## AMENDMENT TO MAINTENANCE AGREEMENT FOR INGRESS AND EGRESS EASEMENT- HIGH HAMPTON

Whereas, Robert Roy Lyon, II and Martha Dee Lyon are the owners of Lot 58 and Kevin G. Washburn and Julia F. Washburn are the owners of Lot 57 both recorded in the survey of High Hampton, Sector 2, as recorded in Map Book 22, Page 7 in the Probate Office of Shelby County, Alabama;

Whereas, the owners of Lot 57 and 58 are bound by the terms and served by an ingress/egress and utility easement recorded in Instrument # 1998-03986, recorded in the Probate Office of Shelby County, Alabama; and

Whereas, the parties are desirous of clarifying the specific location of the easement between their respective lots:

- 1. The undersigned are served by the ingress/egress easement shown in the attached survey of lot 57 prepared by R. C. Farmer and Associates, Inc. dated March 14, 2005, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.
- 2. The undersigned mutually acknowledge and affirm that the ingress/egress easement initially created for lots 57 and 58 is of sufficient width to include the paved portion of the driveway crossing lot 58 onto lot 57 as more particularly described in the attached survey. The owners of lot 58 grant the right of ingress/egress and utilities along the paved roadway going to lot 57.
- 3. All other terms and conditions of the maintenance agreement shall remain unchanged.

Robert Roy Lyon, IV
Martha Du Lyon
Martha Dee Lyon
Kevin G. Washburn
Julia D. Washburn  Julia F. Washburn

State of Alabama) County of Shelby)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert Roy Lyon, II and wife, Martha Dee Lyon, 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.

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that.

Kevin G. Washburn and wife, Julia F. Washburn, whose names are signed to the foregold of conveyance and who are known to me, acknowledged before me on this day that, being informed of the conveyance, they executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND THIS /5 DAY OF MARCH, 2005.

My commission expires:

20050317000120440 2/4 \$20.00 Shelby Cnty Judge of Probate, AL 03/17/2005 12:25:24PM FILED/CERT

STATE OF ALABAMA

JEFFERSON COUNTY

## MAINTENANCE AGREEMENT FOR INGRESS AND EGRESS EASEMENT - HIGH HAMPTON

Whereas Savannah Development is the owner of Lots 57 and 60, according to survey of High Hampton, Sector 2, as recorded Hap Book 22, page 7, in the Probate Office of Shelby County, Alabama and Lots 58 and 59, according to a Resurvey of Lots 58, 59, 67 and 69, High Hampton, Sector 2, as recorded in Map Book 22, page 29, in said Probate Office.

Whereas the said real properties are served by an ingress/egress and utility easement as delineated on the record map recorded in Map Book 22, page 29, in the Shelby County, Alabama.

Whereas Savannah Development, Inc. wishes to establish perpetual maintenance of the said easement with the following conditions:

- 1. That the owners of the hereinabove described lots, their successors and/or assigns shall be responsible for contributing equally to the maintenance of the ingress/egress easement.
- 2. That said easement shall be maintained in a good and substantial materials.
- 3. In the event that owners of either Lot 57 or Lot 60 do not use the said easement for purposes of access to their respective properties, then in that event, the said owners of the respective lots will be relieved of any responsibility for contribution for the maintenance of the said easement.
- 4. This agreement shall run with the land and shall inure to the benefit of any and all successors in interest to Savannah Development, Inc.

Savannah Development, Inc.

Susan G. Tucker, President

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STATE OF ALABAMA

03/15/2005 15:53 FAX 205 3260251

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, nereby certify that Susan G. Tucker whose name as President of Savannah Development, Inc., an Alabama corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me that, being informed of the contents of the conveyance, she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 590 day of February, 1998.

NOTARY PUBLIC

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LANCE MY COMMISSION EXPIRES: Jude 39, 2000. DONDED THRU NUTARY PUBLIC UNDERWEITERA

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