

STATE OF ALABAMA

SHELBY COUNTY

221
IRREVOCABLE RIGHT
OF
INGRESS AND EGRESS

WHEREAS, the undersigned, Kirby Foster, a married man, Phillip G. Hayden, a married man, Dan Collier, a married man, Gilda R. Shirley, a single woman, and Betty R. Shirley, a married woman, are all of the owners of the real property described in Exhibit "A" attached hereto; and,

WHEREAS, Kirby Foster is the owner of Phase 1 of attached Exhibit "A"; and,

WHEREAS, Phillip G. Hayden is the owner of Phase 2 of attached Exhibit "A"; and,

WHEREAS, Dan Collier is the owner of Phase 3 of attached Exhibit "A"; and,

WHEREAS, Gilda R. Shirley is the owner of Phase 4 of attached Exhibit "A"; and,

WHEREAS, Betty R. Shirley is the owner of Phase 5 of attached Exhibit "A"; and,

WHEREAS, the parties hereto are desirous of granting to each other irrevocable rights of ingress and egress over the respective properties so that all of the parties shall have reasonable access to a public right of way;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto do by these presents grant unto each other a right of ingress and egress over each of their respective real properties as described in Exhibit "A" hereof. Such right of way for such ingress and egress may be changed from time to time by any of the parties hereto as the same applies to his tract of property provided however than any changes effected shall not impede or restrict access to a public street by any of the parties hereto. Each of the parties hereto anticipate the development of their respective tracts of property into a mobile home park and upon the development thereof of each property, the owner thereof, agrees to convey unto the other parties a definitive right of ingress and egress over his property. Until such development and conveyance each of the parties hereto shall be entitled to a right of ingress and egress over the property of the other parties by the most reasonable and direct route to a public street and such means of access shall be at least 50 feet in width. Each of the parties hereto grant unto the other parties the right and authority to condemn such means of ingress and egress as if the same were authorized by law, if any of the parties should deny or interfere with the reasonable access by any party to a public street.

The covenants herein granted shall run with the land and shall be binding upon the parties hereto, their heirs and

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Cahoon Title

assigns, provided however, when a definitive right of ingress and egress has been conveyed to the other parties as provided above, such conveyance and recordation thereof, shall release that party from all obligations under this instrument.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on this the 11th day of May, 1988.

Kirby Foster
KIRBY FOSTER

Phillip G. Hayden
PHILLIP G. HAYDEN

Dan Collier
DAN COLLIER

Gilda R. Shirley
GILDA R. SHIRLEY

Betty R. Shirley
BETTY R. SHIRLEY

STATE OF ~~ALABAMA~~ TENNESSEE
WILLIAMSON
SHELBY COUNTY

Before me, the undersigned authority, this day personally appeared Kirby Foster, Phillip G. Hayden, Dan Collier, Gilda R. Shirley and Betty R. Shirley, who are known to me and acknowledged before me that on being informed of the contents of the foregoing instrument, they signed the same voluntarily on the day the same bears date.

This the 11th day of May, 1988.

Sharon E. Lemon
NOTARY PUBLIC

This instrument prepared by:

George K. Williams
Attorney at Law
922-D Merchants Walk
Huntsville, Alabama 35801
(205) 539-6070

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EXHIBIT "A"

BROOKLINE - PHASE 1

Commence at the S.W. Corner of the S.W. 1/4 of the S.W. 1/4 of Section 22, Township 20 South, Range 3 West, Shelby County, Alabama; thence continue east along said quarter-line, 575.73'; thence a delta angle of 69°14'00" left, 264.60'; thence a delta angle of 2°25'30" right, 179.95'; thence a delta angle of 11°35' left, 154.12'; thence, a delta angle of 8°34' left, 89.52'; thence continue along said line, 125.00'; thence a delta angle of 3°03' right, 338.29'; thence a delta angle of 10°22'30" left, 270.35'; thence a delta angle of 9°21'30" right, 311.86'; thence a delta angle of 0°21' right, 88.68'; thence a delta angle of 11°12'05" left, 71.79'; thence a delta angle of 19°48'25" right, 115.71'; thence a delta angle of 6°48'50" left, 104.59'; thence a delta angle of 9°39'30" right, 27.51' to the Point of Beginning; thence continue along said line 80.00'; thence a delta angle of 9°51'50" left, 76.59'; thence a delta angle of 8°37'25" right, 201.13'; thence a delta angle of 27°10'40" left, 29.99'; thence an angle to the right of 119°00', 149.00'; thence an angle to the right of 135°30', 175.00'; thence 90° to the left to be on the tangent of a curve to the left with a delta of 66°00' and a radius of 75.00'; thence continue along said tangent, 43.00'; thence an angle to the right of 74°39'30", 125.23'; thence an angle to the left of 74°39'30", 964.02'; thence an angle to the right of 135°39'30", 20.40'; thence an angle to the right of 122°14'42"; 153.23' to the P.C. of a curve to the right with a delta of 17°12'04" and a radius of 477.75' said point being the centerline of a 20"-8" sewer line easement; thence an angle to the right from the chord of said curve of 83°38'23", 192.61'; thence a delta angle of 5°34'59" left, 660.00' to the end of the sewer easement; thence a delta angle of 12°30' right, 75.00'; thence a delta angle of 37°00' left, 120.00'; thence an angle to the left of 76°00', 130.00'; thence a delta angle of 72°00' left, 140.00' to the Point of Beginning. Said parcel contains 8.26 Acres more or less.

BROOKLINE - PHASE 2

Commence at the S.W. Corner of the S.W. 1/4 of the S.W. 1/4 of Section 22, Township 20 South, Range 3 West, Shelby County, Alabama; thence continue east along said quarter-line, 575.73'; thence a delta angle of 69°14'00" left, 264.60'; thence a delta angle of 2°25'30" right, 179.95'; thence a delta angle of 11°35' left, 154.12'; thence, a delta angle of 8°34' left, 89.52'; thence continue along said line, 125.00'; thence a delta angle of 3°03' right, 338.29'; thence a delta angle of 10°22'30" left, 270.35'; thence a delta angle of 9°21'30" right, 311.86'; thence a delta angle of 0°21' right, 88.68' to the Point of Beginning; thence continue along said line 25.00'; thence a delta angle of 11°12'05" left, 71.79'; thence a delta angle of 19°48'25" right, 115.71'; thence a delta angle of 6°48'50" left, 104.59'; thence a delta angle of 9°39'30" right, 27.51'; thence an angle to the right of 73°00', 140.00'; thence an angle to the left of 108°00', 130.00'; thence an angle to the right of 76°00', 120.00'; thence a delta angle of 37°00' right, 75.00' to the centerline of a 20"-8" sewer easement; thence a delta angle of 12°30' left, 660.00'; thence a delta angle of 5°34'59" right, 192.61' to the end of the sewer easement; thence a right angle of 96°38'16" to the chord of a curve to the right with a delta of 18°24'34" and a radius of 310.69'; thence continue along said tangent 130.00'; thence an angle to the right of 90°00', 250.00'; thence an angle to the left of 90°00', 10.00'; thence an angle to the right of 80°00', 142.00'; thence a delta angle of 79°00' right, 157.00'; thence a delta angle of 68°30' left, 145.00'; thence a delta angle of 55°30' right, 126.00'; thence a delta angle of 23°00' right, 43.00'; thence an angle to the right of 43°30', 400.00'; thence a delta angle of 90°00' right, 223.00' to the Point of Beginning. Said parcel contains 9.18 Acres more or less.

BROOKLINE - PHASE 3

Commence at the S.W. Corner of the S.W. 1/4 of the S.W. 1/4 of Section 22, Township 20 South, Range 3 West, Shelby County, Alabama; thence continue east along said quarter-line, 575.73'; thence a delta angle of 69°14'00" left, 264.60'; thence a delta angle of 2°25'30" right, 179.95'; thence a delta angle of 11°35' left, 154.12'; thence, a delta angle of 8°34' left, 89.52'; thence continue along said line, 125.00'; thence a delta angle of 3°03' right, 338.29'; thence a delta angle of 10°22'30" left, 270.35'; thence a delta angle of 9°21'30" right, 311.86'; thence a delta angle of 0°21' right, 88.68'; thence a delta angle of 11°12'05" left, 71.79'; thence a delta angle of 19°48'25" right, 115.71'; thence a delta angle of 6°48'50" left, 104.59'; thence a delta angle of 9°39'30" right, 27.51'; thence an angle to the right of 73°00', 140.00'; thence an angle to the left of 108°00', 130.00'; thence an angle to the right of 76°00', 120.00'; thence a delta angle of 37°00' right, 75.00' to the centerline of a 20"-8" sewer easement; thence a delta angle of 12°30' left, 660.00'; thence a delta angle of 5°34'59" right, 192.61' to the end of the sewer easement; thence a right angle of 96°38'16" to the chord of a curve to the right with a delta of 18°24'34" and a radius of 310.69'; thence continue along said tangent 130.00'; thence an angle to the right of 90°00', 250.00'; thence an angle to the left of 90°00', 10.00'; thence an angle to the right of 80°00', 142.00'; thence a delta angle of 79°00' right, 157.00'; thence a delta angle of 68°30' left, 145.00'; thence a delta angle of 55°30' right, 126.00'; thence a delta angle of 23°00' right, 43.00'; thence an angle to the right of 43°30', 400.00'; thence a delta angle of 90°00' right, 223.00' to the Point of Beginning. Said parcel contains 9.41 Acres more or less.

EXHIBIT "A"

CONT'D.

BROOKLINE - PHASE 4

Commence at the S.W. Corner of the S.W. 1/4 of the S.W. 1/4 of Section 22, Township 20 South, Range 3 West, Shelby County, Alabama; thence continue east along said quarter-line, 575.73'; thence a delta angle of 69°14'00" left, 264.60'; thence a delta angle of 2°25'30" right, 179.95'; thence a delta angle of 11°35' left, 154.12'; thence, a delta angle of 8°34' left, 89.52'; thence continue along said line, 125.00'; thence a delta angle of 3°03' right, 98.29' to the Point of Beginning; thence continue along said line 240.00'; thence a delta angle of 10°22'30" left, 270.35'; thence a delta angle of 9°21'30" right, 18.00'; thence an angle to the right of 64°00', 213.00'; thence a delta angle of 40°00' left, 168.00'; thence a delta angle of 54°00' right, 110.00'; thence a delta angle of 9°30' right 55.00'; thence a delta angle of 68°00' right, 150.00'; thence an angle to the right of 54°30', 210.00'; thence a delta angle of 85°00' right, 65.00'; thence a delta angle of 43°00' left, 105.00'; thence a delta angle of 85°00' left, 95.00'; thence a delta angle of 31°00' right, 110.00'; thence an angle to the left of 114°30', 270.00' along a 60' E.O.W. for Plantation Pipeline Company; thence an angle to the right of 90°00', 60.00' to the P.C. of a curve to the right with a delta of 31°00' and a radius of 478.97'; thence an angle to the right from the chord of said curve of 93°30', 100.00'; thence an angle to the left of 140°30', 168.00'; thence a delta angle of 130°00' left, 140.00'; thence a delta angle 56°30' right, 55.00'; thence an angle to the left of 164°00', 130.00'; thence a delta angle of 60°00' right, 176.00'; thence an angle to the left of 145°00', 65.00'; thence a delta angle of 80°00' left, 84.00'; thence a delta angle of 80°00' right, 128.00' to the Point of Beginning. Said parcel contains 8.92 Acres more or less.

BROOKLINE - PHASE 5

Commence at the S.W. Corner of the S.W. 1/4 of the S.W. 1/4 of Section 22, Township 20 South, Range 3 West, Shelby County, Alabama; thence continue east along said quarter-line, 575.73'; thence a delta angle of 69°14'00" left, 264.60'; thence a delta angle of 2°25'30" right, 179.95'; thence a delta angle of 11°35' left, 154.12'; thence, a delta angle of 8°34' left, 89.52' to the Point of Beginning; thence continue along said line, 125.00'; thence a delta angle of 3°03' right, 98.29'; thence a delta angle of 63°00' left, 128.00'; thence a delta angle of 80°00' left, 84.00'; thence a delta angle of 80°00' right, 65.00'; thence an angle to the right of 145°00', 176.00'; thence a delta angle of 60°00' left, 130.00'; thence an angle to the right of 164°00', 55.00'; thence a delta angle of 56°30' left, 140.00'; thence an angle to the right of 130°00', 380.00' to the Point of Beginning. Said parcel contains 2.55 Acres more or less.

EASEMENTS

All parcels contain a 20'-8" sewer line easement along their eastern boundaries. Parcels 1 & 2 contain a 20'-8" sewer line easement along their southern and northern boundaries respectively.

Parcels 1 to 4 contain a 60' Plantation Pipeline Company E.O.W. in a Northeast to Southwest direction.

All parcels contain approximately 100' of Flood Plain area along their eastern boundaries.

STATE OF ALABAMA
I CERTIFY THIS
INSTRUMENT WAS FILED

88 JUL -6 AM 10:08

Forrest A. ...
JUDGE OF PROBATE

David J.50
Recording Fee \$10.00
Index Fee 4.00
TOTAL \$14.50