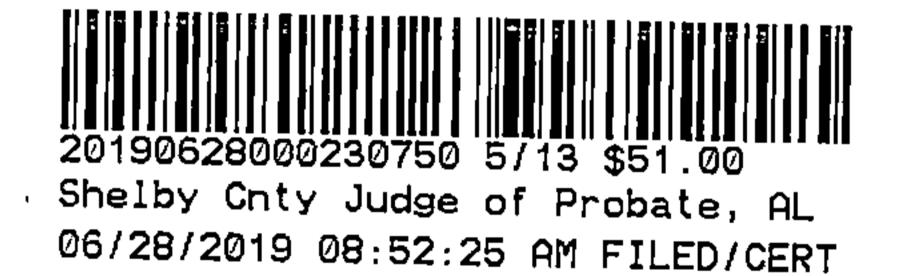
AND ALSO ABANDONING, TERMINATING AND VACATING THE FOLLOWING DESCRIBED PARCEL:

TRACT 6
SPRINGSTONE ESTATES
EASEMENT ABANDONMENT

A PORTION OF AN EASEMENT FOR INGRESS, EGRESS, UTILITIES AND MAINTENANCE TO BE ABANDONED, LYING IN THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 1/2" REBAR FOUND AND LOCALLY ACCEPTED TO BE THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 14; THENCE SOUTH 00 DEGREES 57 MINUTES 54 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION FOR A DISTANCE OF 60.00 FEET TO A POINT ON THE CENTERLINE OF A 100' WIDE INGRESS, EGRESS, UTILITY AND MAINTENANCE EASEMENT; THENCE SOUTH 89 DEGREES 21 MINUTES 37 SECONDS WEST ALONG SAID CENTERLINE FOR A DISTANCE OF 95.30 FEET TO A CAPPED IRON PIN FOUND "ARRINGTON"; THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 25 DEGREES 22 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 371.59 FEET TO A P.K. NAIL FOUND; THENCE LEAVING SAID CENTERLINE, NORTH 67 DEGREES 00 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 50.04 FEET AND THE POINT OF BEGINNING; THENCE NORTH 64 DEGREES 37 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 25.00 FEET TO A POINT; THENCE NORTH 25 DEGREES 22 MINUTES 46 SECONDS EAST FOR A DISTANCE OF 224.27 FEET TO A POINT; THENCE SOUTH 64 DEGREES 37 MINUTES 14 SECONDSEAST FOR A DISTANCE OF 25.00 FEET TO A POINT: THENCE SOUTH 25 DEGREES 22 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 224.27 FEET TO THE POINT OF BEGININNG. SAID PORTION OF THE EASEMENT BEING ABANDONED LYING WEST OF THE EXISITING ASPHALT ROAD AND WITHIN TRACT 6 AS DESCRIBED HEREINABOVE. CONTAINING 0.13ACRES, MORE OR LESS.

TO HAVE AND TO HOLD unto the said Grantees, their respective heirs, successors and assigns, forever.



IN WITNESS WHEREOF, Sid W. Smyer, III, the duly authorized Managing Member of Heritage Oaks, LLC, has hereunto set his hand and seal this 12\_ day of June, 2019.

Heritage Oaks, LLC an Alabama limited liability company

Bv:

Sid W. Smyer, III Its: Managing Member

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that SID W. SMYER, III whose name as Managing Member of Heritage Oaks, LLC, an Alabama limited liability company, 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 in his capacity as such Managing Member, executed the same voluntarily for and as the act of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 18 day of June, 2019.

My Comm. Expire

June 2, 2023

My Commission Expires:

NOTARY PUBLIC

20190628000230750 6/13 \$51.00

20190628000230750 6/13 \$51.00 Shelby Cnty Judge of Probate, AL 06/28/2019 08:52:25 AM FILED/CERT IN WITNESS WHEREOF, **MATTHEW TODD JENNINGS** and wife, **MICHELLE JENNINGS**, have hereunto set their hands and seals this 2019.

MATTHEW TODD JENNINGS

STATE OF ALABAMA

)

**COUNTY OF JEFFERSON** 

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that MATTHEW TODD JENNINGS and wife, MICHELLE JENNINGS, 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.

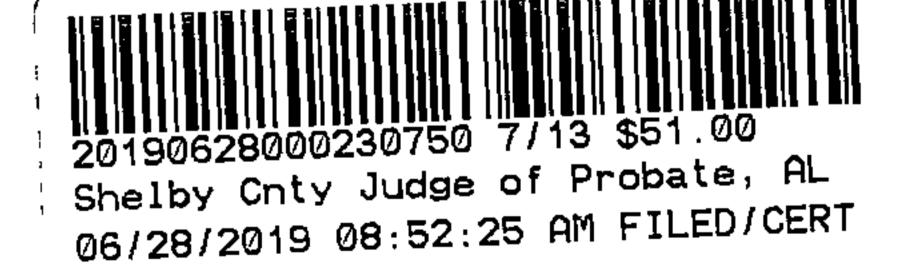
IN WITNESS WHEREOF, I have hereunto set my hand and seal this the day of June, 2019.

My Commission Expires: (-2-20)3

NOTARY PUBLIC

My Comm. Expires
June 2, 2023

PUBLIC: RESIDENT AND STATE ATTRIBUTION ASTATE ATTRIBUTION OF THE PROPERTY OF TH



IN WITNESS WHEREOF, LESLIE S. WRIGHT, III and wife, KELLI H. WRIGHT, have hereunto set their hands and seals this / 8 day of June, 2019.

ESLIE S. WRIGHT, III

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that LESLIE S. WRIGHT, III and wife, KELLI H. WRIGHT, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 18 day of June, 2019.

My Commission Expires: (-)-)023

**NOTARY PUBLIC** 

hereunto set their hands and seal		ay of June, 2019.
O.B. GRAYSON HALL, JR		SUSAN ELAINE HALL
STATE OF ALABAMA	)	
COUNTY OF JEFFERSON	: )	
certify that O.B. GRAYSON HAL signed to the foregoing instrum	L, JR. and with a lent and who a lent and who a lend of the conter	and for said County and State, hereby fe, SUSAN ELAINE HALL, whose names are are known to me, acknowledged before ments of the instrument, they executed the date.
IN WITNESS WHEREOF, I have June, 2019.	hereunto set i	my hand and seal this the <u>1946</u> day of

My Commission Expires: 6-2-2023

NOTARY PUBLIC

190628000230750 9/13

Shelby Cnty Judge of Probate, AL

06/28/2019 08:52:25 AM FILED/CERT

MCKENZIE INVESTMENTS, LLC an Alabama limited liability company

COOPER MCKENZIE

Its: Member

STATE OF ALABAMA COUNTY OF JEFFERSON

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that COOPER MCKENZIE whose name as Member of MCKENZIE INVESTMENTS, LLC, an Alabama limited liability company, 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 in his capacity as such Member, executed the same voluntarily for and as the act of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the  $\sqrt{\phantom{a}}$ 

: My Comm. Expires

June 2, 2023

June, 2019.

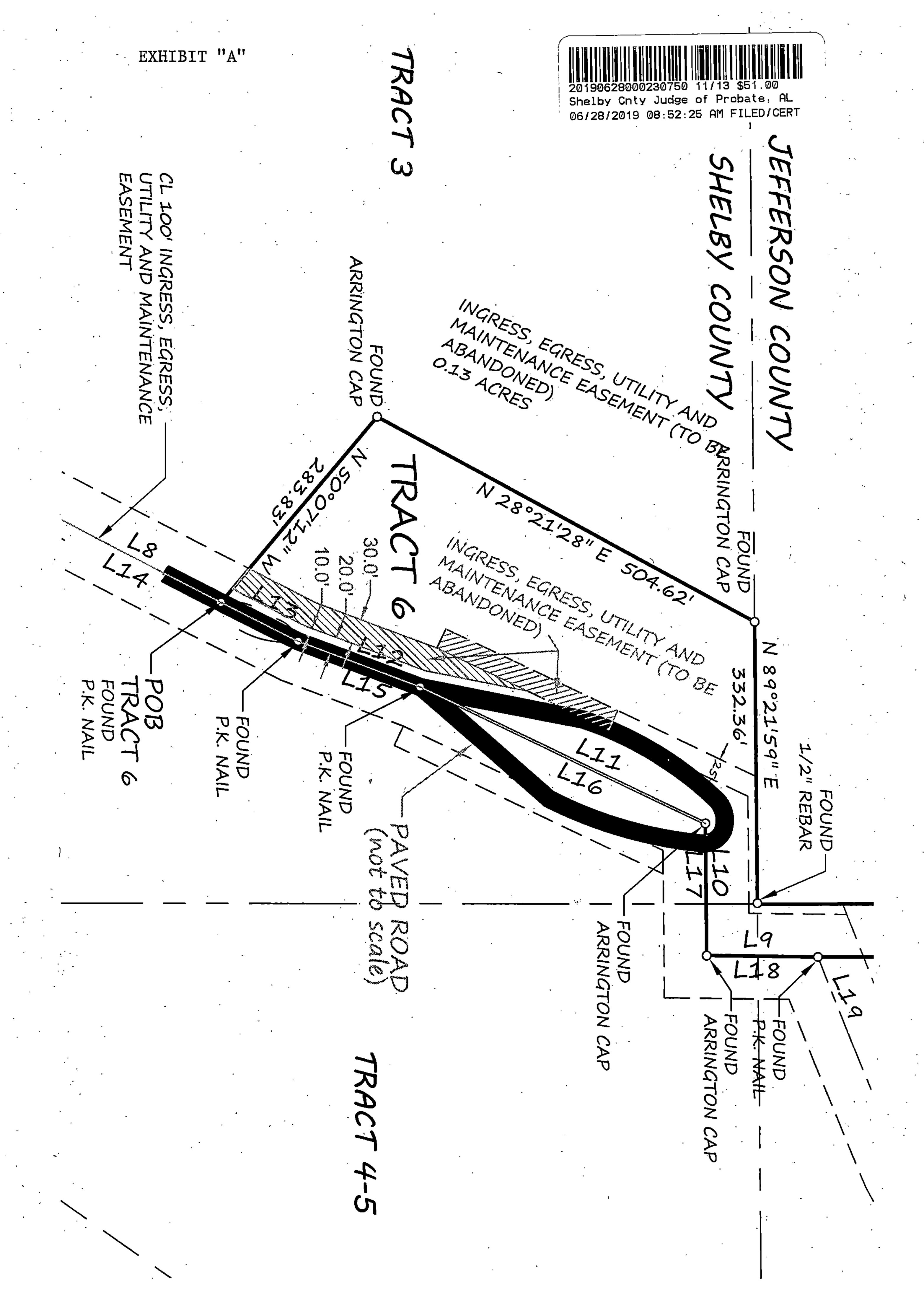
My Commission Expires:

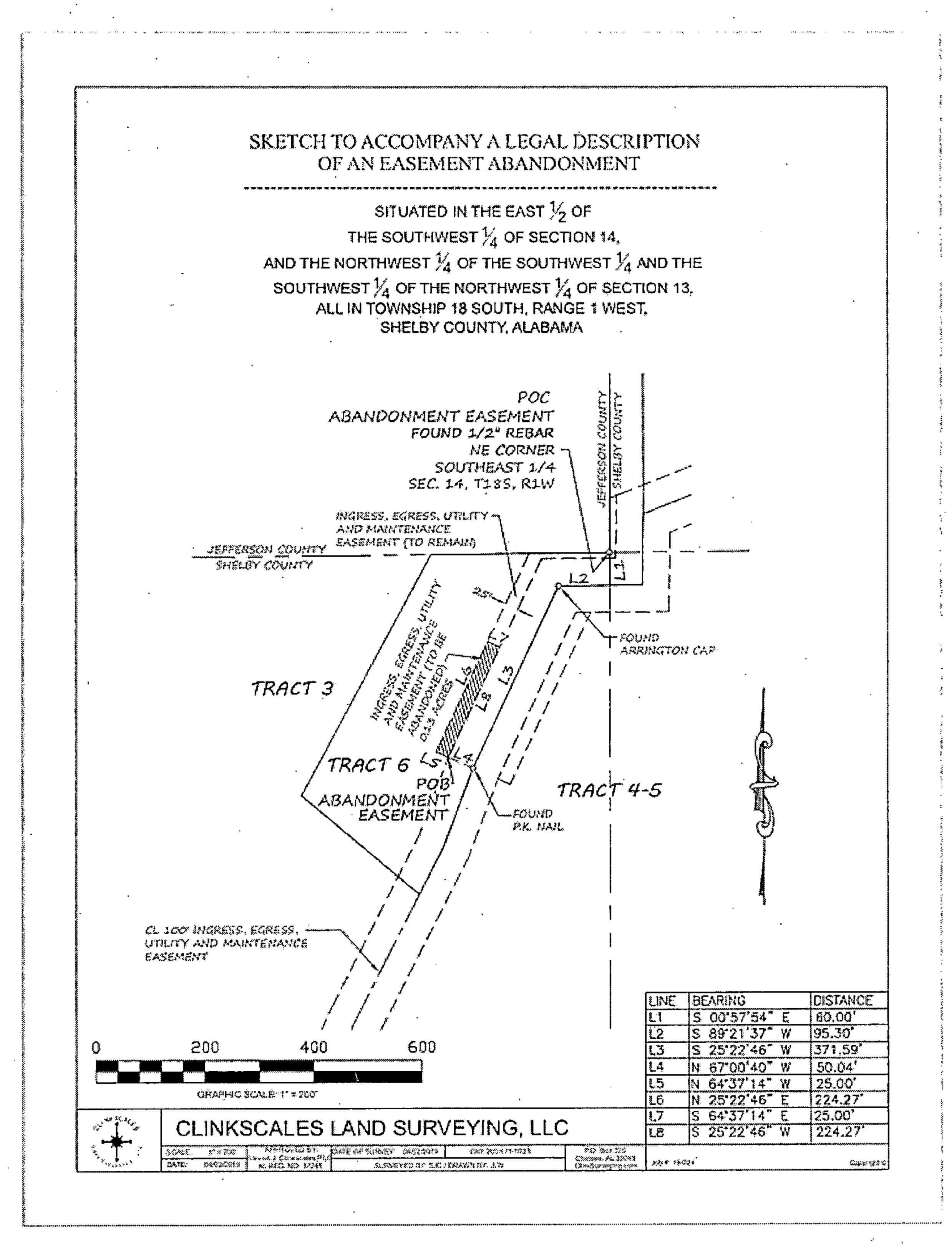
6-2-2023

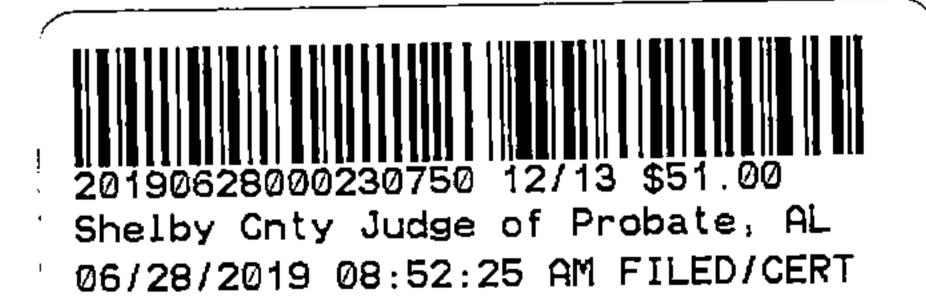
NOTARY PUBLIC

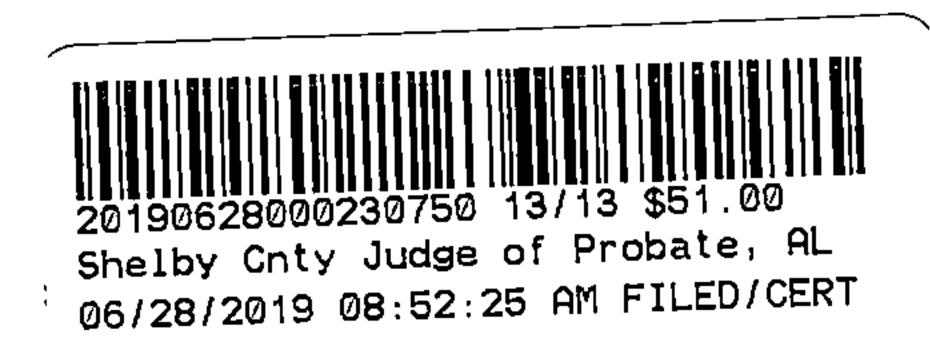
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Shelby Cnty Judge of Probate, AL 06/28/2019 08:52:25 AM FILED/CERT









TRACT 6
SPRINGSTONE ESTATES
EASEMENT ABANDONMENT

A PORTION OF AN EASEMENT FOR INGRESS, EGRESS, UTILITIES AND MAINTENANCE TO BE ABANDONED. LYING IN THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 18 SOUTH, RANGE I WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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