

THE STATE OF ALABAMA

JEFFERSON COUNTY

179
MUTUAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, MILDRED L. RUTHERFORD and DONALD RUTHERFORD are the owners of contiguous tracts of land located in Shelby County, Alabama, as shown by Tax Assessor's maps in said County, and do hereby grant a Mutual Easement in and to each party on that certain real property located and situated in Shelby County, Alabama and more particularly described as follows, to-wit:

A 30 feet wide easement for ingress and egress, situated in the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 21, Township 19 South, Range 2 West, Shelby County, Alabama and more particularly described as follows; Easement being 30 feet wide, 15 feet on each side of the following described centerline; Commence at the Northeast Corner of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 21, thence North along the East line of Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 16, Township 19 South, Range 2 West, a distance of 343.84 feet; thence 109 degrees 10 minutes left and run southwest 231.69 feet; thence 106 degrees, 30 minutes right and run north 210.0 feet; thence 142 degrees left and run Southwest 168.54 feet; thence 10 degrees, 16 minutes right and continue southwest 210.04 feet; thence 48 degrees, 16 minutes left and run South 909.60 feet; thence 118 degrees, 16 minutes, 18 seconds left for 75.01 feet; thence 96 degrees, 21 minutes right 59.37 feet to the point of beginning; thence 79 degrees, 29 minutes, 42 seconds left 234.55 feet; thence 3 degrees, 24 minutes right 131.79 feet; thence 22 degrees, 09 minutes left 42 feet; thence 18 degrees right 100 feet to the point of ending of said centerline on the west right of way of a paved county road.

and,

WHEREAS, the easement as described hereinabove is subject to ingress and egress over and to the properties as owned by the parties hereto. It is the intention of both parties hereto to create a Mutual Easement for the purpose of ingress and egress, over, under, and across the property described and contiguous thereto, pursuant to the description contained herein and the contiguous tracts owned by said parties. This easement shall be for the use and benefit of the tract of land owned by DONALD RUTHERFORD. It is agreed by all parties to this Mutual Easement that said easement shall run with the land.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar and other good and valuable consideration, in hand paid to the undersigned by each other, the receipt and sufficiency whereof is hereby mutually acknowledged, the parties hereto covenant and agree as follows:

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RE 19 Box 173-A
Birmingham AL 35247

1. That the parties having affixed their signatures hereto do hereby agree to grant, bargain and convey the easement as mentioned hereinabove for a private road for the purpose of ingress and egress, and said easement shall be perpetual.

2. The undersigned, DONALD RUTHERFORD, his successors and assigns, shall be obligated to maintain and keep said easement at all times, in a good and sufficient state of repair, so as to provide adequate ingress and egress, pursuant to the terms of this easement.

3. That both parties do hereby mutually agree that said easement shall be perpetual in nature and shall run with the land as mentioned in the easement and with the land upon which easement rests, as located in Shelby County, Alabama.

IN WITNESS WHEREOF, the undersigned have set their hands and seals and caused these presents to be executed by their duly authorized officers on this the 3RD day of JANUARY, 1985.

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WITNESS

Donald Rutherford
DONALD RUTHERFORD

WITNESS

Kathleen W. Rutherford
KATHLEEN W. RUTHERFORD

WITNESS

Mildred L. Rutherford
MILDRED L. RUTHERFORD

WITNESS

Julius E. Rutherford
JULIUS E. RUTHERFORD

THE STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that DONALD RUTHERFORD and wife, KATHLEEN W. RUTHERFORD, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 3RD day of JANUARY, 1985.

Julius E. Rutherford
NOTARY PUBLIC



