

STATE OF ALABAMA)
SHELBY COUNTY)



19731203000065420 1/2 \$.00
Shelby Cnty Judge of Probate, AL
12/03/1973 12:00:00 AM FILED/CERT

2254
WHEREAS, Thomas H. Brasher and wife, Martha A. Brasher, hereinafter called party of the first part, heretofore executed a deed to John D. Rowland, Jr. and wife, Diana B. Rowland, hereinafter called party of the second part, to a certain parcel of land situated in Shelby County, Alabama, described as follows:

From the NE corner of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6, Township 24 North, Range 15 East, run South along the East boundary of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$ a distance of 289.6 feet to the point of beginning of herein described parcel of land; thence turn 83 deg. 16' right and run 210.0 feet; thence turn 43 deg. 38' left and run 180.21 feet; thence turn 76 deg. 07' left and run 263.65 feet; thence turn 104 deg. 52' left and run 268.04 feet; thence turn 38 deg. 39' left and run 167.0 feet to the point of beginning. Containing 1.71 acres.

which deed is dated May 8, 1973, and recorded in the Probate Office of Shelby County, Alabama in Deed Book 280, page 182; and

WHEREAS, there is no well situated on said above described property, and

WHEREAS, the driveway leading to the above property crosses the land of party of the first part, and

WHEREAS, party of the first part is the owner of contiguous land upon which there is situated a well of water; and

WHEREAS, parties hereto are desirous of securing to owners of the above described property the right to obtain water from the well situated on the property of party of the first part, and right to install, repair, and maintain a water pipe or water peips to said well;

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00) to party of the first part, in hand paid by party of the second part, the receipt of which is acknowledged, party of the first part does hereby grant unto party of the second part, their heirs and assigns, the right to take and use water from said well for the above described lot, in common with the owners of the property now owned by party of the first part, their heirs and assigns. Party of the second part shall further have the right and privilege together with party of the first part and such other persons as may be designated by party of the first part, to connect to the pump now located at said well, and to lay water pipes over and across a strip of land five feet wide measuring 2 $\frac{1}{2}$ feet on either side of a center line described as follows:



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Beginning at the well of the property of the party of the first part and extending Easterly to the above described property, as said pipeline is now located, and in use.

It is agreed and understood that as a part of the consideration for the grant of his easement and water right, party of the second part, their heirs and assigns, assume and agree to pay one half of the cost of electricity and cost of maintaining, repairing and/or replacing said pump.

Party of the second part is further granted the right to use the driveway which crosses property of party of the first part, said driveway being the driveway leading to the above described property, and which is now being used to get to the above described property.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this the 26 day of November, 1973.

Thomas H. Brasher
Thomas H. Brasher

Martha A. Brasher
Martha A. Brasher

PARTY OF THE FIRST PART

John D. Rowland, Jr.
John D. Rowland, Jr.

Diana B. Rowland
Diana B. Rowland

PARTY 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 THOMAS H. BRASHER, MARTHA A. BRASHER, JOHN D. ROWLAND, JR. and DIANA B. ROWLAND, 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 this 26 day of November, 1973.

Lance Brasher
Notary Public

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STATE OF ALA. SHELBY CO.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this

26th day of November, 1973.

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