

STATE OF ALABAMA

SHELBY COUNTY

1462
RELEASE OF EASEMENT

THIS RELEASE executed the 21st day of January, 1988, by the undersigned TAYLOR & MATHIS OF ALABAMA, INC., as agents for 2154 TRADING CORPORATION, a corporation, d/b/a INVERNESS (herein the "Grantor").

WHEREAS:

(a) The Grantor is the developer of certain property in Shelby County, Alabama, known as Heather Point (The Second Addition to Kerry Downs), a subdivision of Inverness and shown on the subdivision plat recorded in Map Book 10, Page 39, in the Office of the Judge of Probate of Shelby County, Alabama; and

(b) All of the lots in said subdivision are subject to a Declaration of Protective Covenants recorded in Book 92, Pages 191-205 in said Probate Office; and

(c) Under said Declaration of Protective Covenants, the Grantor has reserved, in Section 5.7 thereof, certain easements (the "Easements") on, in and over strips of land ten (10) feet in width along the sideline of each lot; and

(d) By Warranty Deeds dated October 17, 1986, and recorded in Book 99, Page 453, and Book 99, Page 454, in said Probate Office, two adjacent lots in said subdivision, namely, Lots 6 and 7, Block 1, Heather Point (The Second Addition to Kerry Downs), a Subdivision of Inverness, respectively, have been conveyed to a single purchaser; and

(e) Grantor is desirous of releasing the easements insofar as they concern the strip of land ten (10) feet in width along the southwesterly sideline of Lot 6 and the strip of land ten (10) feet in width along the northeasterly sideline of Lot 7;

NOW, THEREFORE, in consideration of the premises, and of Ten Dollars (\$10.00) in hand paid to Grantor, the Receipt and sufficiency whereof is hereby acknowledged, the undersigned Grantor does hereby release, remise and quitclaim the following described easements:

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Dr. & Mrs. C. L. Athanasuleas
2856 Berkeley Drive
Birmingham, AL 35243

Those easements reserved by developer under Section 5.7 of the Declaration of Protective Covenants recorded in Book 92, Pages 191-205 in the Office of the Judge of Probate of Shelby County, Alabama, to the extent said easements apply to the strip of land ten (10) feet in width along the southwesterly sideline of Lot 6, and the strip of land ten (10) feet in width along the northeasterly sideline of Lot 7, Block 1, Heather Point (The Second Addition to Kerry Downs), a Subdivision of Inverness, as shown on the subdivision plat recorded at Map Book 10, Page 39, in said Probate Office.

This Release shall bind the said Grantor, its successors and assigns, provided, however, that if the said Lots 6 and 7 are subdivided and conveyed to separate purchasers, or if two (2) separate residences are constructed on the separate lots, this Release shall be of no further force and effect, and the said Developer, its successors and assigns, shall again have the benefit of said easement.

IN WITNESS WHEREOF, the Grantor has caused this Release to be executed by its duly authorized officer on the year and day first above written.

TAYLOR & MATHIS OF ALABAMA, INC.,
as agents for
2154 TRADING CORPORATION, a
corporation d/b/a Inverness

By: Charles T. Carlisle, Jr.

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STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Charles T. Carlisle, Jr., of Taylor & Mathis of Alabama, Inc., a corporation, as agents for 2154 TRADING CORPORATION, a corporation, d/b/a INVERNESS, is signed to the foregoing Release, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the Release, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as agent for said 2154 TRADING CORPORATION, a corporation d/b/a Inverness.

Given under my hand and official seal, this 21st day of January, 1988.

STATE OF ALA. SHELBY
I CERTIFY THIS
INSTRUMENT WAS FILED

88 JUL 21 PM 1:49

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

Wanda A. Potter
Notary Public

My Commission Expires November 10, 1990

RECORDING FEES

Recording Fee	<u>\$ 5.00</u>
Index Fee	<u>1.00</u>
TOTAL	<u>\$ 6.00</u>