

NON-EXCLUSIVE RIGHT OF WAY

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, THAT:

For the consideration of the sum of One Dollar (\$1.00) cash in hand paid by Rodney Erwin Davis, the receipt whereof is hereby acknowledged and the covenants contained herein, the undersigned, Louise P. Thomas and husband, Herbert H. Thomas, hereinafter called the Grantors, does hereby grant, bargain, sell and convey unto Rodney Erwin Davis, 1821 Road 39, Chelsea, Alabama 35043, his heirs, successors or assigns, hereinafter called Grantees, a non-exclusive right to the use of a new road (the "Road") which has been constructed on land owned by the aforementioned Grantors and lies in Shelby County, Alabama, to wit:

Starting at the property line where it intersects with the Harpersville-Calcis road, continue northwest along the property line for 790 feet to the NW corner of the SE 1/4 of the NW 1/4, Sect 9, T 19 S, R 2 E, then run along the northern border of the SW 1/4 of the NW 1/4, Sect 9, T 19 S, R 2 E until it intersects with the old timber road that now exists. South of this line a sixty foot right of way has been granted for the construction of a road running down the middle of this right of way.

Grantees to have a non-exclusive use of said road for means of ingress and egress only. Grantors shall assume no extra liabilities of said road nor shall the Grantor have any responsibility to the Grantees for the maintenance and upkeep of said road. Grantors reserves all their rights to said road and in the event that the Grantees, their heirs, successors or assigns, should abandon the use of said road, their rights shall revert to the Grantors.

As long as the Road remains private, gates leading into the property must remain closed and locked. The Grantor and the Grantees will have possession of keys that fit all locks.

*Herbert Thomas*  
*3320 Brookwood Rd.*  
*Bham, Al. 35223*

Inst # 1994-19128

06/15/1994-19128  
10:52 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

If Grantor or Grantee wishes to apply to the county for maintenance or actual control, they may do so. Any improvements that are required must be the responsibility of the party making the request.

Louise P. Thomas  
Louise P. Thomas  
Herbert H. Thomas  
Herbert H. Thomas

ATTEST: \_\_\_\_\_

Sworn to and subscribed before me this Oct 13<sup>th</sup>, 1992  
Nancy C Hayley Notary Public in and for  
the State of Alabama. My Commission Expires: Oct 1994

I hereby accept the above NON-EXCLUSIVE RIGHT OF WAY and the covenants and other terms and conditions agreed to as above.

Rodney Erwin Davis

Sworn to and subscribed before me this January 10, 1994  
Barbara N. Weldon Notary Public in and for the  
State of Alabama. My Commission Expires: 1/3/97

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