

E A S E M E N T

22

THIS AGREEMENT, made this 30<sup>th</sup> day of January, 1979, among CLARENCE E. BISHOP, III, Party of the First Part, which expression shall include his heirs, executors, administrators, agents or assigns; and JILLENE BISHOP, Party of the Second Part, which expression shall include her heirs, executors, administrators, agents or assigns; and CYNTHIA BISHOP ARGO and her husband, TERRY C. ARGO, Party of the Third Part, which expression shall include their heirs, executors, administrators, agents or assigns.

WHEREAS, the Party of the First Part owns and has title to the real property located in Shelby County, Alabama, which property is described as follows:

Begin at the SW corner of the E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 27, Township 19 South, Range 2 West, and run northerly along the west side of the said E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  for 1703.94 feet to the point of beginning. Then continue along the last described course for 226.75 feet, then turn an angle of 97 degrees 27 minutes 26 seconds to the right and run easterly for 167.60 feet, then turn an angle of 82 degrees 32 minutes 34 seconds to the right and run southerly for 209.49 feet, then turn an angle of 91 degrees 33 minutes to the right and run westerly for 116.25 feet back to the point of beginning;

and

WHEREAS, the Party of the Second Part owns and has title to that real property located adjacent thereto and adjoining the above described real property of Party of the First Part, (and also adjoins that real property described in the following paragraph and is owned by the Party of the Third Part), with property owned by Party of the Second Part being described as follows:

Begin at the SW corner of the E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 27, Township 19 South, Range 2 West, and run northerly along the west side of the said E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  for 1703.94 feet, thence turn an angle of 91 degrees 33 minutes to the right and run easterly for 474.25 feet, then turn an angle of 91 degrees 23 minutes 07 seconds to the left and run northerly for 123.00 feet to the point of beginning. Then continue along the last described course for 123.00 feet, then turn an angle of 88 degrees 36 minutes 53 seconds to the left and run westerly for 266.65 feet, then turn an angle of 91 degrees 33 minutes to the left and run southerly for 40.89 feet, then turn an angle of 97 degrees 27 minutes 26 seconds to the right and run westerly for 42.40 feet, then turn an angle of 97 degrees 27 minutes 26 seconds to the left and run southerly for 86.48 feet, then turn an angle of 88 degrees 27 minutes to the left and run easterly for 303.35 feet back to the point of beginning;

and

WHEREAS, the Party of the Third Part owns and has title to that real property located adjacent and adjoining that real property owned by Party of the Second Part with the property owned by the Party of the Third Part being described as follows:

Begin at the SW corner of the E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 27, Township 19 South, Range 2 West, and run northerly along the west side of the said E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  for 1703.94 feet, then turn an angle of 91 degrees 33 minutes to the right and run easterly for 474.25 feet, then turn an angle of 91 degrees 23 minutes 07 seconds to the left and run northerly for 246.00 feet to the point of beginning. Then continue along the last described course for 141.36 feet, then turn an angle of 82 degrees 42 minutes 27 seconds to the left and run westerly for 269.25 feet, then turn an angle of 97 degrees 27 minutes 26 seconds to the left and run southerly for 169.11 feet, then turn an angle of 88 degrees 27 minutes to the left and run easterly for 266.65 feet back to the point of beginning;

and

WHEREAS, the above described properties as owned by parties of the Second Part and Third Part are without access for ingress and egress to their respective properties; and

WHEREAS, the parties hereto in consideration of the sum of ONE (\$1.00) DOLLAR in hand paid by each to the other, have agreed to grant to the respective Parties in need of access for ingress and egress, an easement and right of way across their respective properties for the mutual benefit of one another.

NOW, THEREFORE, in pursuance to this agreement and for and in consideration of the sum of ONE (\$1.00) DOLLAR in hand paid each to the other, receipt of which is hereby acknowledged, and in the further consideration of the mutual covenants, agreements and conditions and stipulations herein contained, it is mutually agreed, covenanted and stipulated by and among the Parties as follows:

1. The Party of the First Part hereby grants to the Party of the Second Part, and to Party of the Third Part, and their respective heirs and assigns, an Easement and Right of Way, together with the full and free right for them and their servants, visitors and licensees to pass and re-pass along and over



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Shelby Cnty Judge of Probate, AL  
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such easement and right of way for ingress and egress to and from the properties owned by Party of the Second Part and Party of the Third Part, with such easement being 30.0 feet in width extending from the northern most boundary and into the property as described above as owned by Party of the First Part and running across such north boundary of the property of Party of the First Part for a distance of 167.60 feet where same connects with and is adjacent to the western boundary of the property as owned by Party of the Second Part, which property subject to the easement is more particularly described as follows:

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Begin at the SW corner of the E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 27, Township 19 South, Range 2 West, and run northerly along the west side of said E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  for a distance of 1930.69 feet to the point of beginning. Then turn an angle of 97 degrees 27 minutes 26 seconds to the right and run easterly for 167.60 feet, then turn an angle of 82 degrees 32 minutes 34 seconds to the right and run southerly for 30.0 feet, then turn an angle of 97 degrees 27 minutes 26 seconds to the right and run westerly 167.60 feet to the west side of the E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the aforementioned section, then turn an angle of 82 degrees 32 minutes 34 seconds to the right and run northerly along said west side of the E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  for 30.0 feet to the point of beginning.

2. The Party of the Second Part hereby grants to the Party of the Third Part, their heirs and assigns, an Easement and Right of Way, together with the full and free right for them and their servants, visitors and licensees to pass and re-pass along and over such Easement and Right of Way for ingress and egress to and from the property as owned by Party of the Third Part, with legal description of that property subject to such easement being set forth as follows:

Begin at the SW corner of the E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 27, Township 19 South, Range 2 West, and run northerly along the west side of the said E  $\frac{1}{2}$  of the E  $\frac{1}{2}$  for 1930.69 feet, then turn an angle of 97 degrees 27 minutes 26 seconds to the right and run easterly for 167.60 feet to the point of beginning. Then continue along the last described course for a distance of 42.40 feet, then turn an angle of 97 degrees 27 minutes 26 seconds to the left and run northerly for 40.89 feet, then turn an angle of 91 degrees 33 minutes to the right and run easterly for 30.0 feet, then turn an angle of 88 degrees 27 minutes to the right and run southerly for a distance of 70.80 feet, then turn an angle of 97 degrees 27 minutes 26 seconds to the right and run westerly a distance of 72.40 feet, then turn an angle of 82 degrees 32 minutes 34 seconds to the right and run northerly for a distance of 30.0 feet to the point of beginning.

3. It is further understood and agreed that the easements granted herein are to be held by the respective grantees, their heirs and assigns as appurtenant to the land owned by the respective grantees, and a copy of a survey depicting the subject properties is attached hereto and marked as "Exhibit A".

4. This agreement has been executed in triplicate by the parties and each executed copy thereof shall be considered an original.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

WITNESSES:

Clarence E Bishop III  
CLARENCE E. BISHOP, III, Party of  
the First Part

[Signature]

Jillene Bishop  
JILLENE BISHOP, Party of the Second  
Part

[Signature]

Cynthia Bishop Argo  
CYNTHIA BISHOP ARGO

[Signature]

Terry C. Argo  
TERRY C. ARGO

[Signature]

Party of the Third Part

STATE OF ALABAMA X X

JEFFERSON COUNTY X X

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Shelby Cnty Judge of Probate, AL  
02/01/1979 12:00:00AM FILED/CERT

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that CLARENCE E. BISHOP, III, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this 30<sup>th</sup> day of

January, 1979.

William Lee Walker  
Notary Public

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STATE OF ALABAMA X X

JEFFERSON COUNTY X X

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that JILLENE BISHOP, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this 30<sup>th</sup> day of January, 1979.

Deloris Lucy Walls  
Notary Public

STATE OF ALABAMA X X

JEFFERSON COUNTY X X

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that CYNTHIA BISHOP ARGO and her husband, TERRY C. ARGO, 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.

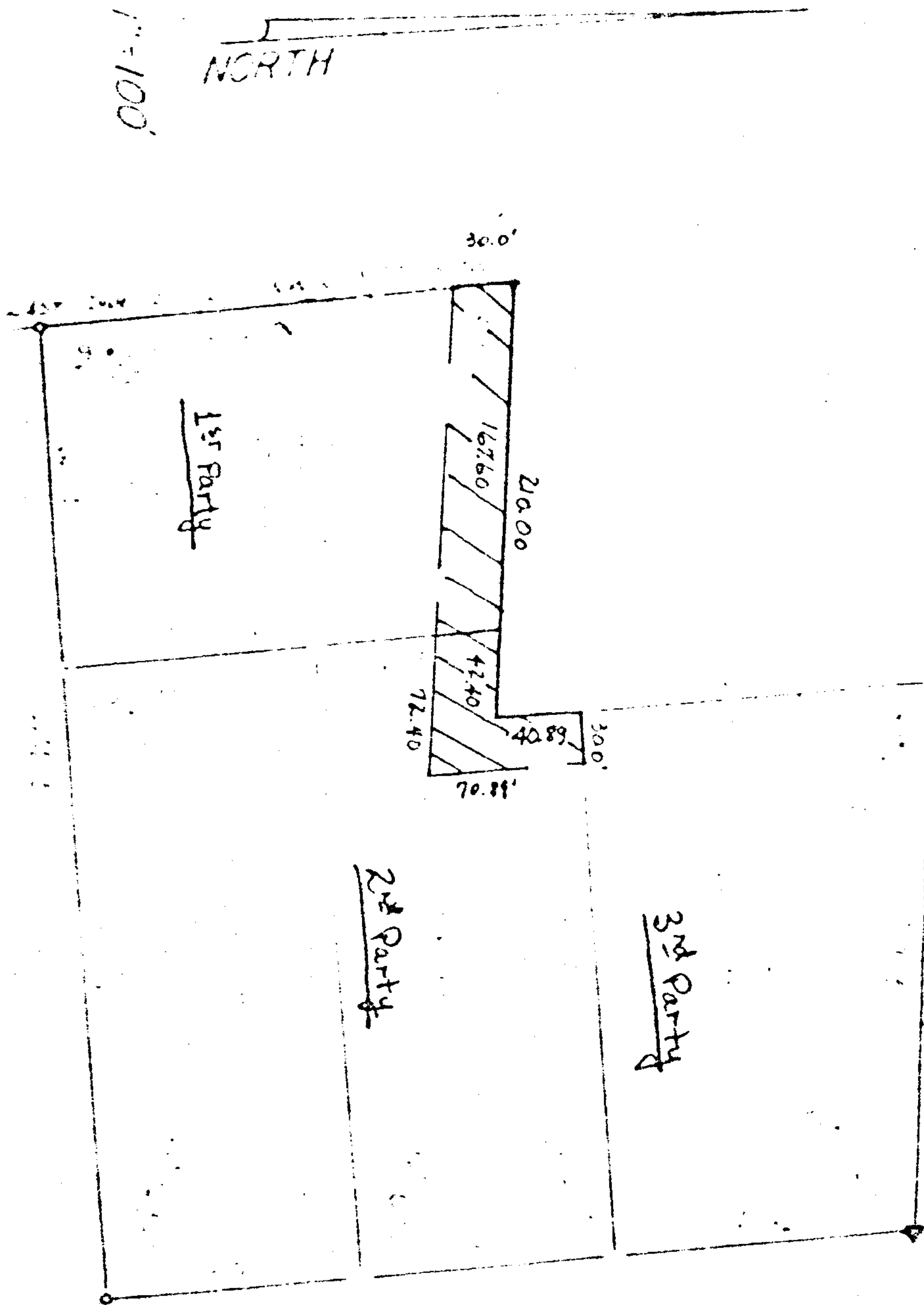
GIVEN under my hand and official seal this 30<sup>th</sup> day of January, 1979.

Deloris Lucy Walls  
Notary Public

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Shelby Cnty Judge of Probate, AL  
02/01/1979 12:00:00AM FILED/CERT

EXHIBIT A

BOOK 317 Pg. 547-13



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02/01/1979 12:00:00AM FILED/CERT

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

1979 FEB 1 AM 9:35

Thomas A. Snowden, Jr.  
JUDGE OF PROBATE

Seed Tap - .50  
Rec. 9.00  
Ind. 1.00

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