

STATE OF ALABAMA

SHELBY COUNTY

5696

AGREEMENT AND EASEMENT FOR LAKE

THIS INDENTURE made by and between Louise J. Maske, a widow, hereinafter referred to as party of the first part, and John Richard Davis and wife, Lynda K. Davis, hereinafter referred to as parties of the second part:

W I T N E S S E T H:

THAT WHEREAS, parties of the second part are owners of the following parcel of real estate situated in Shelby County, Alabama, viz.:

From the Southeast corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ Section 32, Township 19 South, Range 1 East, run West along the South boundary of said quarter-quarter a distance of 514.83 feet to the point of beginning; thence right 101 deg. 41 min. a distance of 483.48 feet; thence left 3 deg. 56 min. a distance of 609.83 feet; thence left 61 deg. 40 min. a distance of 205.90 feet; thence left 91 deg. 55 min. a distance of 453.57 feet; thence right 55 deg. 47 min. a distance of 217.75 feet; thence left 90 deg. 00 min. a distance of 406.60 feet; thence left 55 deg. 06 min. a distance of 467.63 feet; thence right 55 deg. 40 min. a distance of 154.77 feet; thence left 90 deg. 31 min. a distance of 73.89 feet to the point of beginning, according to survey of Evander E. Peavy, Registered Land Surveyor, dated March 14, 1976, and

WHEREAS, the party of the first part owns land adjacent to and immediately to the east of said parcel of real estate, and

WHEREAS, the parties of the second part are planning and have taken steps to construct a dam on their parcel of real estate more particularly described above, said dam to impound waters for a lake, and

WHEREAS, the waters of said lake will extend in an easterly direction and will flood and lie impounded upon the said land of the party of the first part, and

WHEREAS, the party of the first part, and her successors in title to the said lands which she owns, will receive benefits from the impoundment of such waters in said lake, including livestock watering rights, boating rights, fishing rights on said

19760601000050720 1/3 \$.00
Shelby Cnty Judge of Probate, AL
06/01/1976 12:00:00AM FILED/CERT

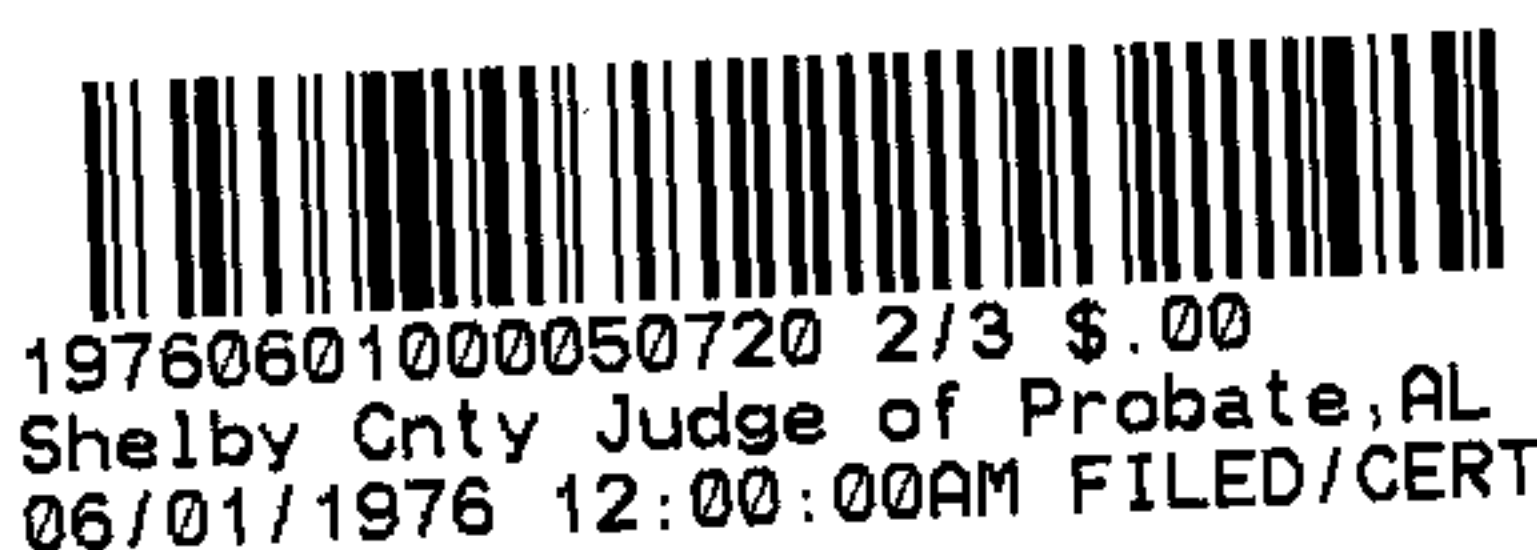
BOOK 200 PAGE 97

lake,

NOW THEREFORE, in consideration of these premises and of the mutual benefits accruing to and by the party of the first part and parties of the second part, and for the further consideration of the sum of One and No/100 (\$1.00) Dollar in hand paid to the party of the first part by the parties of the second part, the receipt whereof is hereby acknowledged by the party of the first part, the party of the first part for herself and for her successors in title to the lands which she presently owns, does hereby grant, give, bargain, sell, and convey to the parties of the second part, perpetual easement and right to flood and impound waters upon said lands of the party of the first part by the construction of a dam on the real estate of the parties of the second part, according to present plans and as specified herein, said party of the first part and her successors in title, reserving the right to use said lake for boating, fishing, watering of cattle and livestock, and other reasonable uses.

TO HAVE AND TO HOLD unto the parties of the second part, their heirs, assigns, and successors in title forever.

Witness our hands and seals on this 27th day of May, 1976.



Louise J. Maske (L.S.)
Louise J. Maske

John Richard Davis (L.S.)
John Richard Davis

Lynda K. Davis (L.S.)
Lynda K. Davis

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Louise J. Maske, a widow, party of the first part, whose name is signed to the foregoing Agreement And Easement For Lake, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the Agreement And Easement For Lake, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 1st day of ~~May~~^{JUNE}, 1976.

Reed J. Brown
Notary Public

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John Richard Davis and wife, Lynda K. Davis, parties of the second part, whose names are signed to the foregoing Agreement And Easement For Lake, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the Agreement And Easement For Lake, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 27th day of May, 1976.

Mary D. Thompson
Notary Public



19760601000050720 3/3 \$.00
Shelby Cnty Judge of Probate, AL
06/01/1976 12:00:00AM FILED/CERT

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1976 JUN - 1 PM 3:58
Reed J. Brown
JUDGE OF PROBATE

BOOK 299 PAGE 99