

STATE OF ALABAMA)
)
SHELBY COUNTY)

EASEMENT AND RIGHT OF WAY

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of \$1.00; in hand paid, the receipt and sufficiency of which are hereby acknowledged, HENRY E. FLOREY, JR., hereinafter called "Grantor" and JAMES PAUL TATE and GLORIA N. TATE, hereinafter called "Grantees," does hereby GRANT, BARGAIN, SELL AND CONVEY unto said Grantees an easement and right-of-way into, upon and across the following described real property of the Grantor situated in SHELBY County, Alabama for purposes of ingress and egress:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

The easement, rights and privileges herein granted shall be perpetual. Grantor hereby bind themselves, their heirs, and legal representatives successors and/or assigns, to warrant and forever defend the above-described easement and rights unto Grantees, their successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

The easement, rights, and privileges granted herein are nonexclusive, and Grantor reserve and retain the right to convey similar rights and easements to such other persons as Grantor may deem property.

The instrument shall be binding on, and shall inure to the benefit of, the heirs, executors, administrators, successors, and assigns of the parties hereto.

Grantor also retain, reserve, and shall continue to enjoy use of the surface of such property for any and all purposes which do not interfere with and prevent the use by Grantees of the within easement, including the right to build and use the surface of the herein granted easement for drainage ditches and private streets, roads, driveways, alleys, walks, gardens, lawns, planting or parking areas, and other like uses and/or to dedicate all or any part of the property affected by this easement to any city for use as a public street, road, or alley, if the Grantor, or any of the Grantor's successors or assigns, shall dedicate all or any part of the property affected by this easement, the Grantees, and their successors and assigns shall execute all instruments that may be necessary or appropriate to effectuate such dedication, without, however, extinguishing the easement rights herein granted.

IN WITNESS WHEREOF, this instrument is executed this 7th day of March, 1997.

WITNESS


HENRY E. FLOREY, JR.

Inst # 1997-15645

05/20/1997-15645
09:22 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.00


Inst # 1997-15645

STATE OF ALABAMA)

_____ COUNTY)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that HENRY E. FLOREY, JR., whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7th day of March, 1997.



Notary Public

My Commission Expires: 10-6-97

Exhibit "A" Legal Description

PART TWO: From the Northwest corner of the SW1/4-NW1/4 of Section 19, Township 19 South, Range 3 East, Shelby County, Alabama proceed N 00°14'32" W along the West boundary of the SW1/4-NW1/4 for a distance of 1286.58 feet to a point on the center of said 30 foot easement, said point being the POINT OF BEGINNING of herein described easement and the outer boundaries of said easement being 15 feet either side of the following described line: From the POINT OF BEGINNING proceed N 86°45'03" W along the center of said easement for a distance of 1342.64' to a point on the East boundary of a County Road.

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