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STATE OF ALABAMA )  
SHELBY COUNTY )

THIS AGREEMENT, by and between John N. Randolph and wife, Virginia S. Randolph (hereinafter, "the Randolphs") and Ingrid L. Smyer, an unmarried woman, and Sidney W. Smyer III and wife, Elisabeth H. Smyer (hereinafter, "the Smyers"), WITNESSETH:

WHEREAS, the Randolphs are the owners of certain real estate situated in Shelby County, Alabama, described as Lot 2, according to the Survey of Hollybrook Lake, First Sector, as recorded in Map Book 4, Page 74, in the Probate Court of Shelby County, Alabama; and

WHEREAS, the Smyers are the owners of certain real estate which adjoins the aforesaid property of the Randolphs on the north and east, and is situated in Section 18, Township 18 South, Range 1 East, Shelby County, Alabama; and

WHEREAS, the aforesaid Survey of Hollybrook Lake, First Sector, appears to be inaccurate in its depiction of a portion of the boundary of said Lot 2, and the parties are uncertain as to the physical location of the boundary between their properties; and

WHEREAS, the parties desire to establish the boundary between the aforesaid property of the Randolphs and that of the Smyers;

NOW, THEREFORE, in consideration of the premises and of the mutual understandings contained herein, the parties hereto agree that the boundary between the aforesaid property of the Randolphs and the aforesaid property of the Smyers is hereby established to be as follows, to-wit:

Commence at a point designated as the "point of beginning" on the map and drawing attached hereto as "Exhibit A", which point lies on the northeastern shore of the slough of Hollybrook Lake separating Lots 2 and 3 of the Survey of Hollybrook Lake, First Sector, as recorded in Map Book 4, Page 74, in the Probate Court of Shelby County, Alabama; and from said point of beginning, run northeastwardly a distance of 87', more or less, to an iron pin; thence, turn right 13°35' and run northeastwardly a distance of 121.8' to an iron pin; thence, turn right 89°14' and run southeastwardly a distance of 410', more or less, to a point on the northeastern shore of Hollybrook Lake, designated as the "point of ending" on the map and drawing attached hereto as "Exhibit A", which more specifically depicts the boundary hereinabove described, and reference to which is hereby made.

The parties further agree that the provisions hereof shall inure to the benefit of, and shall be binding upon, their heirs, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 21 day of August, 1984.

John N. Randolph (L.S.)  
John N. Randolph

Virginia S. Randolph (L.S.)  
Virginia S. Randolph

Ingrid L. Smyer (L.S.)  
Ingrid L. Smyer

Sidney W. Smyer III (L.S.)  
Sidney W. Smyer III

Elisabeth H. Smyer (L.S.)  
Elisabeth H. Smyer

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County and said State, hereby certify that John N. Randolph and wife, Virginia S. Randolph, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me 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 16<sup>th</sup> day of July, 1984.

Thomas B. Leonard III  
Notary Public  
(Affix Seal)

John N. Randolph  
ATTORNEY AND COUNSELOR AT LAW  
703 FRANK NELSON BUILDING  
BIRMINGHAM, ALABAMA 35203

STATE OF Alabama )  
COUNTY OF Jefferson )

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

Given under my hand and official seal this 21 day of August, 1984.

  
\_\_\_\_\_  
Notary Public  
(Affix Seal)

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County and said State, hereby certify that Sidney W. Smyer III and wife, Elisabeth H. Smyer, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me 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 21 day of August, 1984.

  
\_\_\_\_\_  
Notary Public  
(Affix Seal)



