20051117000600590 1/2 \$14.00 Shelby Cnty Judge of Probate, AL 11/17/2005 10:23:34AM FILED/CERT

FLOYD V. TURNER, ET AL

COMPLAINANTS

-vs
D. W. SMITH, ET AL

RESPONDENTS

IN THE EIGHTEENTH JUDICIAL CIRCUIT

OF ALABAMA - IN EQUITY

CASE NO. 4671

## DECRÉE

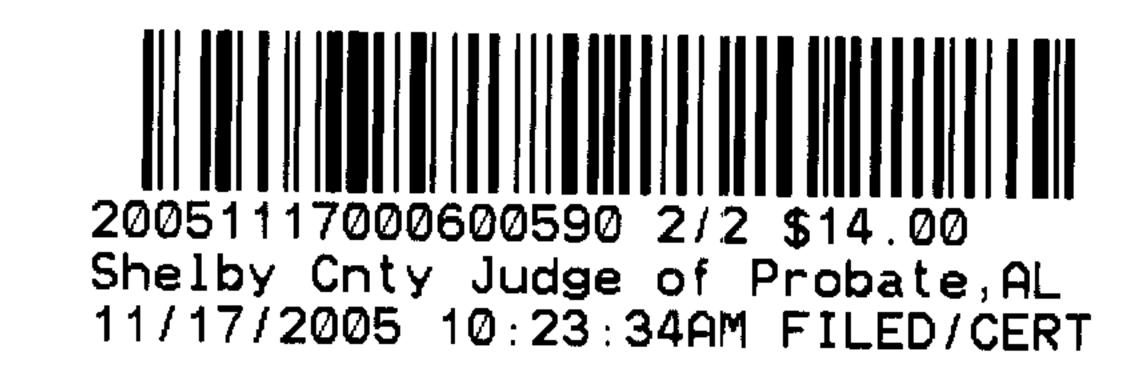
This cause, coming on to be heard at this time, was submitted for final decree upon the Bill of Complaint, the answer of the Respondent and facts involved in the case as submitted by the solicitors of record of the parties; and upon consideration thereof, the Court is of the opinion that the Complainants are entitled to an easement across Lot 14 according to the survey of Smith's Camp situated in the East one-half of the S. E. 1/4 of Section 7, Township 21 South, Range 2 East, as recorded in the Probate Court of Shelby County, Alabama in Map Book 3, Page 122, said easement to run with the property owned by the Complainants. It is therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the said Lot 14 be, and it hereby is impressed with an easement for the benefit of

Lots Nos. 6, 7, 8, 9, 11 and 12 according to the survey of Smith's Camp second sector, situated in the East 1/2 of the S. E. 1/4 Section 7, Township 21 South Range 2 East, as recorded in the Probate Office of Shelby County, Alabama in Map Book 4, Page 12, and

Lots Nos. 5, 6, 7, 8, 10, 13 and 14 according to the survey of Smith's Camp, third sector, situated in the East 1/2 of the S. E. 1/4 Section 7, Township 21 South, Range 2 East, as recorded in the Probate Office of Shelby County, Alabama in Map Book 4 at Page 51

and that said easement shall run with said property for the purpose of allowing the owners of said property access to the Coosa River and erecting such facilities as are necessary, convenient and helpful to the owners of said property or their successors in the operation, launching, and mooring of their



boats, and it is further

ORDERED, ADJUDGED AND DECREED that neither the Complainants nor the Respondents will interfere with the access and use of said property by each other, however, Respondent Smith may erect such barriers and fences equipped with gates or other means to exclude the use of said Lot 14 by the general public provided Respondent Smith provides the Complainants or their successors with the means of immediate access and use of said Lot 14 for the purposes stated herein, and, it is further

ORDERED, ADJUDGED AND DECREED that Respondent Smith shall have the right to permit parties other than the Complainants access across said Lot 14, and it is further

ORDERED, ADJUDGED AND DECREED by the Court that the Complainants, and none of them, own any interest or easement whatsoever, to any extent, in Lot 15 of said Smith's Camp as shown by plat recorded in Map Book 3, Page 122, and any and all alleged or claimed interest of the Complainants in and to said Lot No. 15 is hereby divested from the Complainant and awarded to the Respondents, and, it is further

ORDERED, ADJUDGED AND DECREED that the Respondents pay the cost herein to be taxed, for which execution may issue DONE, this the Lay day of Lecensler, 1969.

FILED IN OFFICE

n=r:16 1969

CHELEN CO. CIRCLY COUNTY

Certified a true and correct copy

Mary

Shelby County