

IN THE CIRCUIT COURT FOR SHELBY COUNTY,
ALABAMA

CHARLES G. GORMAN &
OLENE GORMAN

PLAINTIFFS

VS

ZOLLIE COWART, et al,

DEFENDANTS

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CASE NO. CV-81-186(E)

CONSENT DECREE

The foregoing having been presented to the Court by stipulation and agreement of the parties, the Court therefore Orders, Adjudges and Decrees as follows:

1) That the Plaintiffs are the owners of certain real property located in Shelby County, Alabama, more particularly described as follows:

Commence at the Northwest corner of Section 20, Township 22, Range 2 West, thence run South along the West section line of said Section 20, to the South side of the Spring Branch gravel road for a point of beginning, thence continue South along said West boundary line of said Section 20 for 1320 feet, thence Southeasterly and parallel with the following the curvature of the Spring Branch gravel road 700 feet, thence North and parallel with the West boundary line of said Section 20 approximately 1320 feet to South side of the Spring Branch gravel road, thence Northwesterly along the South side of the Spring Branch gravel road 700 feet to the point of beginning. All located in the Northwest Quarter of Section 20, Township 22, Range 2 West, Shelby County, Alabama.

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2) That Defendant, Zollie S. Cowart, Jr., is the owner of certain real property located in Shelby County, Alabama, and which is contiguous to the property of the Plaintiffs.

3) It is Ordered by the Court and agreed upon by the parties that the Defendant, Cowart, will make no claim to any easement or roadway which may now exist upon the Plaintiffs' property and it is further Ordered by the Court and agreed between the parties that if and when the Plaintiffs construct any roadway upon the Plaintiffs' property that such roadway or road system shall

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35040

be constructed in such a manner that the Defendant, Cowart, can make use of said roadway or road system for residential use and benefit of his property and such roadway or road system or other utilities will be constructed in such a manner that Cowart can construct a roadway or other utilities to join into the Plaintiffs' roadway or road system and utility system and further that the Plaintiffs will provide Cowart with a reasonable easement for the use as set out above and which will conform to the regulations and laws of the State of Alabama and Shelby County. It is understood between the parties and ordered by the Court that the proposed easement as set out above will be placed in such a manner as to be reasonably and efficiently made use of by the Defendant, Cowart.

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It is further agreed by the parties and ordered by the Court that the Plaintiffs will allow the Defendant, Cowart, to use the existing road as long as it exists.

Done this the 22 day of JUNE, 1983.

Court paid.

Robert R. Armstrong
Robert Armstrong
Circuit Judge

FILED IN OFFICE THIS 22 DAY
OF June, 1983

Kyle Anderson

Clerk of Circuit Court
Shelby County, Alabama

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1983 JUL 19 PM 2:17
Thomas A. Shoups
JUDGE OF PROBATE

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