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STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS: That, whereas, J. W. Howard owns and is in possession and control of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 8, Township 18, Range 2 East, Shelby County, Alabama, except the following described real estate:

Begin at the SW corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 8, Township 18, Range 2 East, Shelby County, Alabama, and run thence North along the West line of said forty a distance of 411 feet to the point of beginning; thence run East 274 feet; thence run Northwesterly a distance of 711 feet to the intersection of the West line of said forty; thence run South along the West line of said forty a distance of 615 feet to the point of beginning which is owned by Willie Brashier, and,

WHEREAS, O. J. Shaw owns and is in possession and control of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 8, Township 18, Range 2 East, Shelby County, Alabama; and,

WHEREAS, an old public road known as the old Columbiana - Moody's Crossroad Road crosses the real estate herein described beginning at a point near the NW corner of the said real estate described herein, owned and in the possession and control of J. W. Howard and runs Southeasterly and along the East line of the real estate herein described, owned by Willie Brashier and continues in a Southeasterly direction into and across the real estate herein described and in the possession and control of O. J. Shaw and,

WHEREAS, J. W. Howard has erected a gate across the said road at or near the Northwest corner of the real estate herein described, owned and in his possession and also has erected a barbed wire obstruction across the said road on the North line of the real estate herein described owned and in the possession of O. J. Shaw, and,

WHEREAS, the parties hereto recognize the said road as being a public road and that it is in the best interest of both parties for said road to remain opened.

NOW THEREFORE, for the consideration of the mutual promises and covenants, each party hereto promises and covenants with the other party as follows:

1. That the parties hereto shall cause to be erected a cattle guard approximately 4 feet by 11 feet and placed across the said road where the same enters the land herein recited owned and in the possession of J. W. Howard at or near the Northwest corner of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 8, Township 18, Range 2 East, Shelby County, Alabama, and also a cattle guard of the same size across the said road at a point where the said road crosses the North forty line of the land herein described owned and in the possession of O. J. Shaw.

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2. That the parties hereto recognize that the said road to be a public road and in the best interest of both parties to be kept open.

3. That the parties hereto shall pay the expense of the two cattle guards in equal shares.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this the 6<sup>th</sup> day of September, 1963.

J. W. Howard  
J. W. Howard

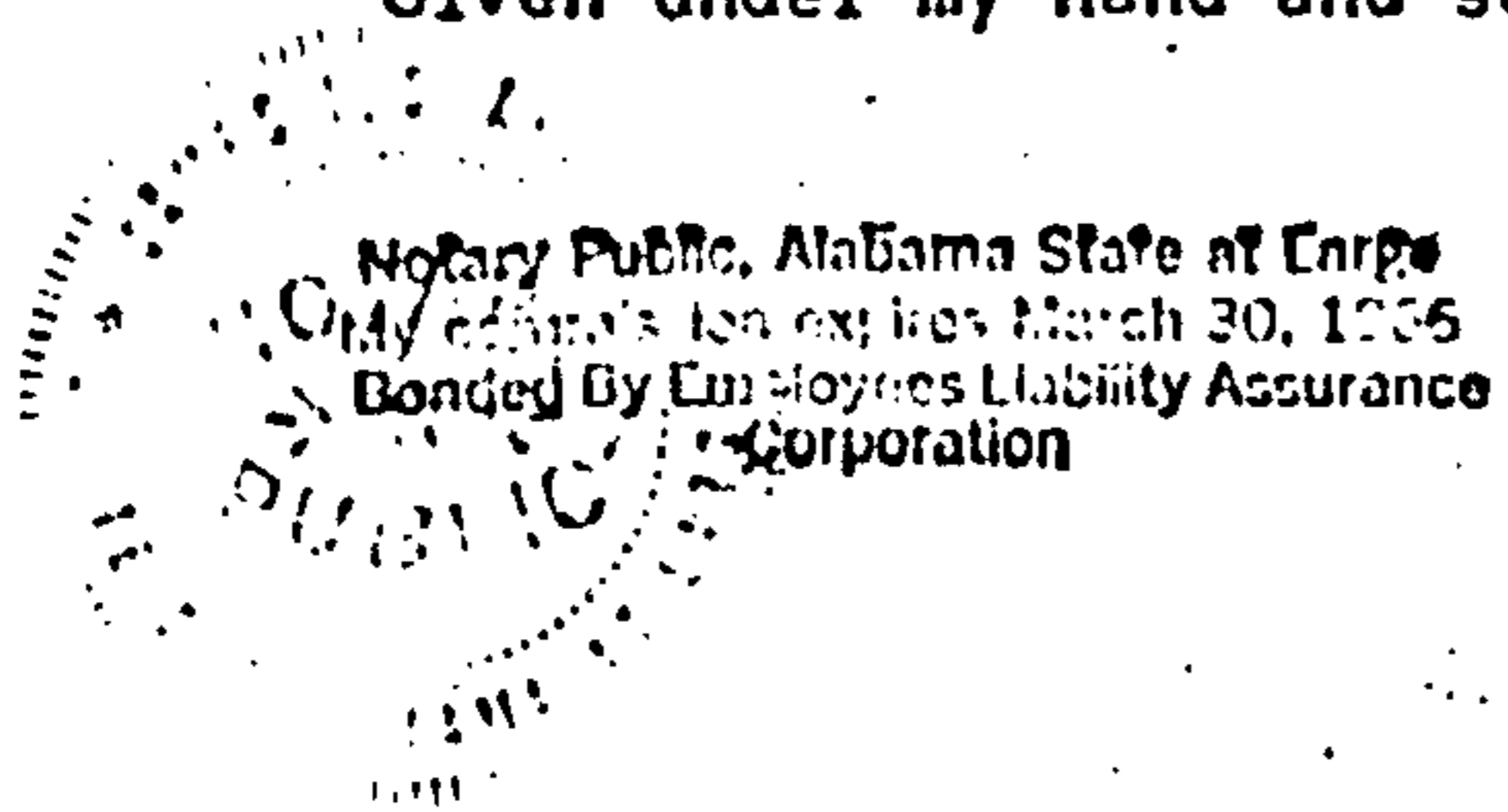
O. J. Shaw  
O. J. Shaw

STATE OF ALABAMA

SHELBY COUNTY

I, James H. Sharbutt, a Notary Public in and for said State and County, do hereby certify that J. W. Howard and O. J. Shaw, whose names are signed to the foregoing conveyance, and who is known to me, acknowledged before me this day that, being informed of the contents of the conveyance, each executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 6<sup>th</sup> day of September, 1963.



James H. Sharbutt  
Notary Public

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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 8/23  
1965  
RECORDED & S. & M. TAX  
& S. & M. TAX HAS BEEN  
PD. ON THIS INSTRUMENT.  
Conrad H. ...  
JUDGE OF PROBATE