

STATE OF ALABAMA:
SHELBY COUNTY:

JOINT DRIVEWAY AGREEMENT

THIS AGREEMENT, made by and between **J. Tyler Kicklighter and Emily W. Kicklighter**, husband and wife (hereinafter "Kicklighter One") and **Haven L. Kicklighter and Sandy T. Kicklighter**, husband and wife (hereinafter "Kicklighter Two"), for the purpose of establishing a joint driveway agreement and easement with respect to certain real property described herein below and owned by Kicklighter One and Kicklighter Two.

WHEREAS, Kicklighter One is the owner of Lot 26, according to the Map of Butte Woods Ranch Addition to Altadena Valley, as recorded in Map Book 5, Page 1, in the Probate Office of Shelby County, Alabama; and

WHEREAS, Kicklighter Two is the owner of that certain real property contiguous to that owned by Kicklighter One, and more particularly described as Lot 27, according to the Map of Butte Woods Ranch Addition to Altadena Valley, as recorded in Map Book 5, Page 1, in the Probate Office of Shelby County, Alabama; and

WHEREAS, there exists a driveway entering Lot 27 from Butte Woods Drive and crossing said Lot 27 and subsequently entering Lot 26 providing ingress and egress to and from the respective lots described herein; and

WHEREAS, Kicklighter One and Kicklighter Two desire to enter into this agreement for the purpose of providing for an easement across Lot 27, and for the perpetual maintenance of the driveway located thereon providing ingress and egress for Lots 26 and 27 described herein; then

NOW, THEREFORE, in consideration of TEN AND 00/100 (\$10.00) Dollars and other good and valuable consideration, Kicklighter One and Kicklighter Two do hereby agree to the establishment of and easement for said driveway and for the maintenance thereof as follows:

1. Two (2) 15 foot wide easements for the driveway shall be established as described here:

LEGAL DESCRIPTION
ASPHALT DRIVE CENTERLINE NO. 1
ACROSS LOT 27

Being the centerline of an asphalt drive located on Lot 27, Butte Woods Ranch Addition to Altadena Valley as recorded in Map Book 5, Page 1 in the Probate Office of Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeasterly corner of Lot 27, Butte Woods Ranch Addition to Altadena Valley, said corner also being a Northeasterly corner of Lot 26, Butte Woods Ranch Addition to Altadena Valley and lying on the Easterly right-of-way line of Butte Woods Way; thence run in a

Southwesterly direction along the common property line between said Lot 27 and Lot 26 a distance of 80.22 feet to the Point of Beginning of the centerline herein described; thence 82°08'26" to the right in a Northwesterly direction a distance of 92.48 feet to the P.C. (point of curve) of a curve to the right having a radius of 70.00 feet and a central angle of 43°43'09"; thence in a Northwesterly, Northerly and Northeasterly direction along the arc of said curve a distance of 53.41 feet to the P.C.C. (point of compound curve) of a curve to the right having a radius of 149.04 feet and a central angle of 21°37'30"; thence in a Northeasterly direction along the arc of said curve a distance of 56.25 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 19.92 feet to the P.C. (point of curve) of a curve to the right having a radius of 700.00 feet and a central angle of 7°17'21"; thence in a Northeasterly direction along the arc of said curve a distance of 89.05 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 5.91 feet to a point on the Easterly property line of said Lot 27, said point lying on the Westerly right-of-way line of Butte Woods Drive and being the Point of Ending of said centerline.

And a second easement described as follows:

LEGAL DESCRIPTION
ASPHALT DRIVE CENTERLINE NO. 2
ACROSS LOT 27

Being the centerline of an asphalt drive located on Lot 27, Butte Woods Ranch Addition to Altadena Valley as recorded in Map Book 5, Page 1 in the Probate Office of Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeasterly corner of Lot 27, Butte Woods Ranch Addition to Altadena Valley, said corner also being a Northeasterly corner of Lot 26, Butte Woods Ranch Addition to Altadena Valley and lying on the Easterly right-of-way line of Butte Woods Way; thence run in a Southwesterly direction along the common property line between said Lot 27 and Lot 26 a distance of 80.22 feet to a point; thence 82°08'26" to the right in a Northwesterly direction a distance of 60.52 feet to the Point of Beginning of the centerline herein described, said point lying on a curve to the left having a radius of 206.24 feet and a central angle of 22°22'01"; thence 119°29'25" to the left (angle measured to tangent) in a Southwesterly direction along the arc of said curve a distance of 80.51 feet to a point on the common property line of said Lot 27 and Lot 26, said point being the Point of Ending of said centerline.

2. The parties hereto agree that they shall equally share the maintenance expenses for the driveway located on the above described easements.

This agreement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the respective parties hereto, and shall create a covenant that shall run with the lands subject to this Agreement.

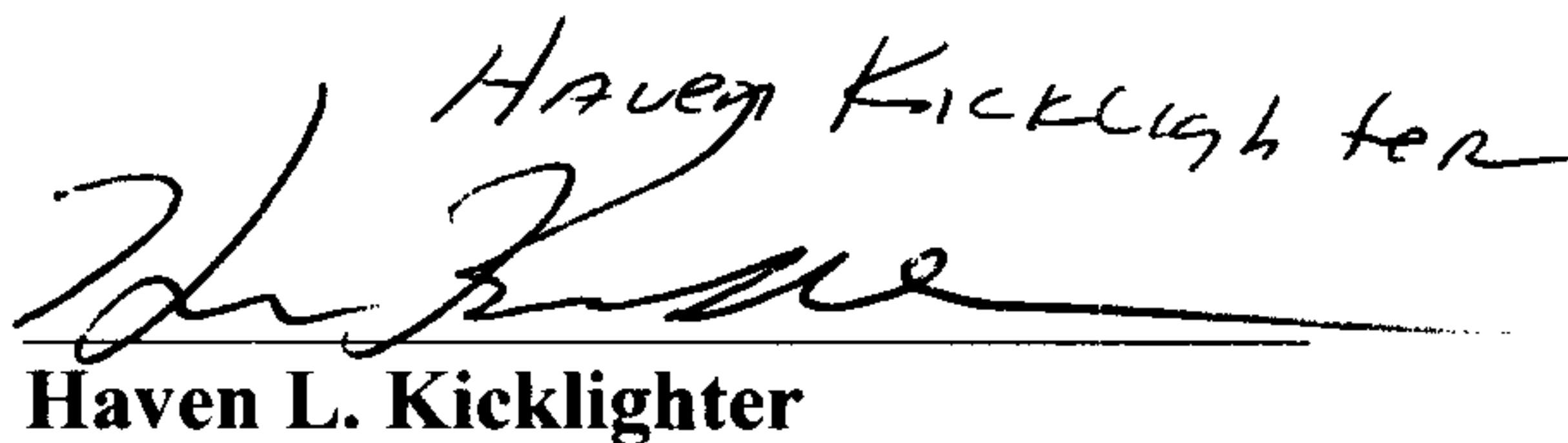
IN WITNESS WHEREOF, the undersigned have caused this agreement to be executed by affixing their hands and seals hereunto on the respective dates of their separate acknowledgements appearing herein below.



J. Tyler Kicklighter

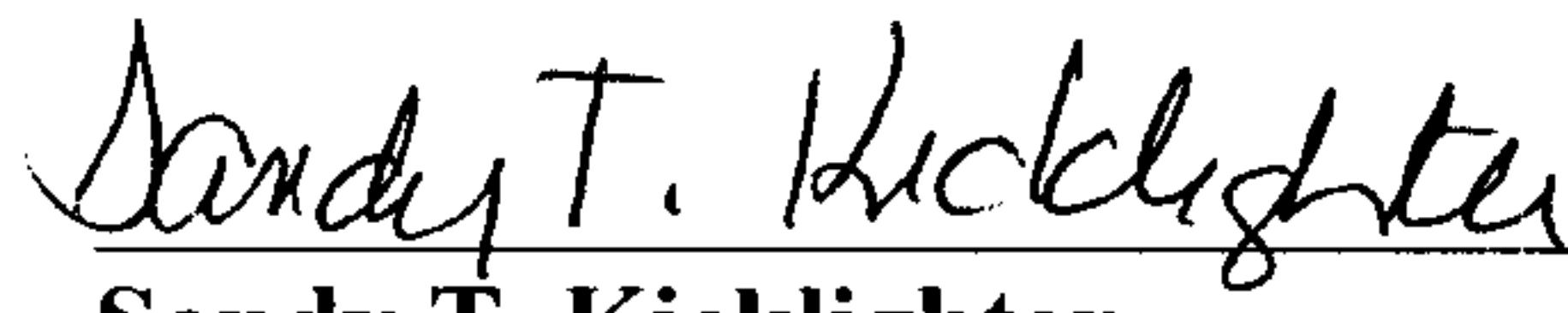


Emily W. Kicklighter



Haven Kicklighter

Haven L. Kicklighter



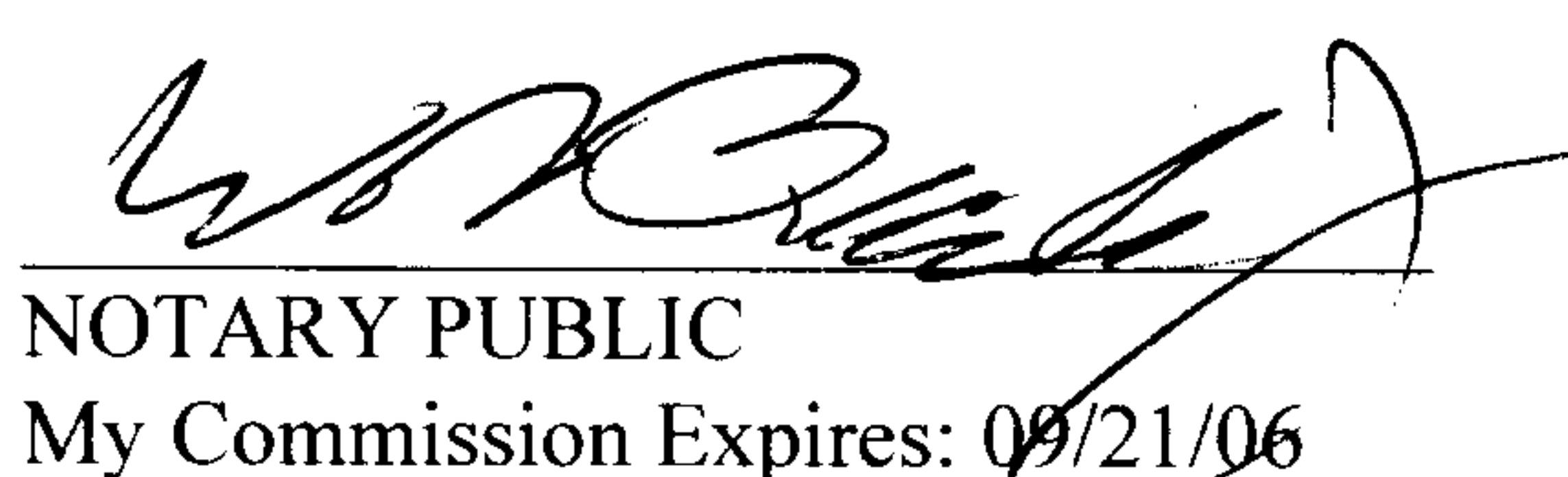
Sandy T. Kicklighter

Sandy T. Kicklighter

**STATE OF ALABAMA:
SHELBY COUNTY:**

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J. Tyler Kicklighter and Emily W. Kicklighter, husband and wife, whose names are signed to the foregoing agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents of said agreement, that they execute the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 17th day of October, 2003.



W. Russell Beals, Jr.

NOTARY PUBLIC

My Commission Expires: 09/21/06

**STATE OF ALABAMA:
SHELBY COUNTY:**

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Haven L. Kicklighter and Sandy T. Kicklighter, husband and wife, whose names are signed to the foregoing agreement and conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of said agreement, that they execute the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 17th day of October, 2003



W. Russell Beals, Jr.

NOTARY PUBLIC

My Commission Expires: 09/21/06

This Instrument Prepared By:

**W. Russell Beals, Jr., Attorney
Beals & Associates, P.C.
4898 Valleydale Road #B3
Birmingham, Alabama 35242**