



20060724000355790 1/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
07/24/2006 01:44:36PM FILED/CERT

*This Instrument Prepared by:*  
*Robert H. Sprain, Jr.*  
*Sprain & Shires, PC*  
*1707 29<sup>th</sup> Court South*  
*Birmingham, Alabama 35209*

STATE OF ALABAMA)  
COUNTY OF SHELBY)

### **TERMINATION OF EASEMENT AGREEMENT**

This Termination of Easement Agreement (this "Agreement") is made and entered into as of the 17<sup>th</sup> day of July, 2006 the undersigned parties hereby enter into this termination of easement agreement.

#### **RECITALS:**

Whereas, an easement for use of and access to a pond or Lake (the "Lake") exists on and affects two parcels of property situated in Shelby County, Alabama, more particularly described on Exhibit A (Parcel 1) and Exhibit B (Parcel 2) attached hereto and incorporated by reference herein; and

Whereas, the undersigned, Hildred A. Swann, along with her now deceased husband, William E. Swann, granted to Samuel O. Hooper and his wife, Providence C. Hooper, an easement and a use privilege for the Lake as described in that certain deed recorded at Book 344 Page 171 on December 27, 1982 in the Probate Office of Shelby County, Alabama; and

Whereas, now the undersigned parties desire to terminate the easement and use privilege to the Lake, as such is described in the aforementioned deed, and to assign, transfer and grant any and all interest, claim or right that they may have in the said lake to Shannon Investment Realty, LLC.

#### **AGREEMENT:**

**NOW, THEREFORE**, in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the undersigned Hildred A. Swann, Samuel O. Hooper and Providence C. Hooper agree as follows:

1. That any easement and use privilege as to the Lake as described in said deed is hereby terminated.
2. The undersigned parties assign, transfer and grant any and all interest, right or claim that they may have to the Lake, as described in said deed, in favor of Shannon Investment Realty, LLC.

IN WITNESS WHEREOF, the undersigned sign their name on the date first written above.

Hildred A Swann  
HILDRED A. SWANN

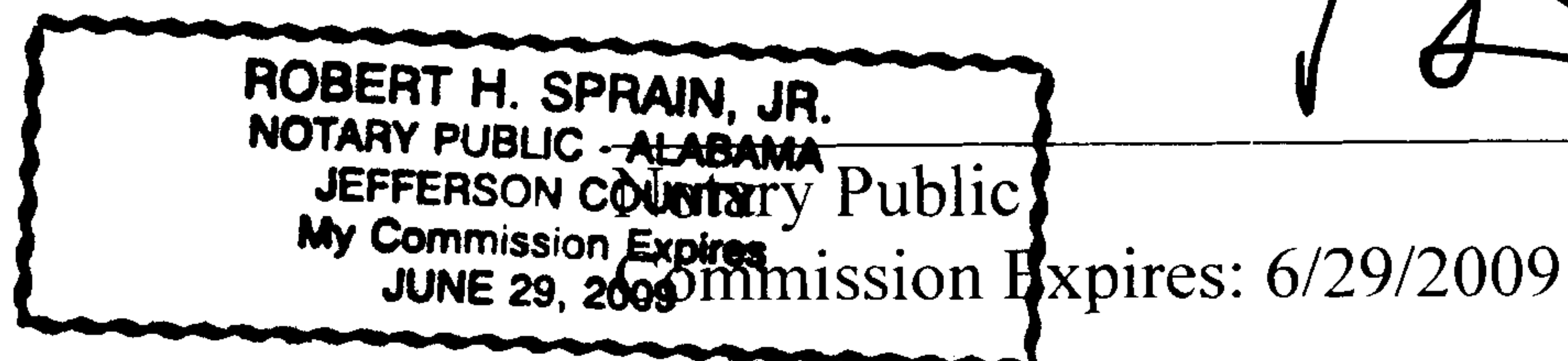
Samuel O. Hooper  
SAMUEL O. HOOPER

Providence C. Hooper  
PROVIDENCE C. HOOPER

State of Alabama )  
County of Jefferson)

I, Robert H. Sprain, Jr., a Notary Public in and for said County, in said State, hereby certify that **Samuel O. Hooper and Providence C. Hooper**, whose names are signed to the foregoing instrument, and who are known to me acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily for and as their act.

Given under my hand and official seal this the 17<sup>th</sup> day of July, 2006.



State of Alabama )  
County of Jefferson)

I, Robert H. Sprain, Jr., a Notary Public in and for said County, in said State, hereby certify that **Hildred A. Swann**, whose name is signed to the foregoing instrument, and who is known to me acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily for and as her act.

Given under my hand and official seal this the 17<sup>th</sup> day of July, 2006.

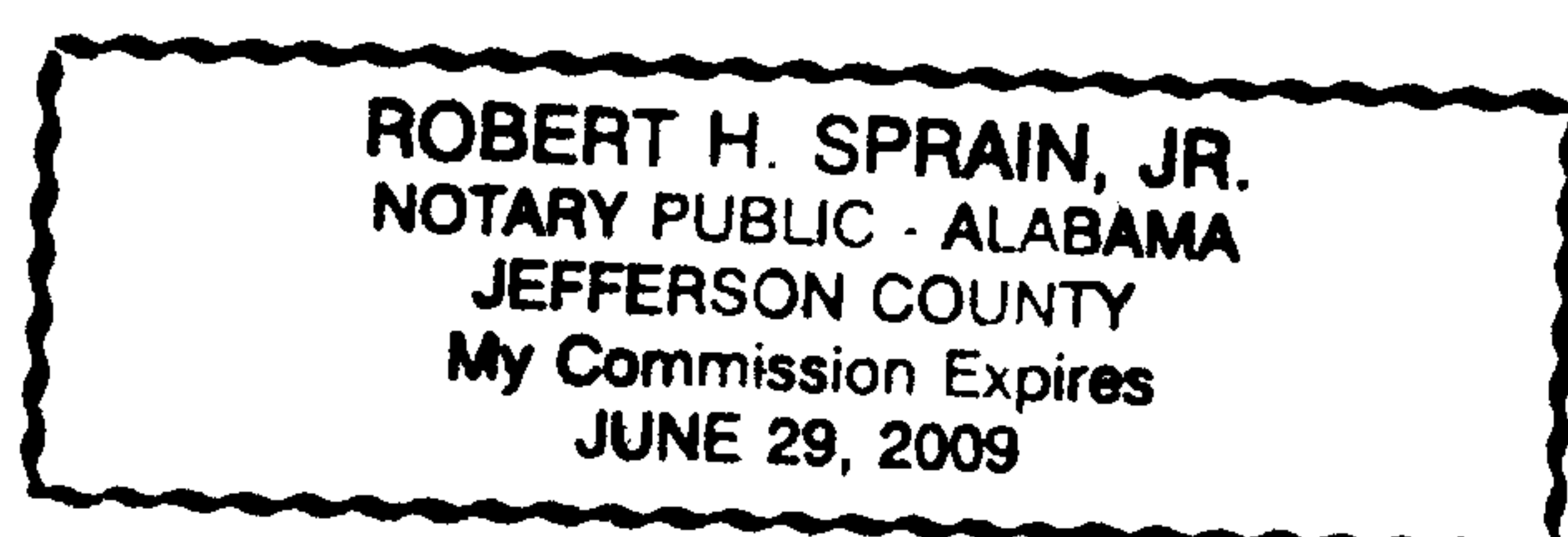




Exhibit A (Parcel 1)



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Commence at the Northeast corner of the Northwest quarter of the Northwest quarter of Section 23, Township 19 South, Range 2 West, Shelby County, Alabama and run S 00°12'29" East along the East line of said quarter-quarter section a distance of 482.69' to a found steel rebar corner and the point of beginning of the property. Thence continue along last described course a distance of 128.74' to a found capped steel rebar corner; thence run North 79°19'57" West a distance of 205.81' to a point; thence run S 23°14'20" West a distance of 235.39' to a point; thence N 77°45'40" West a distance of 169.44' to a point; thence run S 23°14'20" West a distance of 270.00' to a point; thence run South 06°11'35" West a distance of 188.62' to a point; thence run N 70°39'25" West a distance of 98.32' to a point; thence run S 22°01'42" West a distance of 159.76' to a point; thence run N 46°15'07" West a distance of 305.30' to a found one inch open top pipe corner; thence run N 29°59'11" East a distance of 1032.59' to a found one inch open top pipe corner; Thence run S 43°03'44" E a distance of 146.22' to a found one inch open top pipe corner; thence run S 41° 20' 25" E a distance of 341.69'; thence run N 64° 53' 29" E for 90.14'; thence run N 41° 54' 48" E for 55.32' to the point of beginning.

**Exhibit B (Parcel 2)**

Commence at the northeast corner of the northwest quarter of the northwest quarter of Section 23, Township 19 south; Range 2 west, Shelby County, Alabama and run S 00°12'29" east along the east line of said quarter-quarter section a distance 482.68' to a found steel rebar corner; Thence continue along last described course a distance of 128.74' to a found capped steel rebar corner and the point of beginning of the property, Parcel – 2, being described; Thence run North 79°19'57" West a distance of 205.81' to a point; Thence run S 23°14'20" West a distance of 235.39' to a point; Thence N 77°45'40" W a distance of 169.44' to a point; Thence run S 23°14'20" W a distance of 270.00' to a point; Thence run South 06°11'35" W a distance of 188.62' to a point; Thence run N 70°39'25" W a distance of 98.32' to a point; Thence run S 22°01'42" W a distance of 159.76' to a point; Thence run S 46°15'07" E a distance of 941.46' to a set steel rebar corner on the westerly line of Bishop Creek; Thence run N 11°43'03" E along said westerly line of Bishop Creek a distance of 113.57' to a point; Thence run North 40°57'26"E along said line of said Creek a distance of 69.21' to a found open top pipe corner; Thence run N 43°45'35" W a distance of 700.07' to a set rebar corner; Thence run N 23°14'29" E a distance of 731.85' to a found crimped pipe corner; Thence run S 47°02'17" E a distance of 180.11' to a tree on line that is the corner; Thence run N 23°47'40" E a distance of 137.28' to the point of beginning, containing 6.46 acres.