

RA 7-3165
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STATE OF ALABAMA)
COUNTY OF SHELBY)

EASEMENT

This Agreement, made this the 25th day of September, 1997, by and between Bobby Statum and wife, Diana Statum, (hereinafter referred to as Grantors) and Richmond M. Flowers, Jr., and wife, Diane D. Flowers (hereinafter referred to as Grantees):

Whereas, the Grantors own the following described real property situated in Shelby County, Alabama, to-wit:

A 15' ingress/egress easement, said easement being more particularly described as follows:

COMMENCE AT THE SW CORNER OF THE SW 1/4 OF THE NW 1/4 OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 3 WEST; THENCE NORTH 30 DEGREES 55' 47" EAST A DISTANCE OF 360.70 FEET TO THE SOUTHEASTERN RIGHT-OF-WAY LINE OF INDIAN LAKE DRIVE; THENCE NORTH 27 DEGREES 12' 11" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 105.95 FEET; THENCE NORTH 27 DEGREES 16' 01" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 75.98 FEET; THENCE NORTH 35 DEGREES 20' 47" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 133.00 FEET; THENCE SOUTH 54 DEGREES 39' 13" EAST A DISTANCE OF 311.50 FEET TO A POINT ON THE WESTERN RIGHT-OF-WAY LINE OF INDIAN LAKE TRAIL, SAID POINT BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 53.13 FEET AND A CENTRAL ANGLE OF 47 DEGREES 10' 38"; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE A DISTANCE OF 43.75 FEET SAID ARC SUBTENDED BY A CHORD WHICH BEARS SOUTH 0 DEGREES 05' 38" EAST A DISTANCE OF 42.52 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A FIFTEEN FOOT INGRESS AND EGRESS EASEMENT, SAID EASEMENT LYING 7.5 FEET EACH SIDE OF SAID CENTERLINE; THENCE SOUTH 69 DEGREES 42' 20" WEST A DISTANCE OF 118.24 FEET TO THE SOUTHWESTERLY PROPERTY LINE OF SAID PARCEL, SAID POINT BEING THE END OF SAID CENTERLINE OF SAID EASEMENT.

Whereas, the Grantee owns the following described real property situated in Shelby County, Alabama, to-wit:

PART OF THE SW QUARTER OF THE NW QUARTER OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 3 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SW CORNER OF SW QUARTER OF THE NW QUARTER OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 3 WEST, FROM THE WEST LINE OF SAID SW QUARTER OF NW QUARTER, TURN AN ANGLE TO THE RIGHT OF 30 DEGREES 09' 10" AND RUN IN A NORTHEASTERLY

10/10/1997-33072
09:40 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.50

Inst # 1997-33072

DIRECTION FOR A DISTANCE OF 360.70 FEET; THENCE TURN AN ANGLE TO THE LEFT OF 3 DEGREES 42' AND RUN IN A NORTHEASTERLY DIRECTION FOR A DISTANCE OF 106.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG LAST DESCRIBED COURSE FOR A DISTANCE OF 75.79 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 8 DEGREES 07' AND RUN IN A NORTHEASTERLY DIRECTION FOR A DISTANCE OF 24.21 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 95 DEGREES 00' 18" AND RUN IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 261.70 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 119 DEGREES 19' 42" AND RUN IN A SOUTHWARDLY DIRECTION FOR A DISTANCE OF 153.52 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 72 DEGREES 47' 50" AND RUN IN A NORTHWESTERLY DIRECTION FOR A DISTANCE OF 171.00 FEET TO THE POINT OF BEGINNING.

Whereas, the Grantees desire to obtain the right to use the easement aforescribed for ingress and egress across, in, under, through, and upon Grantor's real property, and

Whereas, the Grantor is willing to grant said easement and right-of-way, provided that Grantor does not accept any responsibility for the maintenance of said easement;

Now, Therefore, in consideration of One Dollar in cash, and other good and valuable consideration, the receipt whereof is hereby acknowledged, Grantors do hereby grant, bargain, sell and convey unto Grantees, their heirs and assigns, from the date hereof, a perpetual non-exclusive easement for the purposes of presently and from time to time in the future, as the Grantees may elect, for ingress and egress to Grantee's property and also the right to repair and maintain said easement and right-of-way for the purposes above stated, and for no other uses or purposes, in, under, through, and upon Grantor's real property situated in Shelby County, Alabama, to-wit:

A 15' ingress/egress easement, said easement being more particularly described as follows:

COMMENCE AT THE SW CORNER OF THE SW 1/4 OF THE NW 1/4 OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 3 WEST; THENCE NORTH 30 DEGREES 55' 47" EAST A DISTANCE OF 360.70 FEET TO THE SOUTHEASTERN RIGHT-OF-WAY LINE OF INDIAN LAKE DRIVE; THENCE NORTH 27 DEGREES 12' 11" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 105.95 FEET; THENCE NORTH 27 DEGREES 16' 01" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 75.98 FEET; THENCE NORTH 35 DEGREES 20' 47" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 133.00 FEET; THENCE SOUTH 54 DEGREES 39' 13" EAST A DISTANCE OF 311.50 FEET TO A POINT ON THE WESTERN RIGHT-OF-WAY LINE OF INDIAN LAKE TRAIL, SAID POINT BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 53.13 FEET AND A CENTRAL ANGLE OF 47 DEGREES 10' 38"; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE A DISTANCE OF 43.75 FEET SAID ARC SUBTENDED BY A CHORD WHICH BEARS SOUTH 0 DEGREES 05' 38"

EAST A DISTANCE OF 42.52 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A FIFTEEN FOOT INGRESS AND EGRESS EASEMENT, SAID EASEMENT LYING 7.5 FEET EACH SIDE OF SAID CENTERLINE; THENCE SOUTH 69 DEGREES 42' 20" WEST A DISTANCE OF 118.24 FEET TO THE SOUTHWESTERLY PROPERTY LINE OF SAID PARCEL, SAID POINT BEING THE END OF SAID CENTERLINE OF SAID EASEMENT.

with all the rights and privileges necessary to the full enjoyment and use thereof, for all the purposes above stated.

To Have and to Hold the said right-of-way and easement perpetually to the Grantees, their heirs and assigns, and provided that the Grantors herein shall have and expressly reserve to the Grantors the right to use and enjoy the premises above described, but that such use and enjoyment shall be in such a manner as not unreasonably to interfere with the use thereof by Grantees, their heirs and assigns, under the Grant herein set forth, and provided further, that at no time shall Grantors or Grantees obstruct the easement by the parking of motor vehicles on said easement.

In Witness Whereof, Grantors have caused this instrument to be executed on this 25 day of September, 1997.

Bobby Statum (L.S.)
BOBBY STATUM
Diana Statum (L.S.)
DIANA STATUM

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, Connie L. Aldridge a Notary Public, in and for said County, in said State, hereby certify that Bobby Statum, 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 he executed the same voluntarily on the day the same bears date.

Given under my hand this the 25 day of September, 1997.

Connie L. Aldridge
Notary Public

My commission expires: 11/7/2000

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, LINDA H. ^{Haralson} Vernon, a Notary Public, in and for said County, in said State, hereby certify that, Diana Statum, 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 she executed the same voluntarily on the day the same bears date.

Given under my hand this the 25th day of September, 1997.

Linda Haralson Vernon
Notary Public

My commission expires: 3/5/2000

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10/10/1997-33072
09:40 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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