DECLARATION OF TERMINATION, CESSATION AND RELEASE OF EASEMENT

20060418000181130 1/2 $17.00
Shelby Cnty Judge of Probate, AL
04/18/2006 03:22:34PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, **Richard C. Green, Kay Green, James G. Kovakas and Ed Stringfellow** are or were the owners of all the property abutting or in any way served by the private easement herein described, and own or owned (at all times pertinent to the existence of the easement) all the lands abutting on or touching said property, and are desirous of terminating, ceasing, releasing and annulling said private easement over and across the property herein described, as provided for by Alabama law.

WHEREAS, **George James Kovakas** is the Mortgagee on the real property owned by **Richard C. Green and Kay Green.**

WHEREAS, this private easement has never been a public easement and has not been used by the public.

WHEREAS, good and valuable consideration flows to each of the undersigned by terminating, ceasing, releasing and annulling said easement.

NOW, THEREFORE, the undersigned, being the owners or former owners and mortgagors (at all times pertinent to the existence of the easement) of all the lands abutting on the following described property and the easement situated thereon:

> A 30 foot wide road easement, described as follows: Commence at the Southwest corner of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 21 South, Range 1 East; thence run in an Easterly direction along the South boundary of said 1/4 1/4 for 667.55 feet to a point; thence turn an angle of 90 deg.32 min. 48 sec. to the left and run 1067.85 feet to the point of beginning of the easement herein described; thence turn an angle of 110 deg. 18 min. 32 sec. to the right and run 72.20 feet; thence run along a curve to the left (Radius - 133.28 feet and concave Northerly) for an arc distance of 95.67 feet; thence run along a tangent section for 56.60 feet; thence run along a curve to the left (Radius - 98.31 feet and concave Northwesterly) for an arc distance of 92.51 feet; thence run along a tangent section for 116.20 feet; thence run along a curve to the right (Radius - 188.78 feet and concave Southeasterly) for an arc distance of 183.92 feet; thence run along a tangent section for 215.90 feet to a point on the centerline of an unpaved prescriptive use county road, being the point of ending of said easement. Said easement shall be 30 feet in width, 15 feet on each side of the above described centerline. According to the Survey of Lewis H. King, Jr., Reg. L.S. 12487, dated January 2, 1985, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

do hereby declare the above private easement situated thereon terminated, ceased, released and annulled, and all rights and easements therein divested of the property and any adjoining property.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal this the 20th day of February, 2006.

Richard C. Green
Richard C. Green

George James Kovakas
George James Kovakas

Kay Green
Kay Green

Ed Stringfellow
Ed Stringfellow

James G. Kovakas
James G. Kovakas

See Attached For Notary Acknowledgments

Boardman Carr

20060418000181130 2/2 $17.00
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STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Richard C. Green and wife, Kay Green, whose names are signed to the foregoing declaration, and who are known to me, acknowledged before me on this day that, being informed of the contents of said declaration, they executed the same voluntarily.

Given under my hand and seal this 3rd day of March, 2006.

Penny O. Kovakas
Notary Public
My Commission Expires: My commission expires February 7, 2007

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that George James Kovakas whose name is signed to the foregoing declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of said declaration, he executed the same voluntarily.

Given under my hand and seal this 27th day of February, 2006.

Dawn Rasco
Notary Public
My Commission Expires: 3/24/06

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Ed Stringfellow, whose name is signed to the foregoing declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of said declaration, he executed the same voluntarily.

Given under my hand and seal this 28th day of February, 2006.

Dawn Rasco
Notary Public
My Commission Expires: 3/24/06

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James G. Kovakas whose name is signed to the foregoing declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of said declaration, he executed the same voluntarily.

Given under my hand and seal this 2nd day of March, 2006.

Mary S. Boardman
Notary Public
My Commission Expires: 10-26-2006