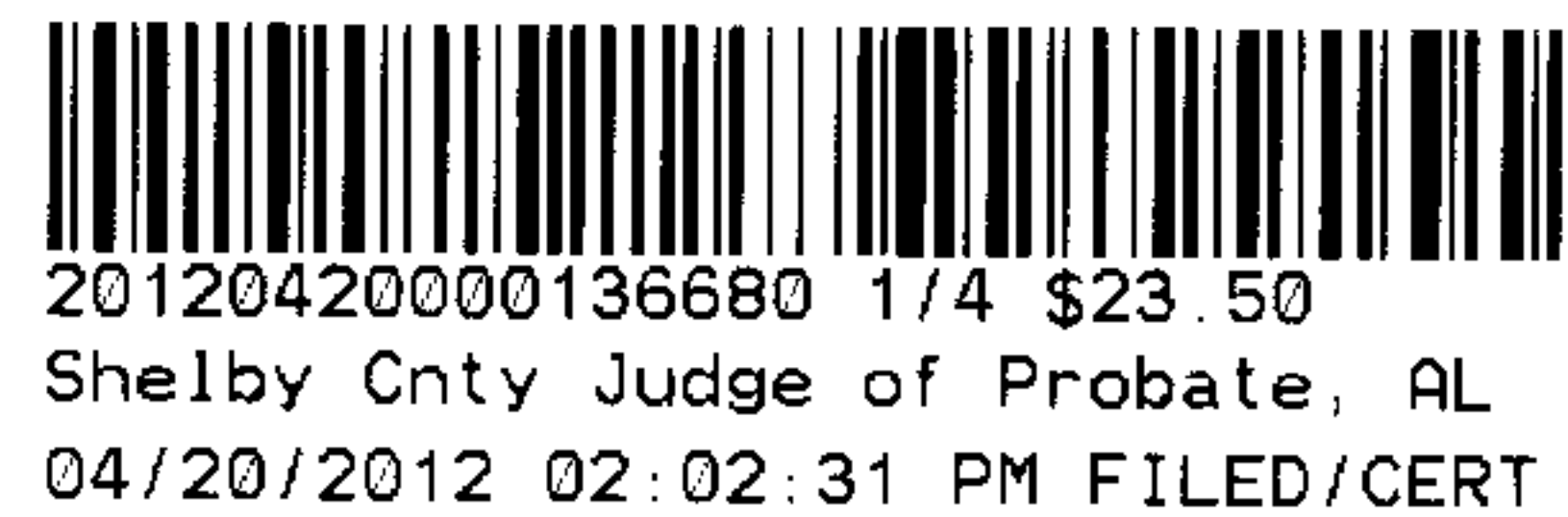


**GRANT OF EASEMENT**



**STATE OF ALABAMA     )**

**SHELBY COUNTY         )**

*\$2,500.00*

KNOW ALL MEN BY THESE PRESENTS, that in consideration of One and No/100 (\$1.00) Dollars and other good and valuable consideration to the undersigned Grantor (whether one or more) in hand paid by the Grantees herein, the receipt whereof is acknowledged, I/we,

**M. Brian Gordon and wife, Janice O. Gordon**

(herein referred to as "Grantor(s)"), whether one or more does grant, bargain, sell and convey unto

**Owen Scott Smitherman and wife, Dedra Smitherman**

(herein referred to as "Grantee(s)"), whether one or more, ingress/egress and utility easement and right-of-way, as described below:

**Commence at the SW corner of the SW 1/4 of the NW 1/4 of Section 19, township 21 South, Range 1 East, Shelby County, Alabama; thence N01°24'10"E, a distance of 979.40' to the POINT OF BEGINNING OF SAID EASEMENT; thence continue along the last described course, a distance of 15.00'; thence S57°06'02"E, a distance of 29.32'; thence N87°52'16"W, a distance of 25.00' to the POINT OF BEGINNING OF SAID EASEMENT.**

The easement, right-of-way, rights and privileges herein granted shall be used only for the purpose of providing pedestrian, vehicular and utility ingress and egress between North Highland Drive and the property of the Grantee(s), which lies South and East of the Property of the above described Easement, simultaneously acquired by the Grantee(s) herein.

The easement, rights and privileges granted herein are nonexclusive, and Grantor(s) reserves and retains the right to convey non-conflicting similar rights and easements to such other persons as Grantor(s) may deem proper.

This instrument shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

It is mutually understood and agreed that the aforementioned property shall not be used at anytime for the parking of vehicles of any nature whatsoever, but the same shall remain open, clear and unobstructed at all times for ingress and egress.

Grantee(s) shall indemnify, hold and save harmless Grantor(s) and Grantors' heirs, devisees, personal representatives and assigned from and against losses, costs, expenses or damages, including reasonable attorney's fees, incurred or sustained by them, or any of them, as a result of injury to

persons or damage to property (including, but not limited to, property of Grantor(s), Grantee(s) and all agents, servants and contractors of Grantee(s) (or Grantee(s) invitees, agents, servants or contractors) use of the easement herein granted.

The easement, rights-of-way, and privileges herein granted shall be perpetual and shall run with the land.

IN WITNESS WHEREOF, this instrument is executed this 28 day of February, 2012.

20120420000136680 2/4 \$23.50  
Shelby Cnty Judge of Probate, AL  
04/20/2012 02:02:31 PM FILED/CERT

M. Brian Gordon  
M. BRIAN GORDON, Grantor

Janice O. Gordon  
JANICE O. GORDON, Grantor

Owen Scott Smitherman  
OWEN SCOTT SMITHERMAN, Grantee

Dedra Smitherman  
~~DEDRA~~ SMITHERMAN, Grantee  
DEDRA

STATE OF ALABAMA     )  
SHELBY COUNTY        )

On this 28 day of February, 2012, I, Rux Bentley, a Notary Public in and for said county and in said state, hereby certify that M. Brian Gordon, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contexts of the affidavit, he executed the same voluntarily and as his act on the day the same bears date.

Given under my hand and seal this 28 day of February, 2012.

[Signature]  
Notary Public

My Commission Expires: 4/2/2012

STATE OF ALABAMA     )  
SHELBY COUNTY        )

On this 28<sup>th</sup> day of February, 2012, I, Casey Dooley, a Notary Public in and for said county and in said state, hereby certify that Janice O. Gordon, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contexts of the affidavit, she executed the same voluntarily and as her act on the day the same bears date.

Given under my hand and seal this 28<sup>th</sup> day of February, 2012.



Cary Dooley  
Notary Public

My Commission Expires: May 9, 2012 **My Commission Expires On**


STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

On this 5 day of ~~February~~ <sup>March</sup>, 2012, I, James R Monks Jr, a Notary Public in and for said county and in said state, hereby certify that Owen Scott Smitherman and wife, Dedra ~~Debra~~ Smitherman, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contexts of the affidavit, they executed the same voluntarily and as their act on the day the same bears date.

Given under my hand and seal this 5<sup>th</sup> day of ~~February~~ <sup>March</sup>, 2012.

[Signature]  
Notary Public

My Commission Expires: 2/22/16

  
20120420000136680 3/4 \$23.50  
Shelby Cnty Judge of Probate, AL  
04/20/2012 02:02:31 PM FILED/CERT

INGRESS/EGRESS & UTILITY EASEMENT  
DEED BOOK 286, PAGE 823

PROPOSED INGRESS/EGRESS EASEMENT



20120420000136680 4/4 \$23.50  
Shelby Cnty Judge of Probate, AL  
04/20/2012 02:02:31 PM FILED/CERT

NORTH HIGHLAND DR.

S 87°52'16" E 449.27

RR SPIKE

RYS CAP

HIGHLAND SUBDIVISION, SECOND SECTOR  
MB 6, PG 34

N 1°24'10" E 483.96

4.99± ACRES

S 1°24'10" W 483.96

2" CAP PIPE

2" CAP PIPE

100.00

REBAR

N 87°52'16" W 449.27

Shelby County, AL 04/20/2012  
State of Alabama  
Deed Tax: \$2.50

## BOUNDARY SURVEY

SEE ATTACHED LEGAL DESCRIPTION.

N 1°24'10" E 495.44

SW CORNER  
SW 1/4 - NW 1/4  
SEC. 19, T-21S, R-1E  
SHELBY COUNTY, AL  
RE-ESTABLISHED  
BY PLAT

### LEGEND

○ 1/2" REBAR SET

● IRON PIN FOUND

ROW RIGHT-OF-WAY

NOT TO SCALE

UTILITY POLE

U OVERHEAD UTILITIES

(M) FIELD MEASURED

(P) PLAT / RECORDED MAP

### NOTES

1. NORTH ARROW AND BEARINGS AS SHOWN HEREON ARE BASED ON PLAT.
2. NO TITLE COMMITMENT PERFORMED OR FURNISHED TO SURVEYOR.
3. ALL DISTANCES SHOWN HEREON ARE DEED/RECORD MAP, AND FIELD MEASURED UNLESS OTHERWISE NOTED.

JOB NO. 11310

DATE 11/22/11 DATE OF FIELD SURVEY 11/18/11

ADDRESS SCALE 1" = 100'

DRAWN BY H. LETTS CHECK BY R.Y.S.

**RODNEY SHIFLETT SURVEYING**

P.O. BOX 204  
COLUMBIANA, ALABAMA 35051  
TEL. 205-669-1205 FAX. 205-669-1298