

1373
STATE OF ALABAMA)
SHELBY COUNTY)

WITNESS THIS AGREEMENT entered into by and between JAMES SIMS and wife, VIOLET SIMS, hereinafter referred to as "Parties of the First Part", and ALTON SIMS and wife, BECKY SIMS, hereinafter referred to as "Parties of the Second Part":

WHEREAS, parties of the first part are the owners of the following described real property situated in Shelby County, Alabama, to-wit:

Commence at the NW corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 29, Township 21 South, Range 1 West and run North 87 deg. 00' East (M.B.) a distance of 120.00 feet to the point of beginning; thence continue along said line a distance of 135.00 feet to a point; thence turn an angle of 87 deg. 30' to the right and run a distance of 270.73 feet to a point on the Northwest 40' right of way line of State Highway 70; thence turn an angle of 71 deg. 02' to the right and run along said right of way line a distance of 166.08 feet to a point; thence turn an angle of 112 deg. 48' to the right and run a distance of 331.30 feet to the point of beginning. Said parcel of land is lying in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29, Township 21 South, Range 1 West and contains 1.00 acre, more or less.

and

WHEREAS, parties of the second part are the owners of the following described real property situated in Shelby County, Alabama, to-wit:

Commence at the Northwest corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 29, Township 21 South, Range 1 West and run North 87 deg. 00' East (M.B.) a distance of 255.00 feet to the point of beginning; thence continue along said line a distance of 150.00 feet to a point; thence turn an angle of 87 deg. 30' to the right and run a distance of 212.63 feet to a point on the northwest 40' right of way line of State Highway 70; thence turn an angle of 71 deg. 02' to the right and run along said right of way line a distance of 158.45 feet to a point; thence turn an angle of 108 deg. 58' to the right and run a distance of 270.73 feet to the point of beginning. Said parcel of land is lying in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 29, Township 21 South, Range 1 West and contains 0.83 acres, more or less;

which said parcel is adjacent to the above described property owned by parties of the first part; and

WHEREAS, it is the desire of both parties of the first part and both parties of the second part to drill a common well of water on the boundary line between the above two said parcels of property, which said well of water shall be used for domestic purposes of all parties to this agreement;

NOW, THEREFORE, in consideration of the above premises and the consideration of the mutual covenants and agreements set out herein, parties hereto do hereby agree, covenant, and contract as follows:

1. At the joint expense of the parties hereto a well of water shall be drilled on the common boundary line dividing the above two said parcels of land at a point which is 75 feet, more or less, from the Northern end of said common boundary.

2. The cost of drilling said well and establishing adequate pumping and holding facilities shall be borne equally by parties of the first part and parties of the second part. The cost of connecting to said facilities and running lines to each of the houses located on the above described property shall be borne by the respective owners.

3. The cost of maintaining said well and pumping and storage facilities shall be divided equally between the parties.

4. This said agreement shall create a covenant and easement running with the land against and in favor of both of the above described parcels of land and shall bind and inure to the benefit of the owners of both parcels of land described above, their heirs, successors, and assigns forever.

WITNESS OUR HANDS AND SEALS this the 12th day of February, 1970.

James Sims (SEAL)
James Sims

Violet Sims (SEAL)
Violet Sims

(PARTIES OF THE FIRST PART)

Alton Sims (SEAL)
Alton Sims

Becky Sims (SEAL)
Becky Sims

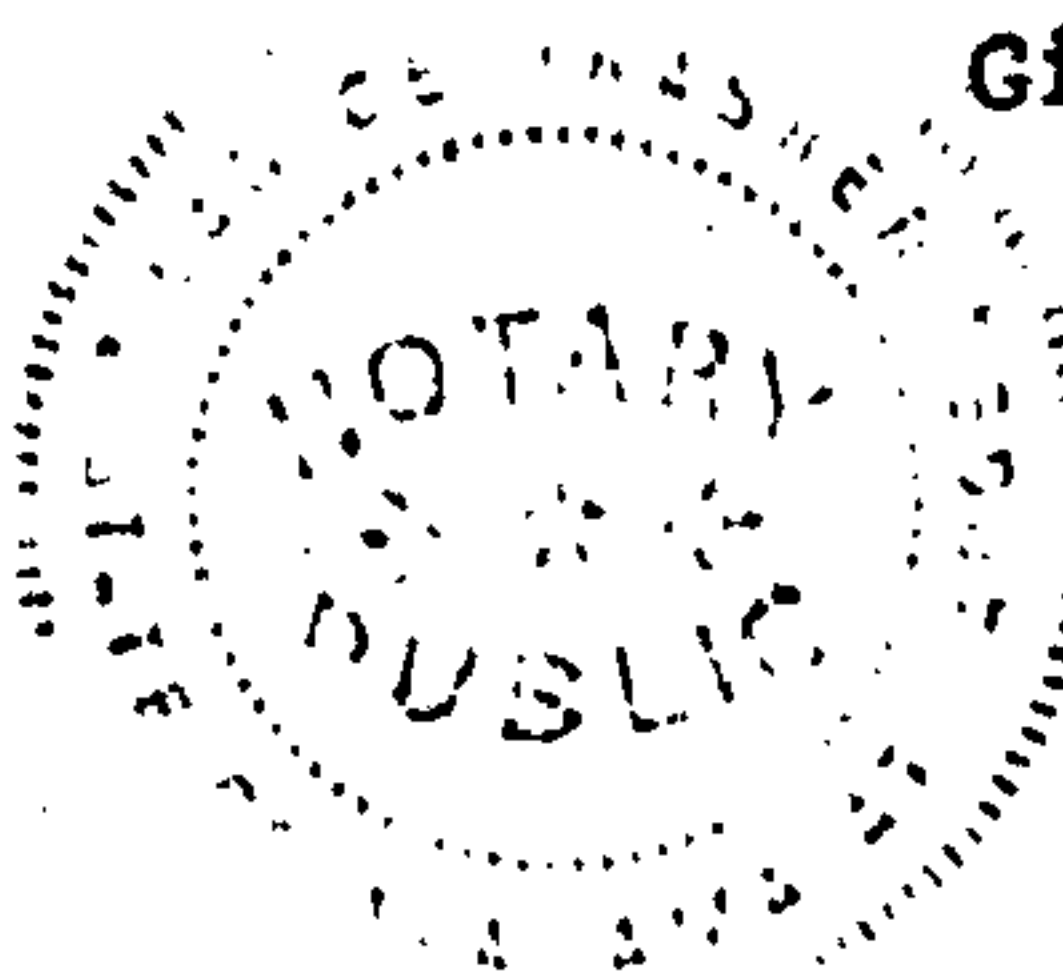
(PARTIES OF THE SECOND PART)

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JAMES SIMS & wife, VIOLET SIMS; ALTON SIMS and wife, BECKY SIMS, 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.

Given under my hand and official seal this 12th day of February, 1970.

Lance Brasler
Notary Public



STATE OF ALABAMA
SHELBY COUNTY
1970 FEB 12 PM 2:41
UCC FILE NUMBER 00
REC. BK. & PAGE AS SHOWN ABOVE
JAMES SIMS

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