This conveyance of easement and right of way is to formally convey an existing informal access which is open and notorious and has been in use by the Grantors (parties of the first part) for many years.
BOLOTIOUS RIKI BRE DEER IN BRE DY THE GERMIOES (PREDES OF THE HEST PRET) TOF MAIN YEATS.
This instrument was prepared by
Frank Steele Jones Sexton & Jones, P.C.
3021 Lorna Road, Suite 310
Birmingham, Alabama 35216
EASEMENT AGREEMENT
STATE OF ALABAMA)
) KNOW ALL MEN BY THESE PRESENTS:
SHELBY COUNTY)
This INDENTURE is made between Helmutt D. McCoy and his wife Lisa Lynn McCoy as parties of the first part and Brian W. Carroll and wife Teresa A. Carroll as parties of the second part.
WITNESSETH:
WHEREAS, parties of the first part are the owners of real estate situated in Shelby County, Alabama; and
WHEREAS, parties of the second part are the owners of real estate situated in Shelby County, Alabama; and
WHEREAS, the property of the parties of the second part lack access to a publicly maintained right of way; and
WHEREAS, the property of the parties of the first part adjoins a publicly maintained right of way; and
WHEREAS, there is a currently existing road that leads from the property of the parties of the second part across the property of the parties of the first part and connects with the publicly maintained right of way, more particularly described as follows:
See legal description of non-exclusive easement attached hereto as Exhibit A and incorporated herein by reference.
NOW THEREFORE, in consideration of the premises and Ten Dollars and No/100 (\$10.00) in hand paid each to the other, the parties agree as follows:
1. The parties of the first part have bargained and sold and do by these premises, grant, bargain, sell and convey a non-exclusive easement for the purposes of ingress and egress over and across the presently existing road which crosses the property of the parties of the first part and connects Shelby County Highway 41 to the property of the parties of the second part to have and to hold to the parties of the second part, their heirs and assigns forever.
2. The parties for themselves and for their heirs and assigns agree to share, according to their respective usage of the easement, the responsibility of maintaining the condition of the easement, including, but not limited to, the road surface, drainage culverts and encroaching foliage.
IN WITNESS WHEREOF, we have hereunto set our hands and seals, this day of October, 1998.
Helmatt D. McCoy (Seal) Brian W. Carroll (Se
Lisa Lynn McCsy (Seal) Teresa A. Carroll (Second Control Con
STATE OF ALABAMA)
) General Acknowledgment SHELBY COUNTY)
I, LANNEHE J. SHALLINGS, a Notary Public in and for said County, in said State,
hereby certify that Helmutt D. McCoy, Lisa Lynn McCoy, Brian W. Carroll and Teresa A. Carroll, whose name(s) 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, as their act on the day the same bears date.
Given under my hand and official seal this
Notary Public
My Commission Expires: 100 2

11/02/1998-43124

DIESI PH CERTIFIED

SHELBY COUNTY JUNCE OF PROPATE

DOS CSM 11.50

EXHIBIT A

A 20.00 foot non-exclusive easement for ingress and egress described as follows: Commende at the SE corner of the SE 1/4 of the NE 1/4 of Section 7, Township 18 South, Range 1 East; thence West along the South line of said 1/4 - 1/4 section 277.00 feet to a found 1 inch iron and to a point on the Northwesterly right of way line of County Highway #41; thence 123 degrees 24 minutes 00 seconds to the right and along said right of way line 209.62 feet to a found 1 inch pipe; thence 123 degrees 24 minutes 00 seconds to the left 968.23 feet to the point of beginning of a 20.00 foot easement. (10.00 feet each side of the following described) Thence 91 degrees 07 minutes 01 seconds to the right 13.66 feet; thence 90 degrees 00 minutes to the right 15.25 feet; thence 3 degrees 02 minutes 19 seconds to the left 151.27 feet; thence 4 degrees 27 minutes 02 seconds to the right 162.02 feet to a point on a curve to the left having a central angle 43 degrees 07 minutes 52 seconds a radius 227.71 feet; thence along arc of said curve 171.42 feet to the point of tangent; thence along said tangent 24.48 feet to a point on a curve to the right 112.58 feet to the end of said 20.00 foot easement point. Also being the Northwesterly right of way line of County Highway #41.

Tank & 1998-43124

11/02/1998-43124 D1:31 PM CERTIFIED SHELBY COUNTY JUNCE OF PROBATE 002 CRH 11.50