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20041101000600470 Pg 1/3 17.50
Shelby Cnty Judge of Probate, AL
11/01/2004 12:10:00 FILED/CERTIFIED

STATE OF ALABAMA)
COUNTY OF SHELBY)

EASEMENT

This Agreement, made this the 24th day of OCTOBER, 2004, by and between STEPHEN WESSON, JR. AND JENNIFER WESSON and WILLIAM KENNETH BURNS AND JUDITH J. BURNS, (hereinafter referred to as Grantors) and THOMAS O. DIFFEE (hereinafter referred to as Grantee(s):

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

WESSON - TRACT 3C IN CARDEN ESTATES AS SET FORTH ON THAT CERTAIN SURVEY BY FRANK WHEELER DATED 1/25/74. ALSO KNOWN AS 08-42-0-001-010.000 PER 2004 SHELBY COUNTY TAX ASSESSMENT.

BURNS - TRACT 23D IN CARDEN ESTATES AS SET FORTH ON THAT CERTAIN SURVEY BY FRANK WHEELER DATED 1/25/74. ALSO KNOWN AS 08-42-0-001-011.000 PER 2004 SHELBY COUNTY TAX ASSESSMENT.

BOTH PROPERTIES SUBJECT TO A 20 FOOT EASEMENT FOR A ROADWAY ADJACENT TO AND PARALLEL WITH THE WEST LINE OF EACH TRACT AS REFERENCED IN DEED BOOK 285, PAGE 484 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

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

TRACT 3B CARDEN ESTATES AS SET FORTH ON THAT CERTAIN SURVEY BY FRANK WHEELER DATED 1/25/74. ALSO KNOWN AS 08-4-20-0-001-009.000 PER 2004 SHELBY COUNTY TAX ASSESSMENT.

SUBJECT TO A 20 FOOT EASEMENT FOR ROADWAY ADJACENT TO AND PARALLEL WITH THE WEST LINE OF TRACT AS REFERENCED IN DEED BOOK 285, PAGE 484 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Whereas, the Grantee(s) desire to expand the usage of the existing easement access across, in, under, through, and upon Grantor's real property to include access for water, and

Whereas, the Grantors are willing to expand the usage of the existing 20 foot easement that exists across their properties to include access for water;

Now, Therefore, in consideration of \$500.00 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 Grantee(s), their heirs and assigns, from the date hereof, permission to use the

existing easement for the purposes of water access to Grantee's property, in, under, through, and upon Grantor's real property situated in SHELBY County, Alabama, to-wit:

WESSON - TRACT 3C IN CARDEN ESTATES AS SET FORTH ON THAT CERTAIN SURVEY BY FRANK WHEELER DATED 1/25/74. ALSO KNOWN AS 08-42-0-001-010.000 PER 2004 SHELBY COUNTY TAX ASSESSMENT.

BURNS - TRACT 23D IN CARDEN ESTATES AS SET FORTH ON THAT CERTAIN SURVEY BY FRANK WHEELER DATED 1/25/74. ALSO KNOWN AS 08-42-0-001-011.000 PER 2004 SHELBY COUNTY TAX ASSESSMENT.

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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 easement perpetually to the Grantee(s), their heirs and assigns, and provided that the Grantor herein shall have and expressly reserves 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 Grantee(s), his/her/their heirs and assigns, under the Grant herein set forth.

In Witness Whereof, the parties have caused this instrument to be executed on this 24 day
of OCTOBER, 2004.

GRANTEE(S)

Thomas O. Diffie (L.S.)
THOMAS O. DIFFEE

GRANTOR(S)

Stephen Wesson, Jr. (L.S.)
STEPHEN WESSON, JR.

Jennifer Wesson (L.S.)
JENNIFER WESSON

William Kenneth Burns (L.S.)
WILLIAM KENNETH BURNS

Judith J. Burns (L.S.)
JUDITH J. BURNS

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, THE UNDERSIGNED, a Notary Public, in and for said County, in said State, hereby
certify that, THOMAS O. DIFFEE, 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 they executed the same voluntarily on the day the same bears date.

Given under my hand this the 24 day of OCTOBER, 2004.

Will. T. Bell
Notary Public

My commission expires

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: May 11, 2007
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, THE UNDERSIGNED, a Notary Public, in and for said County, in said State, hereby
certify that, STEPHEN WESSON, JR. AND JENNIFER WESSON, 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 they executed the same voluntarily on the day the same
bears date.

Given under my hand this the 24 day of OCTOBER, 2004.

Will. T. Bell
Notary Public

My commission expires

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: May 11, 2007
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, THE UNDERSIGNED, a Notary Public, in and for said County, in said State, hereby
certify that, WILLIAM KENNETH BURNS AND JUDITH J. BURNS, 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 they executed the same voluntarily on the day the
same bears date.

Given under my hand this the 24 day of OCTOBER, 2004.

Will. T. Bell
Notary Public

My commission expires

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