

## EASEMENT

This instrument was prepared by Steven R. Sears, attorney, 655 Main Street, BX Four, Montevallo, AL 35115+0004, without benefit of title evidence.

I, Owen Scott Smitherman, of 3004 Longleaf Lane, Helena, AL 35080, in consideration of a contribution to the public welfare and the recreational facilities of the area, does hereby convey and release to The City of Montevallo, an easement and right of way for a recreational walking and bicycling trail, more particularly described as follows:

A ten foot wide strip across my property from E to W along the right bank (looking downstream) of Shoal Creek. 27.08.28.2.201.004.

The right of way hereby conveyed and released is for the purpose of locating, establishing, constructing, and maintaining over and across the above-described land a recreational walking and bicycling trail.

The easement granted herein shall touch and concern the land, and thus be binding on the successors in interest of all parties hereto.

In witness whereof, I have hereunto set my hand this 14 Sept 2005.

Witness:

\_\_\_\_\_

Owen Scott Smitherman (Seal)  
Owen Scott Smitherman

State of Alabama)  
County of Shelby)

I, the undersigned notary public for the State of Alabama at Large, hereby certify that Owen Scott Smitherman, whose name is signed to the foregoing easement, and who is (made) known to me, acknowledged before me on this day, that, being informed of the contents of the easement, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 14 Sept 2005.

Heidi B. Smith  
Notary public exp. 9-15-05