

1386

STATE OF ALABAMA)
SHELBY COUNTY)

IMPOSITION OF MAINTENANCE OBLIGATION

This Imposition of Maintenance Obligation made this the 18th day of April, 1986, by Robert Riley and Robert A. Enoch (herein collectively referred to as "Bob").

WHEREAS, Bob owns the following described property in Shelby County, Alabama, to-wit: The NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, both in Section 22, Township 18 South, Range 1 West (herein referred to as the "property"); and

WHEREAS, Bob intends to construct or have constructed roadways across those parcels of land described in Exhibits "A" and "B" attached hereto and incorporated by reference herein (herein the "roadway"); and

WHEREAS, Bob desires to impose upon the property, obligations to maintain the roadway which will burden the property.

NOW, THEREFORE, in consideration of the premises, Bob hereby binds themselves, their heirs, successors and assigns and the property (which obligation shall run with the property) as follows:

1. The obligation to maintain the roadway shall be binding on the owners of the property until such time as the roadway is dedicated to and accepted by Shelby County, Alabama as a public roadway. Any one or more of the then owners of the property may instigate the offering of the roadway to Shelby County, Alabama as a public roadway, however, such instigating owner(s) shall bear any cost and expense accruing to make such offer of

James J. Burford
Lamar, Alabama
100 Postage Office Park

BGA 068 MAY 929

dedication including, but not limited to, upgrading expense and legal expense.

2. Until such time as the roadway is dedicated to and accepted by Shelby County, Alabama as a public roadway, the roadway shall be maintained by, and the costs shared by, the then owners of the property in proportion to their ownership as related to the total of the property. Provided, however, that the total annual costs of maintenance expense shall not exceed \$300.00 per quarter quarter section, which shall be shared on a pro rata basis. In the event that any owners who have constructed a residence on any portion of the property determine that additional maintenance is necessary to maintain the road in its original condition requiring expenses beyond the amount of the annual maintenance expense, the all such expense must be approved by the owners then comprising two-thirds (2/3) of the property. No owner of any portion of the property shall be required to pay an amount above the said pro rata share unless a residential structure has been constructed on the said owner's property. Until such time as the total acreage comprising the property has been surveyed, for the purposes of this document, it shall be assumed that each quarter quarter section comprising the property contains exactly forty (40) acres.

Each owner of any quarter quarter section, or any part thereof, shall be required to bear the expense of scraping the subject roadway as soon after the completion of construction of a residential structure on such owner's parcel as is practicable.

The obligation to maintain the roadway shall be a lien and charge against any parcel of any owner who fails to meet the

terms of this paragraph two (2). However, if any one or more identifiable owners of the property, their agents, invitees, licensees or household residents is/are the cause(s) of any damage to the roadway, such damage shall be repaired at such owner's sole expense.

IN WITNESS WHEREOF, Bob has hereunto set their hands and seals this the 18th day of April, 1986.

Robert R. Riley
ROBERT RILEY

Robert A. Enoch
ROBERT A. ENOCH

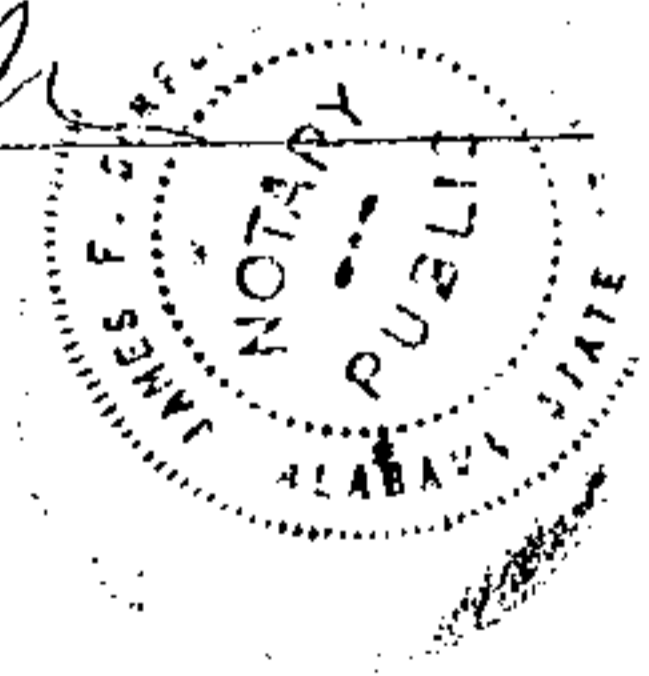
BOOK 068 PAGE 931

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Robert Riley and Robert A. Enoch, 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 the 18 day of April, 1986.

A. T. Bynum
NOTARY PUBLIC



STATE OF ALABAMA)
SHELBY COUNTY)

EXHIBIT A
IMPOSITION OF MAINTENANCE OBLIGATION

An easement, 60 feet in width, all being located in the Northwest Quarter of the Southeast Quarter of Section 22, Township 18 South, Range 1 West, Huntsville Meridian (the subservient estate), to benefit and serve the Northeast Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter, both in Section 22, Township 18 South, Range 1 West, Shelby County, Alabama (the dominant estate), and being more particularly described as follows:

BOOK 668 PAGE 932
Commence at the Northwest Corner of the Northwest Quarter of the Southeast Quarter of Section 22; thence North $87^{\circ}27'45''$ East, along the North line of the Southeast Quarter of said section, 1,164.56 feet to the beginning of a curve to the right, said curve having a central angle of $90^{\circ}32'46''$, a radius of 158.49 feet, an arc length of 250.45 feet, and a chord of 225.19 feet as measured along a bearing of South $47^{\circ}15'52''$; thence along said arc, 250.45 feet to the point of tangency; said point being on the East line of the Northwest Quarter of the Southeast Quarter of said section; thence South $1^{\circ}59'30''$ East, along said East line 1,172.50 feet to the Southeast corner of the Northwest Quarter of the Southeast Quarter of said section; thence South $87^{\circ}24'53''$ West, along and with the South line of said quarter-quarter section, 60 feet to a point; thence North $1^{\circ}59'30''$ West, parallel to the East line of the Northwest Quarter of the Southeast Quarter, 1,173.13 feet to the beginning of a curve to the left, said curve having a central angle of $90^{\circ}32'46''$, a radius of 98.49, an arc length of 155.54 feet, and a chord of 139.91 feet as measured along a bearing of North $47^{\circ}15'52''$ West; thence along said arc, 155.54 feet to the point of tangency; thence South $87^{\circ}27'45''$ West, parallel to the North line of the Southeast Quarter, 940.64 feet to a point; thence North $77^{\circ}32'16''$ West, 231.82 feet to the POINT OF BEGINNING.

EXHIBIT B

IMPOSITION OF MAINTENANCE OBLIGATION

Commence at the NW corner of the NE 1/4 of the SE 1/4 of Section 22, Township 18 South, Range 1 West; thence S 1°59'30" W, along the West line of said 1/4 section 703.35 feet to the POINT OF BEGINNING; thence N 87°24'53" E, 140.09 feet to the beginning of a curve to the left; said curve having a central angle of 12°00'00". A radius of 370.00 feet an arc length of 77.49 feet and a chord of 77.35 feet as measured along a bearing of N 81°24'53" E; thence along said arc, 77.49 feet to the point of tangency; thence N 75°24'53" E, 126.50 feet to the beginning of a curve to the right, said curve having a central angle of 12°00'00", a radius of 430.00 feet, an arc length of 90.06 feet, and a chord of 89.89 feet as measured along a bearing of N 81°24'53" E, thence along said arc, 90.06 feet to the point of tangency; thence N 87°24'53" E, 192.33 feet to the beginning of a curve to the right (all previous courses, 30' North of and parallel to South line of parcel 5A). Said curve having a central angle of 139°13'11", a radius of 65.00 feet, an arc length of 157.94 feet and a chord of 121.85 feet as measured along a bearing of S 85°29'21" E; thence 157.94 feet along said arc to a point on a curve to the right (sharing a common radius with previously described curve); said curve having a central angle of 165°48'27", a radius of 65.00 feet, an arc length of 188.10 feet and a chord of 129.00 feet as measured along a bearing of S 67°01'28" W, thence along said arc 188.10 feet to a point; said point being 30 feet South of the North line of Parcel 5C; thence S 87°24'53" W, 192.34 feet to the beginning of a curve to the left; said curve having a central angle of 12°00'00", a radius of 370.00 feet, an arc length of 77.49 feet and a chord of 77.35 feet as measured along a bearing of S 81°24'53" W; thence along said arc, 77.49 feet to the point of tangency; thence S 75°24'53" W, 126.50 feet to the beginning of a curve to the right, said curve having a central angle of 12°00'00", a radius of 430.00 feet, an arc length of 90.06 feet and a chord of 89.89 feet as measured along a bearing of S 81°24'53" W; thence along said arc, 90.06 feet to the point of tangency; thence S 87°24'53" W, 140.71 feet to the West line of said 1/4 section (previous 5 courses 1°59'30" W, along said West line, 60.00 feet to the POINT OF BEGINNING.

Said parcel containing 1.2 acres more or less.

IT IS EXPRESSLY UNDERSTOOD THAT OWNER(S) OF THE SW 1/4 OF THE SE 1/4, S22, T18S, R1W SHELBY COUNTY, ALABAMA SHALL HAVE NO OBLIGATION TO MAINTAIN THE ROADWAY DESCRIBED IN THIS EXHIBIT B AND SUCH OBLIGATION SHALL NOT ENCUMBER SUCH 1/4 1/4 SECTION

BOOK 068 PAGE 933

STATE OF ALABAMA
I CERTIFY THIS INSTRUMENT WAS FILED

1986 APR 22 AM 10:52

THOMAS A. JONES
JUDGE OF PROBATE

Rev. 1/20/81
1/20/81