

3954

STATE OF ALABAMA
SHELBY COUNTY

RIGHT OF WAY EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the settlement of Case No. CV-89-415, in the Circuit Court of Shelby County, Alabama, other good and valuable consideration, and One Dollar (\$1.00), to the undersigned grantors, BILLY JOE KENDRICK and wife, POLLY KENDRICK, in hand paid by EDWARD WAYNE KENDRICK and wife, PATSY KENDRICK; CHARLES R. ERWIN and wife, SUSAN L. ERWIN; FRANK INGRAM and wife MARNA INGRAM; RONALD WILSON and wife, DAWN C. WILSON; and ROGER COX, hereinafter called "grantees", the receipt whereof is acknowledged, we the said BILLY JOE KENDRICK and POLLY KENDRICK, do grant bargain, sell and convey unto the said grantees, EDWARD WAYNE KENDRICK and wife, PATSY KENDRICK; CHARLES R. ERWIN and wife, SUSAN L. ERWIN; FRANK INGRAM and wife MARNA INGRAM; RONALD WILSON and wife, DAWN C. WILSON; and ROGER COX, the following described real estate, to-wit:

A non-exclusive right of way easement over and across Parcel II, being more particularly described as follows, viz:

Commence at the NE corner of the NE 1/4 of the NW 1/4 of Section 4, Township 20 South, Range 1 West, and run South along the East line thereof 267.3 feet to the point of beginning; thence continue along the last described course for 358.73 feet; thence 157 deg. 05' 48" left (to chord) and run along the chord of a curve to the left having a Radius of 60.0 feet for 17.72 feet; thence 8 deg. 29' 36" left from chord and run 139.54 feet to a curve to the left with a Radius of 60 feet, and a central angle of 11 deg. 19'; thence run along said curve 11.85 feet; thence continue tangent to said curve 157.06 feet to a curve to the right having a Radius of 48.76, and a central angle of 40 deg. 04' 26"; thence along said curve 34.1 feet to the end of a County Road R/W; thence 90 deg. 00' left from tangent and run along the end of said County Road R/W for 60.0 feet; thence 90 deg. 00' left to tangent and run along a curve to the left with a Radius of 108.76 feet for 49.51 feet to the point of beginning. Containing 0.333 acres, more or less, according to survey of Thomas E. Simmons, Registered Land Surveyor, dated June 22, 1990, a copy of the plat of said survey being attached hereto as Exhibit "A" and by reference hereto being made a part hereof.

to provide ingress and egress to and from an existing County Road right of way (on the South) and an existing County Road right of way (on the North).

24.8.11.2.

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A separate Right of Way Easement Deed is being executed simultaneously herewith by Edward Wayne Kendrick and wife, Patsy Kendrick, for Parcel I, as shown on said survey, a copy of which is attached hereto as Exhibit "A", and the right of way and easement granted by this Right of Way Easement Deed for Parcel II and the separate Right of Way Easement Deed for Parcel I, shall be for the purpose of the construction and maintenance of a road or street over and across said Parcel I and said Parcel II connecting or joining said existing County Road (on the South) and said existing County Road (on the North), as shown on Exhibit "A", and for the construction and maintenance of gas lines, water lines, power lines, and other utility lines, for the benefit of the grantors and the grantees and their successors in title.

The said Edward Wayne Kendrick and wife, Patsy Kendrick, own real estate fronting on said Parcel I, the said Billy Joe Kendrick and wife, Polly Kendrick own real estate fronting on said Parcel II, and the said Charles R. Erwin and wife, Susan L. Erwin, Frank Ingram and wife, Marna Ingram, Ronald Wilson and wife, Dawn C. Wilson, and Roger Cox, own real estate fronting on said existing County Road (on the South), and the parties further acknowledge that the easement over and across Parcel I and Parcel II as granted by this Right of Way Easement Deed and by the separate Right of Way Easement Deed being executed simultaneously herewith for Parcel II, will inure to the benefit of all of said grantors and grantees, and their successors in title, to the respective parcels of real estate which they jointly or individually own.

The grantors, and their successors in title, reserve the right to use and enjoy the right of way and easement herein granted and to convey hereafter to others non-exclusive right of way easement deeds over and across said Parcel II.

TO HAVE AND TO HOLD to the said grantees, their heirs and assigns forever.

Billy Joe Kendrick (SEAL)
Billy Joe Kendrick
Polly Kendrick (SEAL)
Polly Kendrick

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Billy Joe Kendrick and wife, Polly Kendrick, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the instrument they executed the same voluntarily on the day the same bears date. Given under my hand and seal this 12th day of June, 1991.

David L. Wilson
Notary Public
MY COMMISSION EXPIRES OCT. 3, 1994

Exhibit "A"

NE Corner
NE 1/4 - NW 1/4
Section 4
T-20 S, R-1 W



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

91 JUN 24 AM 11:49

THOMAS E. SIMMONS
REGISTERED LAND SURVEYOR

1. Paid Tax	50
2. Misc. Tax	0
3. Property Tax	7.50
4. ...	10.00
5. ...	1.00
6. ...	1.00
TOTAL	19.00

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STATE OF ALABAMA
SHELBY COUNTY

I, Thomas E. Simmons a Registered Land Surveyor of Alabama do hereby certify the foregoing to be a true and correct map or plat of a survey made by me on the following described parcels:

PARCEL I:

Commence at the NE Corner of the NE 1/4 of the NW 1/4 of Section 4, T-20 S, R-1 W, and run south along the east line thereof 267.3' to the Point of Beginning; thence continue along the last described course for 326.36' to the north line of a County Road R/W; thence 89°12' right and run 51.22'; thence 105°12'36" right and run 139.54'; thence 11°19' left and run 157.06' to a curve to the right having a Radius of 108.76'; thence run along said curve 36.56' to the Point of Beginning. Containing 0.153 Act.

PARCEL II:

Commence at the NE Corner of the NE 1/4 of the NW 1/4 of Section 4, T-20 S, R-1 W, and run south along the east line thereof 267.3' to the Point of Beginning; thence continue along the last described course for 358.73'; thence 157°05'48" left (to chord) and run along the chord of a curve to the left having a Radius of 60.0' for 17.72'; thence 8°29'36" left from chord and run 139.54' to a curve to the left with a Radius of 60', and a central angle of 11°19'; thence run along said curve 11.85'; thence continue tangent to said curve 157.06' to a curve to the right having a Radius of 48.76, and a central angle of 40°04'26"; thence along said curve 34.1' to the end of a County Road R/W; thence 90°00' left from tangent and run along the end of said County Road R/W for 60.0'; thence 90°00' left to tangent and run along a curve to the left with a Radius of 108.76' for 49.51' to the Point of Beginning. Containing 0.333 Act.

According to my survey this 22nd day of June, 1990.

Thomas E. Simmons
Thomas E. Simmons LS12945
Surveying Services
P. O. Box 895
Pinson, AL 35126
681-3679

