

77-3165

Inst # 1997-33073

R. Shan Paden
PADEN & PADEN
Attorney at Law
100 Concourse Parkway, Suite 130
Birmingham, AL 35244

STATE OF ALABAMA)
COUNTY OF SHELBY)

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, NOW THEREFORE, in consideration of \$1.00 and other good and valuable, consideration, the receipt of which is hereby acknowledged, the undersigned RICKY J. AUSTIN AND CAROL A. AUSTIN does hereby grant, bargain, sell and convey unto Gerald Twardowski and Lynda Twardowski a perpetual non-exclusive easement for ingress, egress and utilities the following described parcel of property situated in Shelby County, Alabama, to-wit:

See Attached Exhibit "A"

Grantors are husband and wife.

To have and to Hold the said right-of-way and easement perpetually to the Grantee, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 23rd day of September, 1997.

WITNESS

Ricky J. Austin
RICKY J. AUSTIN

WITNESS

Carol A. Austin
CAROL A. AUSTIN

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned a Notary Public, in and for said County, in said State, hereby certify that Ricky J. Austin and Carol A. Austin, whose names are 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 they executed the same voluntarily on the day the same bears date.

Given under my hand this the 23rd day of SEPTEMBER, 1997.

Helen Christine Oprea
Notary Public

My commission expires: 11/31/2000

10/10/1997-33073
09:40 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.50

EXHIBIT "A"

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 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.

A non-exclusive easement 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; from the West line of said SW 1/4 of the NW 1/4 turn an angle to the right of 30 degrees 09' 10" and run in a Northeasterly direction for a distance of 360.7 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; thence continue along the 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 in a southeasterly direction for a distance of 261.7 feet to the point of beginning; thence continue along the last stated course for distance of 17.21; thence turn an angle to the right of 119 degrees 19' 42" and run in a Southwesterly direction for a distance of 157.31 feet; thence turn an angle to the right of 72 degrees 47' 50" and run in a Northwesterly direction of a distance of 15.70 feet; thence turn an angle to the right of 107 degrees 12' 10" and run in a Northeasterly direction for a distance of 153.52 feet to the point of beginning, Shelby County, Alabama.

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 340.70 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 130.74 FEET TO THE SOUTHWESTERLY PROPERTY LINE OF SAID PARCEL, SAID POINT BEING THE END OF SAID CENTERLINE OF SAID EASEMENT.

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