

**CREATION AND ESTABLISHMENT OF  
NON-EXCLUSIVE INGRESS, EGRESS AND UTILITY EASEMENTS**

**STATE OF ALABAMA**

**SHELBY COUNTY**

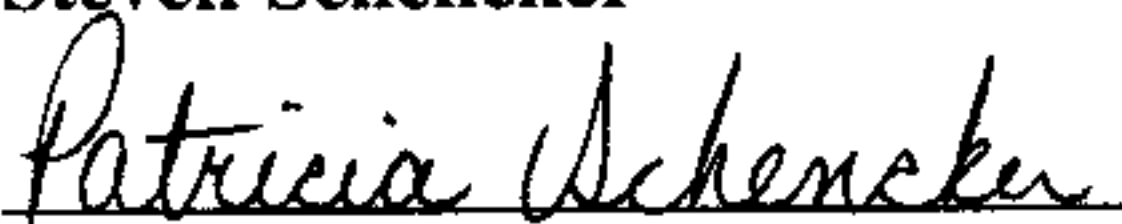
WHEREAS the undersigned are all the lot owners of Windmere Estates being to wit: Lots 1, 2, 3, and 4 (out parcels I & II) according to the map and survey of Windmere Estates, as recorded in Map Book 17, page 66, in the Office of the Judge of Probate of Shelby County, Alabama;

WHEREAS it is the intent of each of the owners to create and establish a non-exclusive easement for ingress, egress and utility purposes for each lot owner and their successors and assigns, said easements to run with the land;


NOW THEREFORE in consideration of the premises and the sum of One Dollar (\$1.00) paid and receipt acknowledged and for the mutual benefit of the undersigned, being all the lot owners, do join in the execution of this instrument and conveyance for the purpose of the creation and establishment of non-exclusive ingress, egress and utility easements as described in Exhibit "A", Pages 1 & 2, attached hereto and made a part hereof.

IN WITNESS WHEREOF, the undersigned, as owners of the Property, has caused this document to be executed as of the 5<sup>th</sup> day of July, 1994.

  
Steven Schencker

  
Patricia Schencker

  
Herschel W. Marshall, Jr.

  
Martha J. Marshall

**S & S DEVELOPMENT, INC.**

  
BY: Steven Schencker,  
President

Inst # 1994-24567

08/05/1994-24567  
01:40 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MCD 16.00

Inst # 1994-24567

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Steven Schencker and Patricia Schencker 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 official seal, this the 19<sup>th</sup> day of <sup>July</sup>~~June~~, 1994.

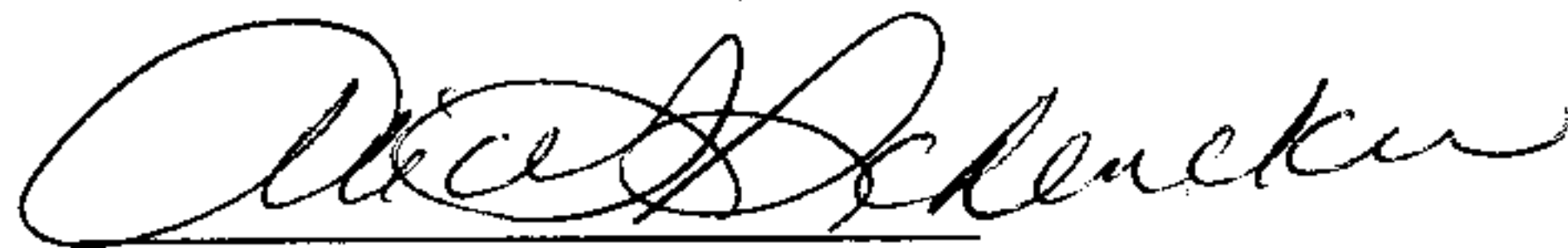
  
\_\_\_\_\_  
Notary Public

My Commission Expires: 2/26/97

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Herschel W. Marshall, Jr. and Martha J. Marshall 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 official seal, this the 15<sup>th</sup> day of <sup>July</sup>~~June~~, 1994.

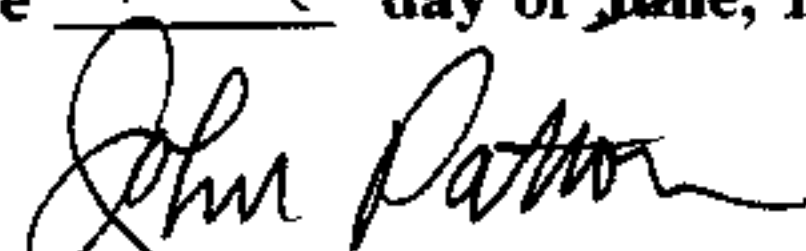
  
\_\_\_\_\_  
Notary Public

My Commission Expires: 3/2/97

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Steven Schencker whose name as President of S & S Development, Inc., a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 19<sup>th</sup> day of <sup>July</sup>~~June~~, 1994.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 2/26/97



# EXHIBIT "A" - PAGE 1

STATE OF ALABAMA  
SHELBY COUNTY

I, Robert C. Farmer, a Professional Land Surveyor registered in the State of Alabama, do hereby certify this to be a true and correct map or plat of my survey of Ingress, Egress and Utility Easements situated in Section 1 and 12, Township 19 South, Range 1 West in Shelby County, Alabama and being more particularly described as follows:

## LOT 1

### INGRESS, EGRESS AND UTILITY EASEMENT

Commencing at the S.E. corner of the N.E. 1/4 of the N.W. 1/4 of Section 12, Township 19 South, Range 1 West; thence N 89deg.-51'33" V and run a distance of 1319.97'; thence N 89deg.-58'51" V and run a distance of 829.41'; thence N 00deg.-28'00" V and run 420.32'; thence N 89deg.-56'17" V and run a distance of 107.83' to a point on the southeasterly right-of-way line of Shelby County Highway No. 43 (80' R.O.V.); thence S 44deg.-25'28" V and run a distance of 166.32' to the centerline of a 15' Ingress, Egress and Utility Easement (lying 7.5' on each side of the following described centerline, said point being the Point of Beginning of the following described easement); thence S 56deg.-35'59" E and run a distance of 26.65' to the point of a curve to the left and having the following described characteristics, a central angle of 30deg.-51'28", a radius of 66.75', a chord bearing of S 71deg.-09'38" E and a chord distance of 35.52'; thence continue along the arc of said curve to the left a distance of 35.95' to the point of a reverse curve to the right and having the following described characteristics, a central angle of 28deg.-10'22", a radius of 208.99', a chord bearing of S 72deg.-30'13" E and a chord distance of 101.73'; thence continue along the arc of said curve to the right a distance of 102.76' to the point of a compound curve to the right and having the following described characteristics, a central angle of 59deg.-13'17", a radius of 113.90', a chord bearing of S 28deg.-48'27" E and a chord distance of 112.56'; thence continue along the arc of said curve to the right a distance of 117.73' to the end of said curve; thence S 00deg.-48'12" V and run a distance of 107.04' to the point of a curve to the left and having the following described characteristics, a central angle of 58deg.-16'58", a radius of 115.00', a chord bearing of S 28deg.-20'17" E and a chord distance of 112.00'; thence continue along the arc of said curve to the left a distance of 116.98' to the point of a curve to the left having the following described characteristics, a central angle of 53deg.-13'17", a radius of 36.76', a chord bearing of S 84deg.-05'24" E and a chord distance of 32.93'; thence continue along the arc of said curve to the left a distance of 34.14' to the point of a curve to the right and having the following described characteristics, a central angle of 33deg.-54'33", a radius of 289.45', a chord bearing of N 86deg.-15'14" E and a chord distance of 168.81'; thence continue along the arc of said curve to the right a distance of 171.30' to the point of a curve to the left and having the following described characteristics, a central angle of 40deg.-30'10", a radius of 306.98', a chord bearing of S 84deg.-37'49" E and a chord distance of 212.52'; thence continue along the arc of said curve to the left a distance of 217.01' to the point of a curve to the right and having the following described characteristics, a central angle of 102deg.-37'42", a radius of 74.20', a chord bearing of S 53deg.-34'05" E a chord distance of 115.84'; thence run along the arc of said curve a distance of 132.91' to the point of a curve to the right and having the following described characteristic, a central angle of 32deg.-05'46", a radius of 237.71', a chord bearing of S 13deg.-47'39" V and a chord distance of 131.43'; thence continue along the arc of said curve to the right a distance of 133.16' to the point of a curve to the left and having the following described characteristics, a central angle of 15deg.-14'10", a radius of 684.55', a chord bearing of S 22deg.-13'28" V and a chord distance of 181.50'; thence continue along the arc of said curve a distance of 182.03' to the end of said curve; thence S 11deg.-25'04" V and run a distance of 49.32' to the end of said easement.

## LOT 2

### INGRESS, EGRESS AND UTILITY EASEMENT

Commencing at the S.E. corner of the N.E. 1/4 of the N.W. 1/4 of Section 12, Township 19 South, Range 1 West; thence N 89deg.-51'33" V and run a distance of 1319.97'; thence N 89deg.-58'51" V and run a distance of 829.41'; thence N 00deg.-28'00" V and run 420.32'; thence N 89deg.-56'17" V and run a distance of 107.83' to a point on the southeasterly right-of-way line of Shelby County Highway No. 43 (80' R.O.V.); thence S 44deg.-25'28" V and run a distance of 166.32' to the centerline of a 15' Ingress, Egress and Utility Easement (lying 7.5' on each side of the following described centerline, said point being the Point of Beginning of the following described easement); thence S 56deg.-35'59" E and run a distance of 26.65' to the point of a curve to the left and having the following described characteristics, a central angle of 30deg.-51'28", a radius of 66.75', a chord bearing of S 71deg.-09'38" E and a chord distance of 35.52'; thence continue along the arc of said curve to the left a distance of 35.95' to the point of a reverse curve to the right and having the following described characteristics, a central angle of 28deg.-10'22", a radius of 208.99', a chord bearing of S 72deg.-30'13" E and a chord distance of 101.73'; thence continue along the arc of said curve to the right a distance of 102.76' to the point of a compound curve to the right and having the following described characteristics, a central angle of 59deg.-13'17", a radius of 113.90', a chord bearing of S 28deg.-48'27" E and a chord distance of 112.56'; thence continue along the arc of said curve to the right a distance of 117.73' to the end of said curve; thence S 00deg.-48'12" V and run a distance of 107.04' to the point of a curve to the left and having the following described characteristics, a central angle of 58deg.-16'58", a radius of 115.00', a chord bearing of S 28deg.-20'17" E and a chord distance of 112.00'; thence continue along the arc of said curve to the left a distance of 116.98' to the point of a curve to the left having the following described characteristics, a central angle of 53deg.-13'17", a radius of 36.76', a chord bearing of S 84deg.-05'24" E and a chord distance of 32.93'; thence continue along the arc of said curve to the left a distance of 34.14' to the point of a curve to the right and having the following described characteristics, a central angle of 33deg.-54'33", a radius of 289.45', a chord bearing of N 86deg.-15'14" E and a chord distance of 168.81'; thence continue along the arc of said curve to the right a distance of 171.30' to the point of a curve to the left and having the following described characteristics, a central angle of 40deg.-30'10", a radius of 306.98', a chord bearing of S 84deg.-37'49" E and a chord distance of 212.52'; thence continue along the arc of said curve to the left a distance of 217.01' to the point of a curve to the right and having the following described characteristics, a central angle of 102deg.-37'42", a radius of 74.20', a chord bearing of S 53deg.-34'05" E a chord distance of 115.84'; thence run along the arc of said curve a distance of 132.91' to the point of a curve to the right and having the following described characteristic, a central angle of 32deg.-05'46", a radius of 237.71', a chord bearing of S 13deg.-47'39" V and a chord distance of 131.43'; thence continue along the arc of said curve to the right a distance of 133.16' to the point of a curve to the left and having the following described characteristics, a central angle of 15deg.-14'10", a radius of 684.55', a chord bearing of S 22deg.-13'28" V and a chord distance of 181.50'; thence continue along the arc of said curve a distance of 182.03' to the end of said curve; thence S 11deg.-25'04" V and run a distance of 49.32' to the end of said easement.



## LOT 3

## INGRESS, EGRESS AND UTILITY EASEMENT

Commencing at the S.E. corner of the N.E. 1/4 of the N.W. 1/4 of Section 12, Township 19 South, Range 1 West; thence N 89deg.-51'33" V and along the south line of said 1/4-1/4 section a distance of 330.00'; thence N 01deg.-28'07" V and run a distance of 1319.97'; thence N 89deg.-58'51" V and run a distance of 829.41'; thence N 00deg.-28'00" V and run 420.32'; thence N 89deg.-56'17" V and run a distance of 107.83' to a point on the southeasterly right-of-way line of Shelby County Highway No.43 (80' R.O.V.); thence S 44deg.-25'28" V and run a distance of 166.32' to the centerline of a 15' Ingress, Egress and Utility Easement (lying 7.5' on each side of the following described centerline, said point being the Point of Beginning of the following described easement); thence S 56deg.-35'59" E and run a distance of 26.65' to the point of a curve to the left and having the following described characteristics, a central angle of 30deg.-51'28", a radius of 66.75', a chord bearing of S 71deg.-09'38" E and a chord distance of 35.52'; thence continue along the arc of said curve to the left a distance of 35.95' to the point of a reverse curve to the right and having the following described characteristics, a central angle of 28deg.-10'22", a radius of 208.99', a chord bearing of S 72deg.-30'13" E and a chord distance of 101.73'; thence continue along the arc of said curve to the right a distance of 102.76' to the point of a compound curve to the right and having the following described characteristics, a central angle of 59deg.-13'17", a radius of 113.90', a chord bearing of S 28deg.-48'27" E and a chord distance of 112.56'; thence continue along the arc of said curve to the right a distance of 117.73' to the end of said curve; thence S 00deg.-48'12" V and run a distance of 107.04' to the point of a curve to the left and having the following described characteristics, a central angle of 58deg.-16'58", a radius of 115.00', a chord bearing of S 28deg.-20'17" E and a chord distance of 112.00'; thence continue along the arc of said curve to the left a distance of 116.98' to the point of a curve to the left having the following described characteristics, a central angle of 53deg.-13'17", a radius of 36.76', a chord bearing of S 84deg.-05'24" E and a chord distance of 32.93'; thence continue along the arc of said curve to the left a distance of 34.14' to the point of a curve to the right and having the following described characteristics, a central angle of 33deg.-54'33", a radius of 289.45', a chord bearing of N 86deg.-15'14" E and a chord distance of 168.81'; thence continue along the arc of said curve to the right a distance of 171.30' to the point of a curve to the left and having the following described characteristics, a central angle of 40deg.-30'10", a radius of 306.98', a chord bearing of S 84deg.-37'49" E and a chord distance of 212.52'; thence continue along the arc of said curve to the left a distance of 217.01' to the point of a curve to the right and having the following described characteristics, a central angle of 102deg.-37'42", a radius of 74.20', a chord bearing of S 52deg.-34'05" E and a chord distance of 115.84'; thence run along the arc of said curve a distance of 132.91' to the point of a curve to the right and having the following described characteristic, a central angle of 32deg.-05'46", a radius of 237.71', a chord bearing of S 13deg.-47'39" V and a chord distance of 131.43'; thence continue along the arc of said curve to the right a distance of 133.16' to the point of a curve to the left and having the following described characteristics, a central angle of 15deg.-14'10", a radius of 684.55', a chord bearing of S 22deg.-13'28" V and a chord distance of 181.50'; thence continue along the arc of said curve a distance of 182.03' to the end of said curve; thence S 11deg.-25'04" V and run a distance of 135.08' to a point on a curve to the left and having the following described characteristics, a central angle of 14deg.-31'33", a radius of 470.60', a chord bearing of S 3deg.-56'59" V, and a chord distance of 118.99'; thence continue along the arc of said curve a distance of 119.31' to the end of said curve; thence S 03deg.-55'27" E and run a distance of 126.30' to a point on a curve to the left having the following described characteristics, a central angle of 18deg.-12'54", a radius of 89.49', a chord bearing of S 08deg.-15'45" E, and a chord distance of 28.33'; thence continue along the arc of said curve a distance of 28.45' to the end of said curve; thence S 46deg.-58'37" V a distance of 151.26' to the end of said easement.

## LOT 4

## (PARCELS I &amp; II)

## INGRESS, EGRESS AND UTILITY EASEMENT

Commencing at the S.E. corner of the N.E. 1/4 of the N.W. 1/4 of Section 12, Township 19 South, Range 1 West; thence N 89deg.-51'33" V and along the south line of said 1/4-1/4 section a distance of 330.00'; thence N 01deg.-28'07" V and run a distance of 1319.97'; thence N 89deg.-58'51" V and run a distance of 829.41'; thence N 00deg.-28'00" V and run 420.32'; thence N 89deg.-56'17" V and run a distance of 107.83' to a point on the southeasterly right-of-way line of Shelby County Highway No.43 (80' R.O.V.); thence S 44deg.-25'28" V and run a distance of 166.32' to the centerline of a 15' Ingress, Egress and Utility Easement (lying 7.5' on each side of the following described centerline, said point being the Point of Beginning of the following described easement); thence S 56deg.-35'59" E and run a distance of 26.65' to the point of a curve to the left and having the following described characteristics, a central angle of 30deg.-51'28", a radius of 66.75', a chord bearing of S 71deg.-09'38" E and a chord distance of 35.52'; thence continue along the arc of said curve to the left a distance of 35.95' to the point of a reverse curve to the right and having the following described characteristics, a central angle of 28deg.-10'22", a radius of 208.99', a chord bearing of S 72deg.-30'13" E and a chord distance of 101.73'; thence continue along the arc of said curve to the right a distance of 102.76' to the point of a compound curve to the right and having the following described characteristics, a central angle of 59deg.-13'17", a radius of 113.90', a chord bearing of S 28deg.-48'27" E and a chord distance of 112.56'; thence continue along the arc of said curve to the right a distance of 117.73' to the end of said curve; thence S 00deg.-48'12" V and run a distance of 107.04' to the point of a curve to the left and having the following described characteristics, a central angle of 58deg.-16'58", a radius of 115.00', a chord bearing of S 28deg.-20'17" E and a chord distance of 112.00'; thence continue along the arc of said curve to the left a distance of 116.98' to the point of a curve to the left having the following described characteristics, a central angle of 53deg.-13'17", a radius of 36.76', a chord bearing of S 84deg.-05'24" E and a chord distance of 32.93'; thence continue along the arc of said curve to the left a distance of 34.14' to the point of a curve to the right and having the following described characteristics, a central angle of 33deg.-54'33", a radius of 289.45', a chord bearing of N 86deg.-15'14" E and a chord distance of 168.81'; thence continue along the arc of said curve to the right a distance of 171.30' to the point of a curve to the left and having the following described characteristics, a central angle of 40deg.-30'10", a radius of 306.98', a chord bearing of S 84deg.-37'49" E and a chord distance of 212.52'; thence continue along the arc of said curve to the left a distance of 217.01' to the point of a curve to the right and having the following described characteristics, a central angle of 102deg.-37'42", a radius of 74.20', a chord bearing of S 53deg.-34'05" E and a chord distance of 115.84'; thence run along the arc of said curve a distance of 132.91' to the point of a curve to the right and having the following described characteristic, a central angle of 32deg.-05'46", a radius of 237.71', a chord bearing of S 13deg.-47'39" V and a chord distance of 131.43'; thence continue along the arc of said curve to the right a distance of 133.16' to the point of a curve to the left and having the following described characteristics, a central angle of 15deg.-14'10", a radius of 684.55', a chord bearing of S 22deg.-13'28" V and a chord distance of 181.50'; thence continue along the arc of said curve a distance of 182.03' to the end of said curve; thence S 11deg.-25'04" V and run a distance of 135.08' to a point on a curve to the left and having the following described characteristics, a central angle of 14deg.-31'33", a radius of 470.60', a chord bearing of S 3deg.-56'59" V, and a chord distance of 118.99'; thence continue along the arc of said curve a distance of 119.31' to the end of said curve; thence S 03deg.-55'27" E and run a distance of 126.30' to a point on a curve to the left having the following described characteristics, a central angle of 18deg.-12'54", a radius of 89.49', a chord bearing of S 08deg.-15'45" E, and a chord distance of 28.33'; thence continue along the arc of said curve a distance of 28.45' to the end of said curve; thence S 46deg.-58'37" V a distance of 151.26' to the end of said easement.

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