

STATE OF ALABAMA)

COUNTY OF SHELBY)

AFFIDAVIT

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared James H. Burchfield, who, after first being duly sworn, deposed and stated as follows:

My name is James H. Burchfield. I am one and the same person as James H. Burchfield, who, on February 5, 1990, granted an easement for ingress and egress to James H. Burchfield, Jr., which easement is recorded in Book 277, Page 361, a copy of which is attached as Exhibit "A." At the time of the granting of that easement a legal description was not available. The easement has now been surveyed and the surveyed description is as follows:

Commence at the S.E. corner of the SE 1/4 of the NW 1/4 of Section 2 go North 87 Degrees 30 Minutes 35 Seconds East for 12.48 feet to an existing iron pin; thence North 00 Degrees 47 Minutes 16 Seconds West for 1263.95 feet to an existing iron pin on the centerline of the old Shelby Springs-Elyton dirt road; thence (2) courses along said centerline as follows: Go North 62 Degrees 34 Minutes 45 Seconds West for 93.62 feet; thence North 87 Degrees 01 Minutes 45 seconds West for 120.19 feet to the Point of Beginning on the South Boundary of Shelby County Highway No. 42; thence South 87 Degrees 03 Minutes 04 Seconds West along said South Boundary for 19.82 feet; thence South 02 Degrees 56 Minutes 56 Seconds East for 45.67 feet; thence South 32 Degrees 56 Minutes 56 Seconds East for 72.93 feet; thence South 00 Degrees 13 Minutes 45 Seconds East for 542.04 feet; thence North 89 Degrees 46 Minutes 15 Seconds East for 30.00 feet; thence North 00 Degrees 13 Minutes 45 Seconds West for 550.85 feet; thence North 32 Degrees 56 Minutes 56 Seconds West for 94.06 feet; thence North 02 Degrees 56 Minutes 56 Seconds West for 20.00 feet to the Point of Beginning.

The purpose of this Affidavit is to state that the easement described in Book 277, Page 361, is one and the same as the easement described hereinabove.

I am making this Affidavit for the purpose of inducing Cahaba Title, Inc. to insure the above-described easement.

✓ James J. Odum

BOOK 278 PAGE 977

Further, deponent saith not.

James H. Burchfield
James H. Burchfield

Sworn to and subscribed before me on
this the 7th day of February, 1990.

Ja
Notary Public

My commission expires: 5-23-91

200X 278 MAY 978

1. Deed Tax	---	0
2. Mtg. Tax	---	0
3. Recording Fee	---	5.00
4. Indexing Fee	---	3.00
5. No Tax Fee	---	0
6. Certified Fee	---	1.00
Total	---	4.00

THIS INSTRUMENT PREPARED BY:
James J. Odom, Jr.
211-B Yeager Parkway
Pelham, AL 35124

STATE OF ALABAMA)

COUNTY OF SHELBY)

EASEMENT FOR INGRESS AND EGRESS

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of the premises and Love and Affection, we, James H. Burchfield and wife, Nellie M. Burchfield (referred to herein, together, as "Grantor"), do hereby grant, bargain, sell and convey unto James H. Burchfield, Jr. (herein referred to as "Grantee"), a perpetual easement for access to the following described property:

A parcel of land situated part in the SE 1/4 of the NW 1/4 and part in the SW 1/4 of the NE 1/4 of Section 2, Township 22 South, Range 2 West, described as follows: Commence at the SE corner of the SE 1/4 of the NW 1/4 of Section 2 and go North 87 degrees 30 minutes 35 seconds East for 12.48 feet to an existing iron pin; thence North 00 degrees 47 minutes 16 seconds West for 663.95 feet to the Point of Beginning; thence continue along previous course for 200.00 feet; thence South 89 degrees 50 minutes 13 seconds West for 155.04 feet; thence South 00 degrees 13 minutes 45 seconds East for 200.00 feet; thence North 89 degrees 49 minutes 57 seconds East for 157.00 feet to the Point of Beginning. Situated in Shelby County, Alabama.

The easement granted hereby is for ingress and egress from Shelby County Highway 42 to and from the above-described parcel of land, across, over and along the existing roadway. The said easement has a width of 19.8 feet at the South right-of-way line of Highway 42 and widens to 30 feet, as shown on the map of James A. Riggins, dated August 28, 1989, which is attached hereto and made a part hereof.

TO HAVE AND TO HOLD to the said Grantee, his heirs and assigns forever.

And we do for ourselves and for our heirs, executors, and administrators covenant with the said Grantee, his heirs

2520 - Grasshopper Dr.
Bham, Al. 35214

EXHIBIT.....A.....

and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 5th day of February, 1990.

WITNESSES:

James H. Burchfield Sr.
James H. Burchfield
Nellie M. Burchfield
Nellie M. Burchfield

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that James H. Burchfield and wife, Nellie M. Burchfield, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 5th day of February, 1990.

Lennie S. Cantrell
Notary Public

My Commission Expires: 6-21-93

NOTE: Survey based on existing iron pins found and maps furnished by Marshal Burchfield, owner.

STATE OF ALABAMA:
COUNTY OF SHELBY:
I, James A. Higgins, a registered Land Surveyor in the State of Alabama, hereby certify that the foregoing is a true and correct map of a parcel of land situated part in the S.E. 1/4 of the N.W. 1/4 and part in the S.W. 1/4 of the N.E. 1/4 of Section 2, Township 22 South, Range 2 West, described as follows:
Commence at the S.E. 1/4 of the N.W. 1/4 of Section 2 and go North 87 Degrees 38 Minutes 35 Seconds East for 12.48 feet to an existing iron pin; thence North 88 Degrees 47 Minutes 16 Seconds West for 663.95 feet to the Point of Beginning; thence continue along previous course for 208.08 feet; thence South 88 Degrees 50 Minutes 13 Seconds West for 155.04 feet; thence South 80 Degrees 13 Minutes 45 Seconds East for 208.08 feet; thence North 89 Degrees 49 Minutes 57 Seconds East for 157.00 feet to the Point of Beginning, containing 2.34 acres more or less.

Subject property is not in a flood hazard area according to F.I.R.M. Panel No. 010191 0135 B dated September 16, 1982.

DATE: August 28, 1987

SIGNED: *James A. Higgins*
James A. Higgins Reg. No. 9428

186384 278 BOOK PAGE 363 277 BOOK

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT WAS FILED
90 FEB -5 AM 9:16
JUDGE OF PROBATE

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT WAS FILED
90 FEB 15 AM 8:41
JUDGE OF PROBATE

1. Deed Tax	\$.50
2. Mtg. Tax	\$
3. Recording Fee	\$ 7.50
4. Indexing Fee	\$ 3.00
5. No Tax Fee	\$
6. Certified Fee	\$ 1.00
Total	\$ 12.00

1. Deed Tax	\$
2. Mtg. Tax	\$
3. Recording Fee	\$ 12.50
4. Indexing Fee	\$ 3.00
5. No Tax Fee	\$
6. Certified Fee	\$ 1.00
Total	\$ 16.50

