

1218

This Instrument Prepared By: Robert H. Adams
2125 Morris Avenue
Birmingham, Alabama 35203

STATE OF ALABAMA)
SHELBY COUNTY)

EASEMENT FOR RIGHT OF WAY

This Easement for Right of Way is made this 30th day of Sept., 1987, between J. Harris Development Corporation ("Harris"), and Robert Bobby Hinds ("Hinds"):

WHEREAS, Harris is seised of an estate in fee simple free from encumbrances of a parcel of land more particularly described as:

That portion of Lot 1, Dearing Downs Seventh Addition as recorded in Map Book 9, Page 177, in the Office of the Judge of Probate of Shelby County, Alabama, lying east of Dearing Downs Drive.

WHEREAS, Hinds is seised in fee simple of another parcel of land located near the first mentioned land; and

WHEREAS, Harris has agreed, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to be paid to him by Hinds, to grant Hinds an easement for right of way over the above-described parcel, which said easement for right of way is expressly and absolutely limited to that portion of land hereinafter described, and shall be used as and only as a right of way for ingress and egress.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid by Hinds to Harris, the receipt, adequacy and sufficiency whereof is hereby acknowledged, Harris hereby grants unto Hinds, his heirs and assigns, an easement for right of way and only for purposes of ingress and egress, over and across the above-described land which said easement for right of way is specifically limited to the following portion of said property:

Commence for the point of beginning at the Eastern most corner of Lot 1, Dearing Downs - 7th Addition as recorded in Map Book 9, Page 177; run thence North 34° 27' 47" West along the East line of said Lot 1 for 56.49 feet to the South right of way of Dearing Downs Drive; run thence in a southwesterly direction along said right of way and a curve to the right, having a radius of 871.94 feet for an arc distance of 60.05 feet; run thence South 34° 27' 47" East for 68.01 feet; run thence North 46° 35' 06" East for 60.74 feet to the point of beginning. Said land being in Section 23, Township 20 South, Range 3 West.

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The easement granted herein shall be used only for ingress and egress to and from the parcel of land owned by Hinds. Harris shall have no liability whatsoever for improving, developing or maintaining said easement. It shall be the responsibility of Hinds to develop, improve and maintain said easement in good condition. However, Hinds shall not make or do any development or improvements to said easement without first having obtained the written consent of Harris or his assigns.

Hinds shall not be allowed to use, develop or maintain said easement which would in any manner interfere or conflict with the use by Harris of any of his real property or that of his successors and assigns.

Harris specifically reserves unto himself and his successors and assigns the right to use said easement.

TO HAVE AND TO HOLD the said easement for right of way hereby granted unto Hinds, his heirs and assigns, as appurtenant to the said land of Hinds and every part thereof. This easement shall run with the land.

IN WITNESS WHEREOF the undersigned have hereunto set their hands and seals the day and year first above written.

J. HARRIS DEVELOPMENT CORPORATION

By: Jack D. Harris
Its: President

Robert Bobby Hinds
Robert Bobby Hinds

Carrie Sue Hinds
Carrie Sue Hinds

STATE OF ALABAMA)
)
SHELBY COUNTY)

ACKNOWLEDGMENT

I, the undersigned authority in and for said County and said State, hereby certify that Jack D. Harris, whose name as President of J. Harris Development Corporation is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance, he, in his capacity as such President, executed the same voluntarily on the day same bears date.

Given under my hand and official seal this 30 day of September, 1987.

Judith L. Weil
Notary Public

[My Commission Expires September 18, 1991]

STATE OF ALABAMA)
)
SHELBY COUNTY)

ACKNOWLEDGMENT

I, the undersigned authority, in and for said County in said State, hereby certify that Robert Bobby Hinds, ^{& wife, Carrie Sue Hinds} whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance, he executed the same voluntarily on the day same bears date.

Given under my hand and official seal this 30th day of December, 1987.

Evan D. Mooney
Notary Public

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

88 JAN 19 AM 11:19

Thomas A. Shaver, Jr.
JUDGE OF PROBATE

1. Deed Tax	\$ 4.50
2. Mig. Tax	
3. Recording Fee	7.50
4. Indexing Fee	1.00
TOTAL	9.00