

406

STATE OF ALABAMA)

JEFFERSON COUNTY)

THIS AGREEMENT made and entered into this the 17th day of October, 1960, by and between CLAUDE C. WILLIAMS and wife, EDNA JOYCE WILLIAMS, parties of the first part, and YOUNG QUAN and wife, MAY C. QUAN, parties of the second part,

W I T N E S S E T H:

WHEREAS, the parties of the first part and the parties of the second part both own an interest in the following described real estate situated in Shelby County, State of Alabama, to-wit:

From the NW corner of Section 24, Township 20 South, Range 3 West, run West along the North boundary line of said Section 24, Township 20 South, Range 3 West, for 157.41 feet more or less to a point on the East right-of-way line of the Fungo Public Road for the point of beginning of the easement for a public entrance herein described; thence turn an angle of 60° 01' to the left and run Southwesterly along the East right-of-way line of the Fungo Road for 15.0 feet; thence turn an angle of 85° 15' to the left and run Southeasterly 30.0 feet; thence turn an angle of 95° 45' to the left and run Northeasterly 40.0 feet; thence turn an angle of 84° 15' to the left and run Northwesterly 30.0 feet to a point on the East right-of-way line of said Fungo Public Road; thence turn an angle of 95° 45' to the left and run Southwesterly along the East right-of-way line of the Fungo Public Road 25.0 feet to the point of beginning;

and

WHEREAS, the parties hereto are desirous of creating a common driveway over the above described property for the benefit of each of them to the adjoining property owned by the respective parties;

NOW, THEREFORE, the parties agree with each other as follows:

BOOK 212 PAGE 44

That an easement for a common driveway in favor of the following described parcels is created over the property described above for the purpose of creating the common driveway 40 feet in width for the benefit of both of the following described parcels:

(1) The NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, Township 20 South, Range 2 West, except parcel (2).

(2) Begin at the Northwest corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, Township 20 South, Range 2 West, thence run South along the West boundary line of the said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 19, Township 20 South, Range 2 West, for 96.63 feet; thence turn an angle of 52 degrees, 41 minutes to the left and run Southeasterly 98.80 feet; thence run East parallel with the North boundary line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, Township 20 South, Range 2 West, for 338.84 feet; thence run North parallel with the West boundary line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, Township 20 South, Range 2 West, for 156.53 feet more or less, to a point on the North boundary line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, Township 20 South, Range 2 West, for 417.42 feet, more or less, to the point of beginning.

That this easement is superior and paramount to the rights of any of the parties hereto in the respective servient estates so created, and that it is a covenant running with the land.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, this the 17th day of October, 1960.

Claude C. Williams Young Quan
Claude C. Williams Young Quan

Edna Joyce Williams May C. Quan
Edna Joyce Williams May C. Quan
"Parties of First Part" "Parties of the Second Part"

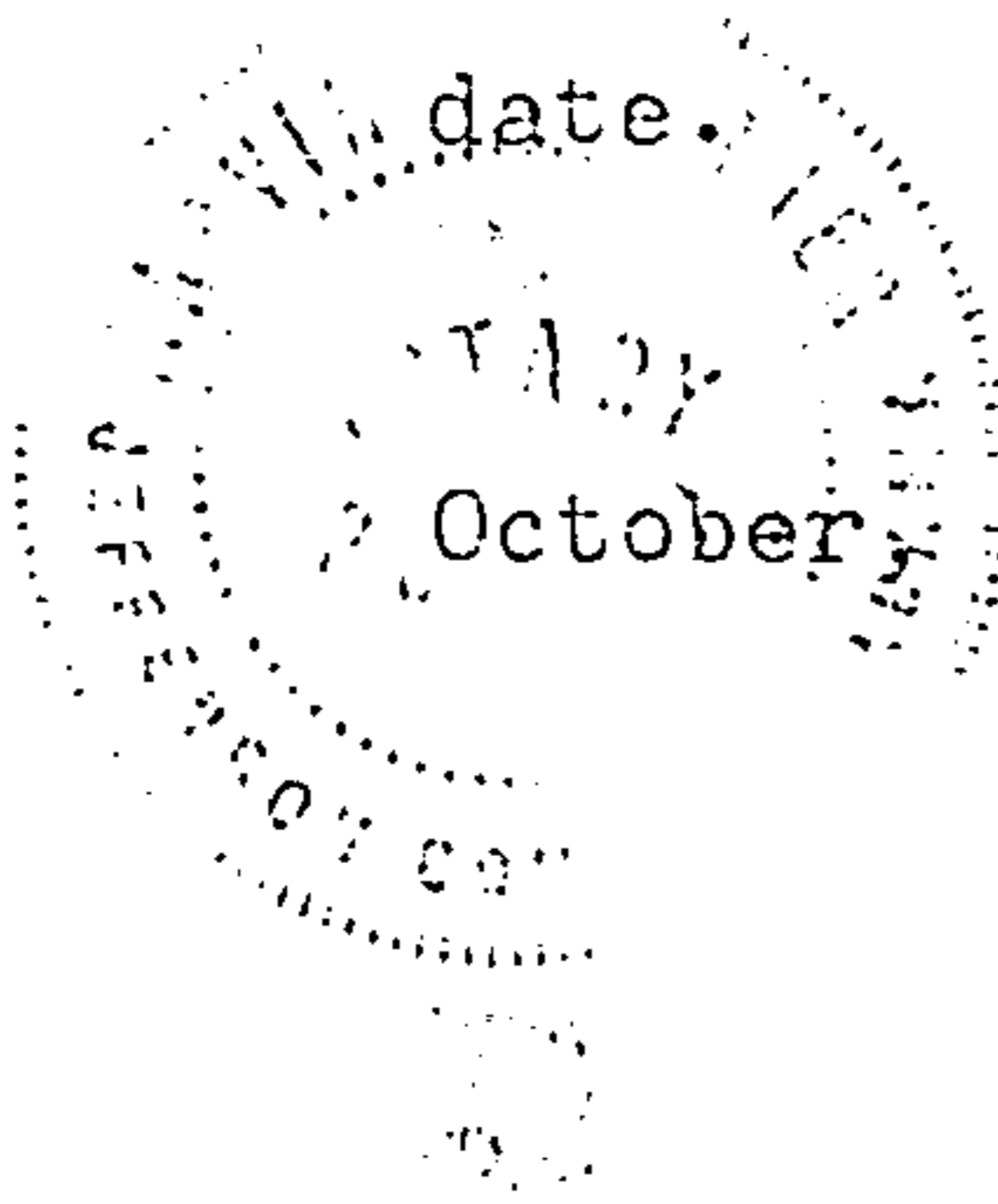
Witness:

BOOK 212 PAGE 45

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Claude C. Williams and wife, Edna Joyce Williams, 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 this instrument, they executed the same voluntarily on the day the same bears date.

GIVEN under my hand this the 17th day of October, 1960.

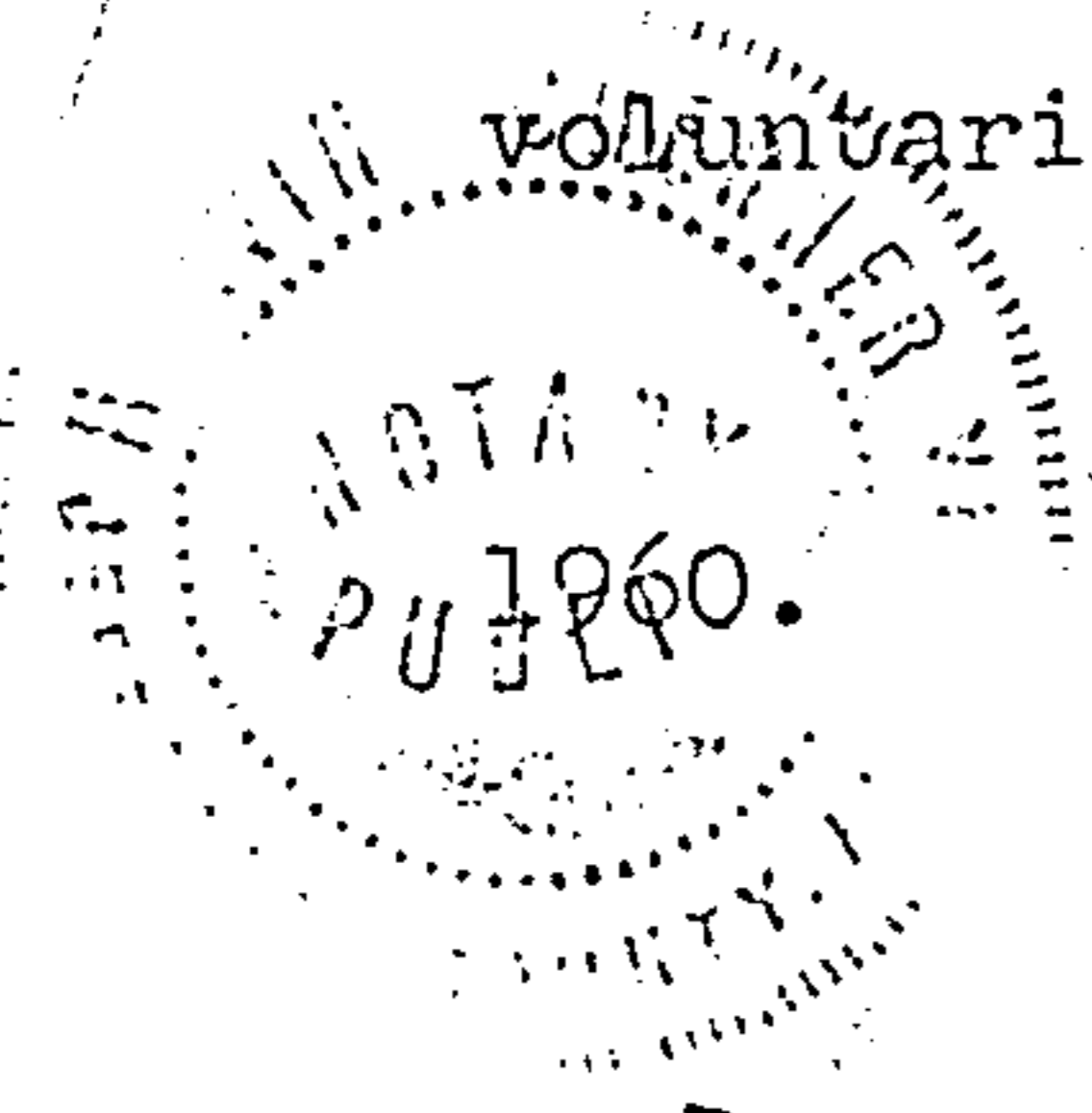


Maud Oliver
NOTARY PUBLIC

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Young Quan and wife, May C. Quan, 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 this instrument, they executed the same voluntarily on the day the same bears date.

GIVEN under my hand this the 17th day of October,



Maud Oliver
NOTARY PUBLIC

BOOK 212 PAGE 46

FILED 21 OCTOBER 1960

STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within instrument was filed for record in this office on the 17th day of October 1960 at 11 M. o'clock, and recorded in Book 12 at page 114 on the 21 day of October 1960.
Mortgage Tax _____ Deed Tax _____ has been paid.

Conrad M. Fowler
Judge of Probate