

This instrument was prepared by: Larry R. Newman, Attorney, 3141 Lorna Road, Birmingham, Alabama 35216

EASEMENT

State of Alabama)
)
 Shelby County)

Know All Men by These Presents: THAT

WHEREAS, WAYNE HORTON and wife, MYRA GAYLE HORTON, (herein referred to as the "Grantors"), are the owners of the following described real estate, situated in Shelby County, Alabama, to wit:

The Northwest Quarter of Section 6, Township 22 South, Range 1 West

(herein referred to as the "Servient Estate"), and

WHEREAS, DOUGLAS LAYNE HORTON and NANCY OLIVER HORTON, (herein referred to as the "Grantees"), are the owners of the following described real estate, situated in Shelby County, Alabama, to wit:

Commence at the Southwest corner of the SW 1/4 of the NW 1/4 of Section 6, Township 22 South, Range 1 West; thence run easterly along the south line for 762.10 feet to the point of beginning; thence continue along the last described course for 250.0 feet; thence 38 degrees 42 minutes 0 seconds left and run Northeasterly for 1,659.55 feet to the westerly right of way of Horton Cove Road and to a point of a curve to the right, having a central angle of 25 degrees 59 minutes 47 seconds, a radius of 363.25 feet, and an arc length of 164.82 feet; thence 55 degrees 57 minutes 04 seconds left to chord run Northerly along said chord for 163.41 feet; thence 12 degrees 59 minutes 54 seconds right run Northerly for 145.93 feet to a point of a curve to the left, having a central angle of 15 degrees 01 minutes 25 seconds, a radius of 430.69 feet, and an arc length of 112.93 feet; thence 07 degrees 30 minutes 42 seconds left to chord run northerly along said chord for 112.61 feet to a point of a curve to the left having a central angle of 16 degrees 26 minutes 31 seconds, a radius of 994.11 feet, and an arc length of 285.28 feet; thence 15 degrees 43 minutes 58 seconds left to chord run Northwesterly along said chord for 284.30 feet; thence 99 degrees 15 minutes 24 seconds left run Southwesterly for 592.37 feet; thence 33 degrees 33 minutes 53 seconds left and run Southwesterly for 1,782.19 feet; to the point of beginning.

(herein after referred to as the "Dominant Estate"), and

WHEREAS, the Dominant Estate is land-locked and not served by a publicly maintained roadway; and

WHEREAS, the Grantors are willing to convey to the Grantees a non-exclusive easement across their property.

NOW THEREFORE, in consideration of the premises, and in further consideration of Ten and No/100 Dollars (\$10.00) to the undersigned Grantors in hand paid by the Grantees herein, love and affection and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, the Grantors do grant, bargain, sell and convey unto the Grantees, the following described non-exclusive easement for ingress and egress across the Servient Estate to the Dominant Estate, to-wit:

Over and across the existing chert road better known as the Horton Cove Road.

TO HAVE AND TO HOLD to the said Grantees, their heirs and assigns forever. And we do for ourselves and for our heirs, executors, and administrators covenant with the said Grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims of all persons.

12/17/1998-30403
 02:57 PM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 002 CRH 11.00

Inst. # 1998-30403

MTA

19⁹⁸ IN WITNESS WHEREOF, [I/we] have hereunto set [my/our] hand[s] and seal[s], this 7th day of December

Wayne Horton (Seal)

Myra Gayle Horton (Seal)

STATE OF ALABAMA)
Shelby County)

I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT WAYNE HORTON, WHOSE NAME/S IS/ARE SIGNED TO THE FOREGOING CONVEYANCE, AND WHO IS/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 AND OFFICIAL SEAL THIS 7th DAY OF December 9⁹⁸

Kern Phillips
NOTARY PUBLIC

MY COMMISSION EXPIRES: 2-12-99

STATE OF ALABAMA)
Shelby County)

I, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT MYRA GAYLE HORTON, WHOSE NAME/S IS/ARE SIGNED TO THE FOREGOING CONVEYANCE, AND WHO IS/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 AND OFFICIAL SEAL THIS 7th DAY OF December 9⁹⁸

Kern Phillips
NOTARY PUBLIC

MY COMMISSION EXPIRES: 2-12-99

Commence at the Southwest corner of the SW 1/4 of the NW 1/4 of Section 6, Township 22 South, Range 1 West; thence run easterly along the south line for 1012.10 feet; thence 38 degrees 42 minutes 0 seconds left and run Northeasterly for 1,859.55 feet to the westerly right of way of Horton Cove Road and to a point of a curve to the right, having a central angle of 25 degrees 58 minutes 47 seconds, a radius of 363.25 feet, and an arc length of 164.82 feet; thence 55 degrees 57 minutes 04 seconds left to chord run Northerly along said chord for 163.41 feet to the point of beginning of the tract herein described; thence 12 degrees 59 minutes 54 seconds right run Northerly for 145.93 feet to a point of a curve to the left, having a central angle of 15 degrees 01 minutes 25 seconds, a radius of 430.69 feet, an arc length of 112.93 feet; thence 07 degrees 30 minutes 42 seconds left to chord run northerly along said chord for 112.61 feet to a point of curve to the left having a central angle of 16 degrees 26 minutes 31 seconds, a radius of 994.11 feet, and an arc length of 285.28 feet; thence 15 degrees 43 minutes 58 seconds left to chord run Northwesterly along said chord for 2845.30 feet; thence 99 degrees 15 minutes 24 seconds left run Southwesterly for 592.37 feet; thence 90 degrees 00 minutes 00 seconds left and run Southeasterly for 270.00 feet; thence 60 degrees 43 minutes 43 seconds left and run Northeasterly for 482.15 feet to the point of beginning.

ALSO, a non-exclusive easement for ingress and egress over and across the existing chert road better known as the Horton Cove Road.

ALSO, a non-exclusive easement for ingress and egress over and across the existing chert road better known as the Horton Cove Road, which is set out in easement from Fred Wayne Horton and Myra Gayle Horton described in

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