

State of Alabama)

Shelby County)

1468

Abandonment of Existing Easement and
Creation of a New Easement

WHEREAS, the undersigned, H. M. Autry, III and wife, Vicki K. Autry (hereinafter called Land Owner), is the owner of certain property in Shelby County, Alabama, made the subject of this instrument as more particularly set out hereinbelow as necessary, and

WHEREAS, Wade Foster, Jr. and wife, Mary C. Foster, own an easement for ingress and egress over and across the land owned by said Land Owner as more particularly set out in Real Volume 156 page 710 as recorded in the Probate Office of Shelby County, Alabama, and

WHEREAS, it is the intent and purpose of this document to abandon the aforesaid easement and to create a new easement as set out herein.

NOW, THEREFORE, in consideration of One Dollar (\$1.00), in hand paid by each party of this to the other, the receipt and sufficiency of which is herewith acknowledged, and the covenants and conditions as set out herein, the parties agree as follows, to-wit:

1. Wade Foster, Jr. and wife, Mary C. Foster abandon and give up all their rights and interest in that certain easement as recorded in Real Volume 156 page 710 in the Probate Office of Shelby County, Alabama. Said easement has never been used.

2. H. M. Autry, III and wife, Vicki K. Autry, Land Owner, do herewith grant, bargain, sell and convey unto James Wade Foster, Jr., his heirs, devisees and assigns forever, a non-exclusive easement for ingress, egress and all utilities over, across and through the Northerly 30 feet only of the real property set out hereinbelow, for use in conjunction with any contiguous real property presently owned by the said James Wade Foster, Jr. only.

The real property, the most northerly 30 feet of which is subject to the easement created herein, is more particularly described as follows:

Lot 1, according to the survey of Autry Land Division, as recorded in Map Book 14 page 32 in the Probate Office of Shelby County, Alabama.

This is the 30 foot easement shown on said recorded record map and is limited in usage to and in conjunction with the land presently owned by James Wade Foster, Jr. only.

3. Wade Foster, Jr., the grantee of the easement herein relinquished, is one and the same person as James Wade Foster, Jr., the grantee of the new easement created herein.

BOOK 288 PAGE 167

Don S. Allen

Done this 16th day of April, 1990.

H. M. Autry, III
H. M. Autry, III

Vicki K. Autry
Vicki K. Autry

James Wade Foster Jr.
James Wade Foster, Jr.

Mary C. Foster
Mary C. Foster

State of Alabama)

General Acknowledgement

Jefferson County)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that H. M. Autry, III and wife, Vicki K. Autry, whose names are signed to the foregoing conveyance and who are known to me, acknowledge before me on this day that, being informed of the instrument, they have executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 17 day of April, 1990.

Wayne H. Walker
Notary Public

State of Alabama)

General Acknowledgement

Shelby County)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that James Wade Foster, Jr. and wife, Mary C. Foster, whose names are signed to the foregoing conveyance and who are known to me, acknowledge before me on this day that, being informed of the instrument, they have executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18th day of April, 1990.

James H. Foster
Notary Public

| | |
|-------------------|---------|
| 1. Deed Tax | \$.50 |
| 2. Mtg. Tax | \$ |
| 3. Recording Fee | \$ 5.00 |
| 4. Indexing Fee | \$ 3.00 |
| 5. No Tax Fee | \$ |
| 6. Certified True | \$ 1.00 |
| Total | \$ 9.50 |

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

90 APR 23 AM 9:00

JUDGE OF PROBATE