

STATE OF ALABAMA
SHELBY COUNTY

1123

GRANT OF EASEMENT FOR INGRESS, EGRESS AND UTILITIES

This Agreement is entered into the 17th day of November, 1987 by and between Howard H. Brown and wife Ramona G. Brown (hereinafter referred to as "BROWN"), Raymond W. Gothard and wife Rebecca S. Gothard (hereinafter referred to as "GOTHARD"), and James Kenneth Rodgers and wife Jennie Sue Rodgers (hereinafter referred to as "RODGERS").

WHEREAS, BROWN owns the following described property in the northwest quarter of the southwest quarter of Section 22, Township 19 South, Range 1 East, Shelby County Alabama:
TO WIT:

see Exhibit A attached hereto and made a part hereof,

AND

WHEREAS, GOTHARD owns the following described property in the northwest quarter of the southwest quarter of Section 22, Township 19 South, Range 1 East, Shelby County Alabama.
TO WIT:

see Exhibit B attached hereto and made a part hereof,

AND

WHEREAS, RODGERS owns the following described property in the northwest quarter of the southwest quarter of Section 22, Township 19 South, Range 1 East, Shelby County Alabama.
TO WIT:

see Exhibit C attached hereto and made a part hereof,

WHEREAS, BROWN, GOTHARD and RODGERS all have an easement across property owned by Edward W. Farrell and wife Patricia M. Farrell, which is recorded in Deed Book 089, Page 316, and is made a part hereof as if it were fully set forth herein,

AND

WHEREAS, BROWN, GOTHARD and RODGERS purpose to establish such easement as is necessary to provide ingress, egress and utilities from Alabama Highway 55 to each of their individual properties as are set forth herein in Exhibits A, B and C, as well as across the property described in the easement recorded in Book 089, Page 316, Shelby County Alabama.

THEREFORE, BROWN, GOTHARD and RODGERS now describe this easement for ingress and egress and utilities as follows,
TO WIT: an Easement, 30 feet in width, situated in the Southwest 1/4 of the Northwest 1/4 of Section 22, Township 19 South, Range 1 East, Shelby County, Alabama; said Easement being adjacent to and parallel to the south line of said 1/4 - 1/4 Section and extending from the southeast line of Shelby County Highway No. 55 to the northeast line of an Alabama Power Company Transmission Line Easement; said 30 foot Easement being recorded in Book 089, Page 316 in the Office of the Judge of Probate of Shelby County, Alabama. ALSO; an Easement, 40 feet in width, situated in the Northwest 1/4 of the Southwest 1/4 of Section 22, Township 19 South, Range 1 East, Shelby County, Alabama and more particularly described as follows: said Easement being 20 feet wide on each side of the following described line; Commence at the Northwest corner of said Northwest

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Courtney Mason

1/4 of Southwest 1/4; thence in an easterly direction along the north line thereof a distance of 423.59 feet; thence an angle right of 60 degrees and run in a southeasterly direction 22.45 feet to the point of beginning of the center line of said Easement; thence an angle left of 60 degrees and run an easterly direction, 20 feet south of and parallel to the north line of said 1/4 - 1/4 Section, a distance of 472.82 feet; thence an angle right of 74 degrees, 22 minutes, 13 seconds and run in a southeasterly direction a distance of 545.26 feet to the point of ending. Said Easement abuts the existing property line on each end of Easement.

Furthermore in consideration of this described Easement, the mutual covenants contained herein and Ten and no one hundredths dollars (\$10.00) in hand paid by each party to the others, the receipt and sufficiency of which is hereby acknowledged, each party hereto grants to themselves and to the other parties hereto, a Perpetual Easement and Right-of-Way for ingress, egress and utilities over and across said parcel of land described herein.

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This Easement is perpetual and binding upon BROWN, GOTHARD and RODGERS and they do hereby bind themselves, their heirs, assigns and legal representatives to warrant and forever defend the above described easement and rights to the owners of the aforesaid property, their successors and assigns against every person whosoever lawfully claiming or shall claim the same or any part thereof, however these grants are made subject to mineral and mining rights which may or may not be owned by the parties hereto. This instrument shall be binding on and shall enure to the benefit to the heir, executives, administrators, successors and assigns of the parties hereto.

Furthermore, BROWN, GOTHARD AND RODGERS hereby covenant and bind themselves to equally share in the maintenance and upkeep of the entire roadway which is presently in existence upon said easement; maintaining it in such a manner as to provide safe and comfortable travel along and across its entire length. All parties must agree as to the type of road surface to be provided upon the easement, and all parties shall bear equally the cost of providing same.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 17th day of November, 1987.


Howard H. Brown


Ramona G. Brown


Raymond W. Gothard


Rebecca S. Gothard


James Kenneth Rodgers



Jennie Sue Rodgers

EXHIBIT "A"

Description

A tract of land situated in the Northwest 1/4 of the Southwest 1/4 of Section 22, Township 19 South, Range 1 East, Shelby County, Alabama and more particularly described as follows: Commence at the Northeast corner of said 1/4 - 1/4 section; thence run in a southerly direction along the east line thereof a distance of 545.0 feet to the Point of Beginning of tract herein described; thence continue in a southerly direction along said east line a distance of 449.41 feet; thence an angle right of 89 degrees, 18 minutes, 41 seconds and run in a westerly direction a distance of 388.21 feet to the southwest line of an Alabama Power Company Transmission Line easement; thence an angle right of 60 degrees, 30 minutes, 19 seconds and run northwest along the southwest line of said easement, a distance of 330.79 feet; thence an angle right of 89 degrees, 31 minutes, 22 seconds and run in a northeasterly direction, a distance of 70.76 feet; thence an angle right of 2 degrees, 32 minutes, 59 seconds and continue northeast a distance of 273.78 feet; thence an angle right of 27 degrees, 27 minutes, 01 seconds and run in an easterly direction a distance of 252.00 feet to the point of beginning.

Exhibit "B"

A tract of land situated in the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 22, Township 19 South, Range 1 East, Shelby County, Alabama and further described as follows: Commence at the Northwest corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence run in an easterly direction along the North line thereof a distance of 493.34 feet to the Point of Beginning of said parcel; thence continue in last described direction a distance of 408.25 feet; thence an angle right of 74 degrees, 22 minutes, 13 seconds and run in a southeasterly direction a distance of 565.88 feet; thence an angle right of 78 degrees, 10 minutes, 46 seconds and run southwesterly a distance of 219.5 feet to the northeast line of the Alabama Power Company's Transmission line easement; thence an angle right of 87 deg. 55 min. 39 seconds and run in a northwesterly direction along said easement line a distance of 742.55 feet to the point of Beginning. Parcel contains 4.42 acres. Parcel is subject to a 40 ft. wide easement along the north line of said parcel and a 20 ft. wide easement along the northeast line for ingress, egress and utilities.

Exhibit "C"

A tract of land situated in the Northwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 22, Township 19, South, Range 1 East, Shelby County, Alabama and further described as follows: Commence at the Northwest corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence run in an easterly direction along the North line thereof a distance of 423.59 feet to the Point of Beginning of said parcel; thence continue in last described direction a distance of 69.75 feet; thence an angle right of 60 degrees, 28 minutes, 38 seconds and run in a southeasterly direction along the east line of Alabama Power Company's Transmission Line easement, a distance of 742.55 feet; thence an angle right of 92 degrees 04 minutes, 21 seconds and run in a southwesterly direction a distance of 54.28 feet; thence right 87 degrees, 27 minutes, 01 seconds and run in a northwesterly direction a distance of 775.00 feet to the Point of Beginning. Parcel contains 1 acre more or less. Property is subject to a 40 ft. wide easement along north line for ingress, egress and utilities.

ALSO

A tract of land situated in the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 22, Township 19 South, Range 1 East, Shelby County, Alabama and further described as follows: Commence at the Northwest Corner of said North $\frac{1}{2}$; thence run in an easterly direction along the North line thereof, a distance of 901.59 feet to the Point of Beginning; thence continue in same direction along North line, a distance of 410.8 feet to the Northeast corner of said North $\frac{1}{2}$; thence an angle right of 90 degrees, 40 minutes and run in a southerly direction, along the East line of said North $\frac{1}{2}$, a distance of 545.0 feet; thence an angle right of 89 degrees, 20 minutes and run in a Westerly direction and parallel to the North line, a distance of 252.0 feet; thence an angle right of 74 degrees, 22 minutes, 13 seconds and run in a Northwesterly direction, a distance of 565.88 feet to the Point of Beginning. Tract contains 4.14 Acres more or less.

Property is subject to a 20 ft. wide easement along the Southwest line for ingress, egress and utilities.

STATE OF ALABAMA
SHELBY COUNTY

I, Michelle N. Synale, a Notary Republic in and for said county, in said state, hereby certify that Gennie Sue Rodgers 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 this instrument, as executed the same voluntarily on the day the same bears date given under my hand and official seal this 17th day of November, 1987

Michelle N. Synale
Notary Republic

My commission expires: 11-21-89

STATE OF ALABAMA
SHELBY COUNTY

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I, Peggy D. Murphy, a Notary Republic in and for said county, in said state, hereby certify that Rebecca S. Gothard 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 this instrument, as executed the same voluntarily on the day the same bears date given under my hand and official seal this 18th day of November, 1987

Peggy D. Murphy
Notary Republic

My commission expires: 3/9/91

STATE OF ALABAMA
SHELBY COUNTY

I, Peggy D. Murphy, a Notary Republic in and for said county, in said state, hereby certify that Raymond W. Gothard 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 this instrument, as executed the same voluntarily on the day the same bears date given under my hand and official seal this 25th day of November, 1987

Peggy D. Murphy
Notary Republic

My commission expires: 3/9/91

STATE OF ALABAMA
SHELBY COUNTY

I, Courtney H. Mason Jr, a Notary Republic in
and for said county, in said state, hereby certify that
James Kenneth Rodgers whose name is signed to
the foregoing instrument and who is known to me, acknow-
ledged before me on this day, that, being informed of the
contents of this instrument, as executed the same
voluntarily on the day the same bears date given under my
hand and official seal this 15th day of ~~November~~, 1987
December.



Notary Republic

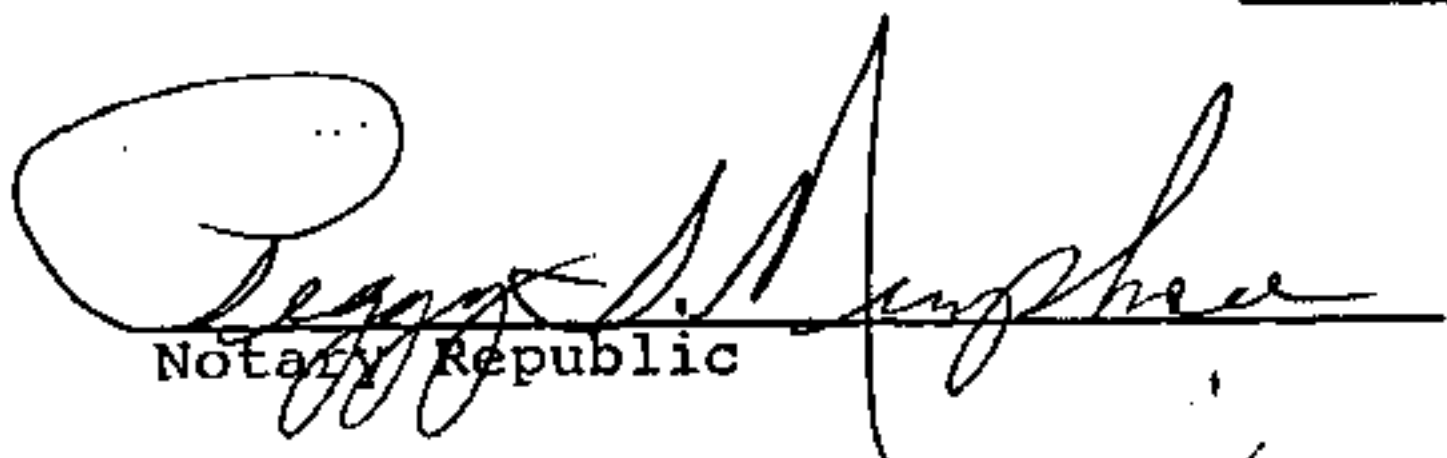
My commission expires:

3-10-91

STATE OF ALABAMA
SHELBY COUNTY

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I, Peggy S. Murphy, a Notary Republic in
and for said county, in said state, hereby certify that
Ramona L. Brown whose name is signed to
the foregoing instrument and who is known to me, acknow-
ledged before me on this day, that, being informed of the
contents of this instrument, as executed the same
voluntarily on the day the same bears date given under my
hand and official seal this 13th day of ~~November~~, 1987
January



Notary Republic

My commission expires: 3/9/91

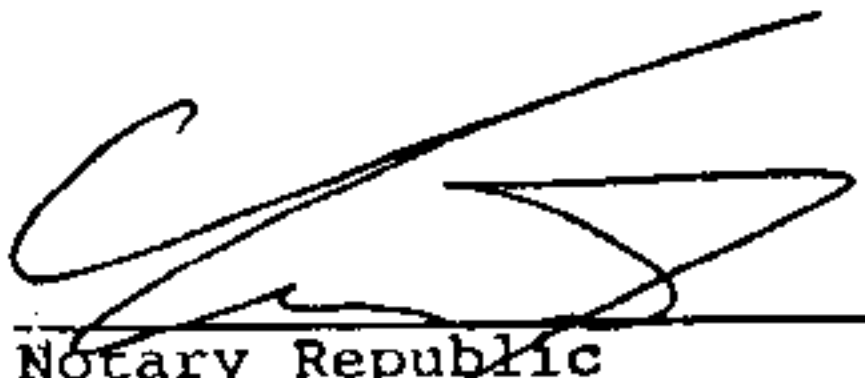
STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

88 JAN 18 AM 8:55

Thomas A. Snowden, Jr
JUDGE OF PROBATE

STATE OF ALABAMA
SHELBY COUNTY

I, Courtney H. Mason Jr, a Notary Republic in
and for said county, in said state, hereby certify that
HOWARD H. BROWN whose name is signed to
the foregoing instrument and who is known to me, acknow-
ledged before me on this day, that, being informed of the
contents of this instrument, as executed the same
voluntarily on the day the same bears date given under my
hand and official seal this 14th day of ~~November~~, 1987
JANUARY



Notary Republic

RECORDING FEES

Recording Fee \$ 17.50

Index Fee 2.00

TOTAL \$ 19.50