

847

STATE OF ALABAMA)

TUSCALOOSA COUNTY)

19780425000049000 1/3 \$.00
Shelby Cnty Judge of Probate, AL
04/25/1978 12:00:00AM FILED/CERT

RIGHT OF WAY EASEMENT

Know all men by these presents that the undersigned, GULF STATES PAPER CORPORATION, a corporation, (hereinafter called Grantor) for and in consideration of one thousand eight hundred seventy-five and no/100 dollars (\$1,875.00) in hand paid by Thurston W. Sumner, the receipt whereof is hereby acknowledged by Grantor, does hereby give, grant, bargain, sell and convey unto Thurston W. Sumner, Reese Webb Sumner, Leslie Gannon, Lynn Jared and Lori Webb Sumner, their heirs and assigns, (hereinafter jointly called Grantees) a non-exclusive permanent easement for a road right of way over and across the following described real estate, which is located in Shelby County, Alabama, to-wit:

A road right of way not more than thirty (30) feet in width including all of an existing gravel road in the south half of northeast quarter, Section 35, Township 20 South, Range 1 West and further described as follows: Begin at the southeast corner of said south half of northeast quarter and run west along the south line of said south half of northeast quarter for a distance of 86 feet to a point; said point is the point of beginning and the center-line of said 30 foot road right of way. Thence run north 80 degrees west for a distance of 580 feet to a point; thence north 57 degrees west for a distance of 300 feet to a point; thence north 80 degrees west for a distance of 240 feet to a point; thence south 79 degrees 30 minutes west for a distance of 527 feet to a point; thence south 55 degrees west for a distance of 99 feet to a point; thence south 68 degrees west for a distance of 200 feet to a point; thence run south 48 degrees west for a distance of 175 feet to the point of ending on the south line of said south half of northeast quarter with said point being 596.5 feet east of the southwest corner of said south half of northeast quarter, Section 35, Township 20 South, Range 1 West (hereinafter called Easement). A plat of the Easement is attached hereto and incorporated by reference.

To have and to hold said Easement and Right of Way unto the Grantees and their heirs and assigns forever.

It is the intent of the Grantor and the Grantees that the Easement will include an existing water line regardless of whether said water line is within the Easement as described above. The Grantees shall have the right to keep in place, maintain, repair, replace and relocate (within the Easement) said water line and the telephone cable, which are presently located within or near the Easement and the electric power lines which have been installed along or near the Easement by Alabama Power Company. The rights granted to the Grantees in this paragraph may be exercised by the Grantees or by the utility company which installed or uses such facilities and equipment.

The Grantees shall have the right, but shall not be obligated, to grade the Easement, put gravel on the Easement, pave the Easement and maintain the Easement so that it can be used for vehicular and pedestrian traffic. The rights granted to the Grantees in this paragraph may be exercised with regard to all or any part of the Easement.

Thurston Sumner
Rt. 1 Box 9908
D. I.

BOOK 311 PAGE 655

The letter agreement, dated April 11, 1973, which was approved by Thurston W. Sumner on May 10, 1973, between the Grantor and Thurston W. Sumner and the letter agreement, dated February 6, 1969, between the Grantor and Thurston W. Sumner and Mrs. Thurston W. Sumner (who is the same person as Reese Webb Sumner) are hereby terminated and canceled as of the date of this instrument.

The right of the Grantor to use any road or any other part of any property of the Grantees, or any of them, is hereby terminated and canceled as of the date of this instrument.

The Grantor reserves unto itself, its agents, its successors and assigns, the right to use subject right of way in conjunction with the Grantees, their heirs and assigns.

In witness whereof, GULF STATES PAPER CORPORATION has hereunto set its signature by E. E. LOPER, its Vice President, who is duly authorized on this the 5th day of April, 1978.

ATTEST:

[Signature]
Secretary

GULF STATES PAPER CORPORATION

By [Signature]
As Its Vice President

STATE OF ALABAMA)

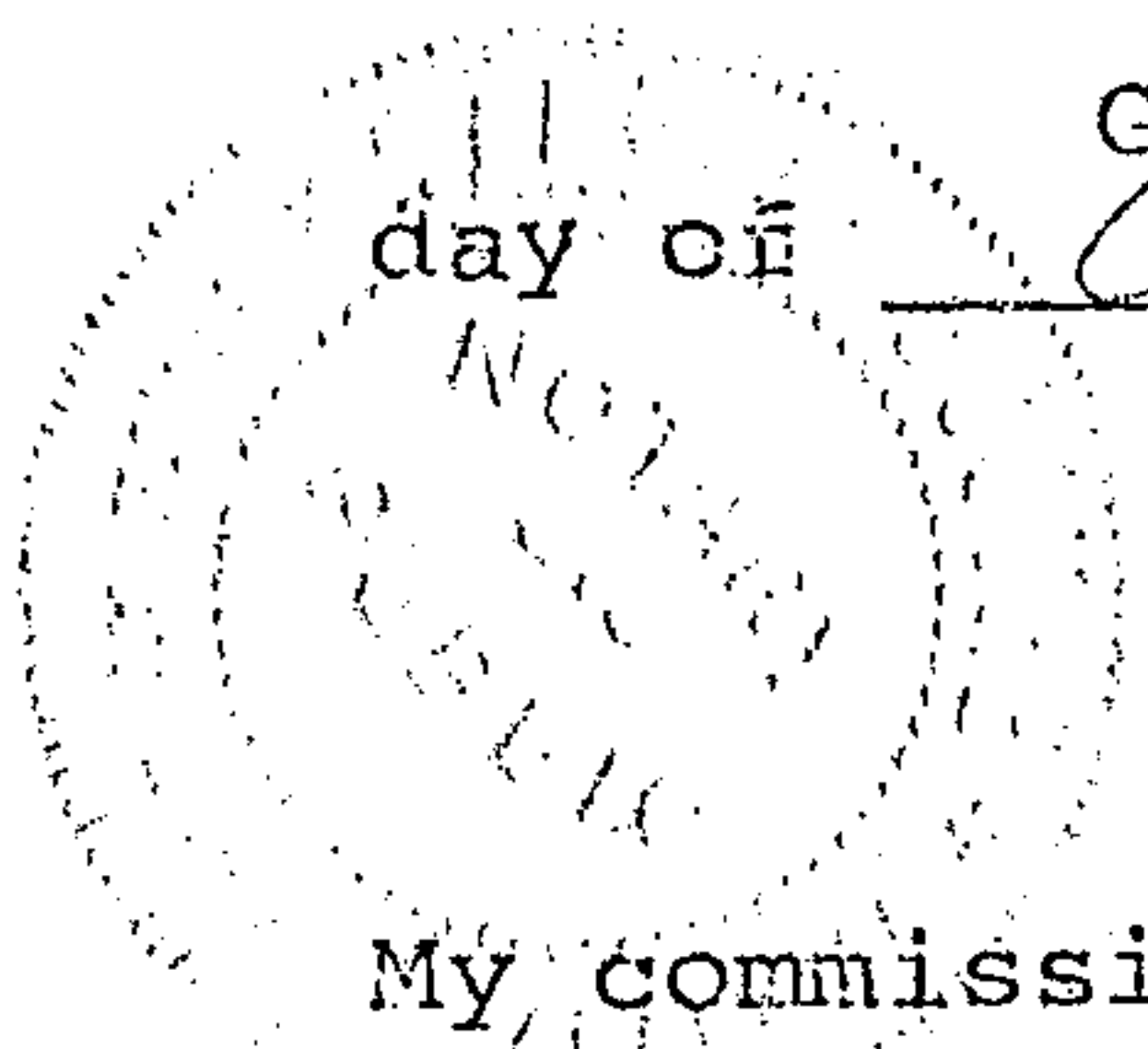
TUSCALOOSA COUNTY)



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I, Sandra Beattie, a Notary Public in and for said County, in said State, hereby certify that E. E. LOPER, whose name as Vice President of GULF STATES PAPER CORPORATION, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 5th day of April, 1978.



STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

[Signature]
Notary Public

My commission expires APR 25 PM 2:12

March 22, 1982
[Signature]
JUDGE OF PROBATE

Rec. 6.00
Ind 1.00
\$ 9.00

Accepted and approved on this _____ day of _____, 1978.

[Signature]
Witness

[Signature]
Thurston W. Sumner

[Signature]
Witness

[Signature]
Reese Webb Sumner

[Signature]
Witness

[Signature]
Leslie Gannon

[Signature]
Witness

[Signature]
Lynn Jared

[Signature]
Witness

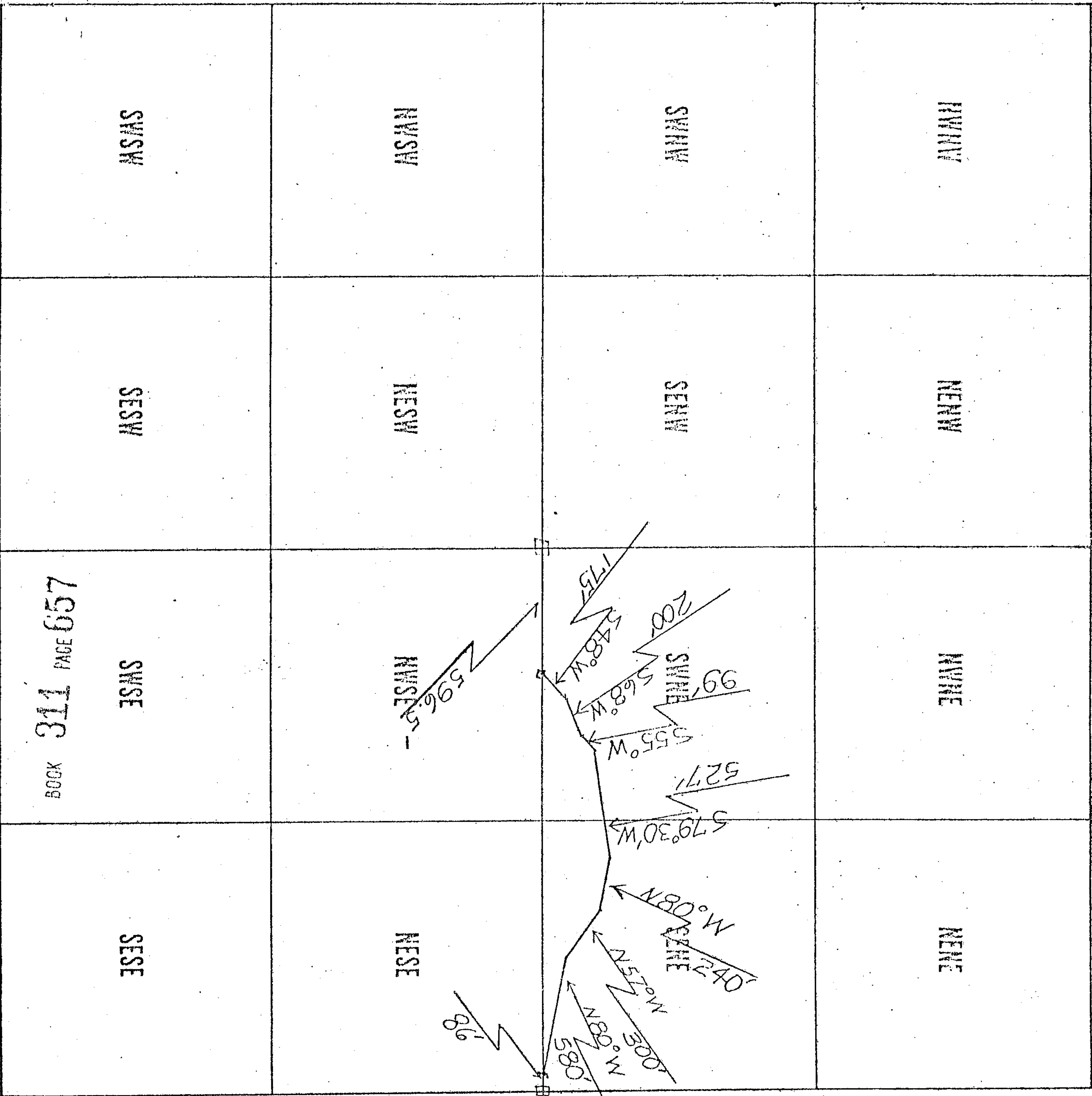
[Signature]
Lori Webb Sumner

See attached map

BOOK 311 PAGE 656



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SECTION 35
TOWNSHIP 20S
RANGE 1W
COUNTY Shelby

SURVEYED BY _____
DATE 12-8-77
 $\frac{2121 \times 30}{43560} = 1.46$

PIPE
PIN
CONCRETE
OTHER Railroad
PAINTED LINE

SCALE 8" = 1 mile
C10-015