20050726000374790 1/4 $27.50
Shelby Cnty Judge of Probate,AL
07/26/2005 03:01:46PM FILED/CERT

This Instrument Prepared By:
Clayton T. Sweeney
Attorney at Law
2700 Highway 280 East
Suite 160
Birmingham, AL 35223

EASEMENT

STATE OF ALABAMA}
COUNTY OF SHELBY}

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Ten Dollars and other good and valuable consideration to the undersigned Grantor in hand paid by the Grantee herein, the receipt of which is hereby acknowledged, I **Gail J. Owen**, an unmarried woman and J. Anthony Joseph, a married man(hreinafter referred to as Grantor), does grant, bargain, sell and convey unto **AUTUMN CREST OWNERS ASSOCIATION, INC.**, DAVID DOWNARD and wife, TAMMY DOWNARD, T& T QUALITY HOMES, INC., RONALD L. STANFA and wife, PATRICIA M. STANFA, AUTUMN LAKES, LLC, GAIL J. OWEN and J. ANTHONY JOSEPH, their respective heirs, successors and assigns (hereinafter referred to as Grantees) a non-exclusive easement in, to, upon and over the property described in Exhibit A and Exhibit B attached hereto and made a part hereof for unlimited ingress and egress with the right to construct and maintain a private road and utilities in, to, upon and over said easement. The Grantor, Gail J. Owen, shall be responsible for the installation of the undergound power, telephone and public water and paving of the private road. The Grantees herein and all others granted the right to use said easement either now or in the future shall share equally in the maintenance of the private roadway constructed and utilities placed in said easement. The AUTUMN CREST OWNERS ASSOCIATION, INC. will collect the prorata share of the road maintenance fees on behalf of the Downards, T & T Quality Homes, Inc., the Stanfas and Autumn Lakes, LLC. Grantors reserve for themselves, their heirs, successors and assigns, the same rights herein conveyed to the Grantees. Grantors also reserve the right to gate the entrance to the private roadway with a gate similar to the gate at the end the private roadway provided that access codes are given to all who have the right to use said easement.

This is not the homestead of J. Anthony Joseph or his spouse.

TO HAVE AND TO HOLD unto the said Grantees, their respective heirs, successors and assigns, forever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 7th day of July, 2005.

J. Anthony Joseph

Gail J. Owen

STATE OF ALABAMA}
JEFFERSON COUNTY}

Shelby County, AL 07/26/2005
State of Alabama

Deed Tax:$.50

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that GAIL J. OWEN and J. ANTHONY JOSEPH, 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 and official seal this 7th day of July, 2005.

My commission expires: 6-5-2007

CLAYTON T. SWEENEY, ATTORNEY AT LAW

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Exhibit "A"

FROM: GAIL OWEN

A 30 FOOT INGRESS AND EGRESS EASEMENT:

STATE OF ALABAMA
SHELBY COUNTY

I , James M. Ray, a Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and plat (or drawing) have been completed in accordance with the requirements of the Standards for the Practice of Surveying in the State of Alabama, being more particularly described as follows, to-wit: A 30 FOOT INGRESS AND EGRESS EASEMENT being 30 feet in equal width on the West side of the following described line: Commence at a ½" rebar in place being the Southeast corner of the Northeast one-fourth of the Northwest one-fourth of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama; thence proceed South 88° 52' 10" West along the South boundary of said quarter-quarter section for a distance of 364.59 feet to the point of beginning of said easement. From this beginning point proceed South 01° 10' 12" East along the East boundary of said easement for a distance of 916.77 feet to a point on the Northerly right-of-way of Tara Drive and the termination of said easement.

The above described land is located in the Southeast one-fourth of the Northwest one-fourth of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama.

According to my survey this the 24th day of June, 2005.

_____
James M. Ray, Ala. Reg. No. 18383
Ray and Gilliland, P. C. Ala. Board Cert. No. CA-0114-LS

Exhibit "B"

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EXISTING EASEMENT ON RHETT BUTLER RIDGE

A 30 FOOT INGRESS AND EGRESS EASEMENT:

STATE OF ALABAMA
SHELBY COUNTY

I , James M. Ray, a Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and plat (or drawing) have been completed in accordance with the requirements of the Standards for the Practice of Surveying in the State of Alabama, being more particularly described as follows, to-wit: A 30 FOOT INGRESS AND EGRESS EASEMENT being 30 feet in equal width on the West side of the following described line: Commence at a ½" rebar in place being the Southeast corner of the Northeast one-fourth of the Northwest one-fourth of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama; thence proceed South 88° 52' 10" West along the South boundary of said quarter-quarter section for a distance of 394.59 feet to the point of beginning of said easement. From this beginning point proceed South 01° 10' 12" East along the East boundary of said easement for a distance of 914.24 feet to a point on the Northerly right-of-way of Tara Drive and the termination of said easement.

The above described land is located in the Southeast one-fourth of the Northwest one-fourth of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama.

According to my survey this the 24th day of June, 2005.

_____
James M. Ray, Ala. Reg. No. 18383
Ray and Gilliland, P. C. Ala. Board Cert. No. CA-0114-LS

Exhibit "B" (continued)

20050726000374790 4/4 $27.50
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FROM ANTHONY JOSEPH FOR GATE

A 40 FOOT INGRESS AND EGRESS EASEMENT:

STATE OF ALABAMA
SHELBY COUNTY

I , James M. Ray, a Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and plat (or drawing) have been completed in accordance with the requirements of the Standards for the Practice of Surveying in the State of Alabama, being more particularly described as follows, to-wit: A 40 FOOT INGRESS AND EGRESS EASEMENT being 40 feet in equal width on the East side of the following described line: Commence at a ½" rebar in place being the Southeast corner of the Northeast one-fourth of the Northwest one-fourth of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama; thence proceed South 88° 52' 10" West along the South boundary of said quarter-quarter section for a distance of 464.59 feet to the point of beginning of said easement. From this beginning point proceed South 01° 10' 12" East along the West boundary of said easement for a distance of 116.91 feet to the termination of said easement.

The above described land is located in the Southeast one-fourth of the Northwest one-fourth of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama.

According to my survey this the 24th day of June, 2005.

_____
James M. Ray, Ala. Reg. No. 18383
Ray and Gilliland, P. C. Ala. Board Cert. No. CA-0114-LS