

2899 28862
STATE OF ALABAMA)
SHELBY COUNTY)

THIS INDENTURE, made and entered into on this 17th day of April, 1964 by and between C. E. SMITH, and wife, GERTRUDE W. SMITH, hereinafter referred to as "Grantors", and CHARLES H. SMITH, and wife, NELDA JEAN SMITH, hereinafter referred to as "Grantees".

W I T N E S S E T H:

WHEREAS, the Grantors are the owners of all those portions of the property described herein:

The South half of the Northwest Quarter of the Northeast Quarter; Southwest Quarter of the Northeast Quarter; Northwest Quarter of the Southeast Quarter and the East half of the Southwest Quarter of the Southeast Quarter Section 35, Township 20 South, Range 1 East.

WHEREAS, the Grantees are the owners of those portions of said property herein described:

SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 35, Township 20 South, Range 1 East. Commence at the SE corner of the above said $\frac{1}{4}/\frac{1}{4}$ and along the east boundary line of said $\frac{1}{4}/\frac{1}{4}$ run north for a distance of 210.0 feet, thence turn an angle of 88° 12' to the left for a distance of 115.0 feet; thence, turn an angle of 91° 48' to the left for a distance of 210.0 feet, to the center line of County Road #48, thence turn an angle of 88° 12' to the left along the center line of said road for a distance of 115.0 feet to the point of beginning, and

WHEREAS, there is located on the lands owned by the Grantors a spring or well; and,

WHEREAS, the Grantees are desirous of obtaining an easement to draw water from said spring or well for their private use and to install such pipes, pumps and appliances on and over the lands of the Grantors as may be required for such purpose and an easement over and across the lands of the Grantors for the purpose of maintaining such pumps, pipes, and other appliances;

NOW, THEREFORE, the Grantors, in consideration of the premises and the sum of ONE DOLLAR (\$1.00), cash in hand to them paid by the Grantees, the receipt whereof is hereby acknowledged, do hereby give and grant unto the Grantees the right, privilege and easement to use the well or spring located on the lands owned by the Grantors above described and to draw water from said spring or well for the private use of the Grantees, their heirs and assigns, for the service of the property owned by the Grantees in the deed above described and to install such pipes, pumps and other appliances in said well or spring and over and across the lands of the Grantors as may be necessary for such purpose; and the right and privilege to enter upon the lands of the Grantors for the purpose of maintaining and servicing said pumps, pipes, and other appliances.

The right and easement herein granted shall be appurtenant to and run with the lands, subject to the condition that, if and when a public water system is constructed, or a private water system is constructed by the Grantees on their lands, this easement may be terminated upon the giving of thirty days notice in writing by the Grantors, their heirs or assigns.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals on the day and date first above written.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 4/29 1964
RECORDED & S. & L. TAX
& S. & L. TAX HAS BEEN
PD. ON THIS INSTRUMENT.

STATE OF ALABAMA)
SHELBY COUNTY)

Conrad M. Fowler
JUDGE OF PROBATE

C. F. Smith (L.S.)

Gertrude W. Smith (L.S.)

I, the UNDERSIGNED, A NOTARY PUBLIC in and for said County and State, hereby certify that C. F. Smith & Gertrude W. Smith 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, have executed same voluntarily, on the day the same bears date.

Given under my hand and official seal, this the 17th day of

April 1964.

Marjorie H. Kuttis