

PRIVATE ROAD MAINTENANCE AGREEMENT

STATE OF ALABAMA)
SHELBY COUNTY)

THIS AGREEMENT made on the 29th day of September, 1995, by and between Timothy M. Blackmon and wife, Rachel P. Blackmon ("Blackmon"); Johnny L. Nobling and wife, LeNora L. Nobling ("Nobling"); Malcolm E. Turner, Jr. and wife, Rachel F. Turner ("Malcolm E. Turner, Jr."); and Robert P. Turner and wife, Gladys B. Turner ("Robert P. Turner").

WITNESSETH:

THAT Blackmon, Nobling, Malcolm E. Turner, Jr. and Robert P. Turner are owners of their respective tracts of real property separately described on Exhibit "A" attached hereto and incorporated herein by this reference. A sixty foot wide private road ("private road") extends from Oak Wood Drive across the tracts of real property described on Exhibit "A" which are owned by the parties to this agreement.

The parties to this agreement covenant between themselves, their heirs, executors, successors and assigns to maintain said private road to a standard suitable for the use for private residential traffic. The parties agree that no improvements, repairs, alterations or maintenance shall be commenced or performed on the private road until all parties have agreed to the nature and cost of said improvements, repairs, alterations or maintenance prior to the commencement or performance thereof.

The parties further agree that the expenses of improvements, repairs, alterations or maintenance shall be borne equally in one-fourth shares by all parties to this agreement, their respective heirs, executors, successors and assigns. Prior to commencement of work, the parties agree to pay over their estimated and respective share of the improvement cost to a designated trustee to be held in escrow until completion of the improvement project.

To have and to hold unto the parties, their respective heirs, executors, successors and assigns forever.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on this the 29th day of September, 1995.

Timothy M. Blackmon
TIMOTHY M. BLACKMON

Rachel P. Blackmon
RACHEL P. BLACKMON

Johnny L. Nobling
JOHNNY L. NOBLING

LeNora L. Nobling
LENORA L. NOBLING

Malcolm E. Turner, Jr.
MALCOLM E. TURNER, JR.

Rachel F. Turner
RACHEL F. TURNER

Robert P. Turner
ROBERT P. TURNER

Gladys B. Turner
GLADYS B. TURNER

ACKNOWLEDGEMENTS ON NEXT PAGE

10/17/1995-29553
09:20 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 HCB 17.50

Inst # 1995-29553

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Timothy M. Blackmon and Rachel P. Blackmon, 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 this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 3rd day of October, 1995.

Julia Penny Scheinert
NOTARY PUBLIC
My Commission Expires: 2-20-99

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Johnny L. Nobling and LeNora L. Nobling, 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 this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 3rd day of October, 1995.

Julia Penny Scheinert
NOTARY PUBLIC
My Commission Expires: 2-20-99

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Malcolm E. Turner, Jr. and Rachel F. Turner, 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 this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 3rd day of October, 1995.

Julia Penny Scheinert
NOTARY PUBLIC
My Commission Expires: 2-20-99

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert P. Turner and Gladys B. Turner, 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 this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 3rd day of October, 1995.

Julia Penny Scheinert
NOTARY PUBLIC
My Commission Expires: 2-20-99

EXHIBIT "A"

BLACKMON TRACT

Begin at the northwest corner of Section 5, Township 21 South, Range 2 West; thence in an easterly direction along the north line of said Section 5 for 1329.97 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 5; thence right $86^{\circ}22'52\frac{1}{2}"$ in a southerly direction along the east boundary of said quarter-quarter section 327.68 feet; thence right $93^{\circ}37'07\frac{1}{2}"$ in a westerly direction along a line parallel to said north line 1328.73 feet, more or less, to the west line of said quarter-quarter section; thence right $86^{\circ}10'30"$ in a northerly direction along said west line 327.68 feet to the point of beginning EXCEPT 60.00 feet right of way for a public road, ALSO RESERVING AND EXCEPTING from this conveyance a permanent easement for a 60.00 feet right of way across and under the hereinafter described parcel for a roadway and utilities, together with the right to dedicate said right of way to Shelby County, Alabama, or other appropriate governmental authority; Begin at the Northwest corner of said Section 5; thence in an easterly direction along the north line of said Section 5 for 594.00 feet to the point of beginning of centerline of easement being excepted; thence right $155^{\circ}45'$ in a southwesterly direction 360.00 feet to the centerline of said public road, said point being the terminus of centerline herein described.

10/17/1995-29553
09:20 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 17.50

NOBLING TRACT

Begin at the northwest corner of the North $\frac{1}{4}$ of the North-West $\frac{1}{4}$, of the North-West $\frac{1}{4}$ of Section 5, Township 21 South, Range 2 West; thence in a southerly direction along the west boundary of said $\frac{1}{4}$ - $\frac{1}{4}$ - $\frac{1}{4}$ section 327.68 feet to the point of beginning; thence turn an angle of 86 degrees 10 minutes 30 seconds to the left in an easterly direction 1328.73 feet to the east boundary of said $\frac{1}{4}$ - $\frac{1}{4}$ - $\frac{1}{4}$ section thence turning an angle of 86 degrees 22 minutes 52.5 seconds to the right in a southerly direction along said east boundary 21.92 feet; thence turning an angle of 21 degrees 11 minutes to the right in a southwesterly direction 277.52 feet; thence turning an angle of 0 degrees 47 minutes to the right in a southwesterly direction 50.10 feet to intersection with the south boundary of said $\frac{1}{4}$ - $\frac{1}{4}$ - $\frac{1}{4}$ section; thence turning an angle of 71 degrees 54 minutes 38 seconds to the right in a westerly direction 1226.52 feet to the southwest corner of said $\frac{1}{4}$ - $\frac{1}{4}$ - $\frac{1}{4}$ section; thence turning an angle of 86 degrees 15 minutes 04 seconds to the right in a northerly direction along said west boundary 336.56 to the point of beginning.

MALCOLM E. TURNER, JR. TRACT

All that part of the South half of the Northwest Quarter of the Northwest Quarter of Section 5, Township 21 South, Range 2 West lying westerly of line A, and northerly of line B, as described below: for line A, begin at the Northeast corner of the Northwest Quarter of the Northwest Quarter and run southerly along the East line of said Quarter Quarter Section a distance of 349.6 feet to a point; thence turn an angle of 21 degrees and 11 minutes to the right and run southwesterly a distance of 277.52 feet to a point; thence turn an angle of 0 degrees and 47 minutes to the right and run southwesterly a distance of 283.03 feet to a point in the center of a branch; thence run in a southerly direction along the center line of said branch to a point on the South boundary of said Quarter Quarter Section, said point being 282.42 feet West of the Southeast corner of said Quarter Quarter Section, completing the description of line A; for line B, being at a point on the West line of the Northwest Quarter of the Northwest Quarter, said point lying 350.00 feet north of the Southwest corner of said Quarter Quarter Section, and run due east to a point intersecting the aforementioned line A, a distance of 1100 feet, more or less completing the description of line B, containing 5.3 acres more or less, MINERAL AND MINING RIGHTS EXCEPTED.

ROBERT P. TURNER TRACT

All that part of the South Half of the Northwest Quarter of the Northwest Quarter of Section 5, Township 21 South, Range 2 West lying westerly of line A, and southerly of line B, as described below: for line A, begin at the Northeast corner of Northwest Quarter of the Northwest Quarter and run southerly along the East line of said Quarter Quarter Section a distance 349.6 feet to a point; thence turn an angle of 21 degrees and 11 minutes to the right and run southwesterly a distance of 277.52 feet to a point; thence turn an angle of 0 degrees and 47 minutes to the right and run southwesterly a distance of 283.03 feet to a point in the center of a branch; thence run in a southerly direction along the center line of said branch to a point on the South boundary of said Quarter Quarter Section, said point being 282.42 feet West of the Southeast corner of said Quarter Quarter Section, completing the description of line A; for line B, begin at a point on the West line of the Northwest Quarter of the Northwest Quarter, said point lying 350.00 feet north of the Southwest corner of said Quarter Quarter Section, and run due east to a point intersecting the aforementioned line A, a distance of 1100 feet, more or less, completing the description of line B, containing 8.6 acres, more or less,

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