



20141009000319780 1/4 \$23.50  
Shelby Cnty Judge of Probate, AL  
10/09/2014 01:58:23 PM FILED/CERT

STATE OF ALABAMA}  
COUNTY OF SHELBY}

\$500.00 Value

### EASEMENT for Encroachment of Retaining Wall

This Easement made and entered into this 8<sup>th</sup> day of October, 2014, by and between The Village at Highland Lakes, Inc., an Alabama corporation, (hereinafter "Grantor"), and Steven W. Bishop and wife, Barbara M. Bishop, their heirs, successors or assigns, (hereinafter "Grantee"):

### WITNESSETH

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid to the Grantor by the Grantee, the receipt and sufficiency of which are hereby acknowledged, the Grantor does hereby grant, bargain, sell, convey and warranty to the Grantee, their heirs successors, agents and assigns, a right of way and easement in perpetuity, on, over and under the land hereinafter described, with the right, privilege and authority to said Grantee, their heirs, successors, agents and assigns, to maintain an exiting brick retaining wall and landscaping on, over and upon the following described land, situated in Shelby County, Alabama,

See Attached Exhibit "A" for Legal Description.

Further, there shall be a right of way for ingress and egress to, over and under said premises at any and all times for the purpose of inspecting, maintaining, repairing or replacing the brick retaining wall and for maintenance of the landscaping, flora, grounds, and lawn surrounding said brick retaining wall and for doing anything necessary, useful or convenient for the enjoyment of the easement herein granted.

**TO HAVE AND TO HOLD**, unto the said Steven W. Bishop and wife, Barbara M. Bishop their heirs, successors and assigns, forever.

The grant of this easement shall run with the land and shall be binding on and shall inure to the benefit of the parties hereto, their heirs, successors and assigns.

Together with and subject to the rights, easements, privileges and appurtenances in and to said lands which may be required for the full enjoyment of the rights herein granted.

**IN WITNESS WHEREOF**, the said Grantor, has hereunto set its hand by its duly authorized officer this the 8<sup>th</sup> day of October, 2014.

GRANTOR:

The Village at Highland Lakes, Inc.  
An Alabama corporation

By:

  
Douglas D. Eddleman  
Its: President

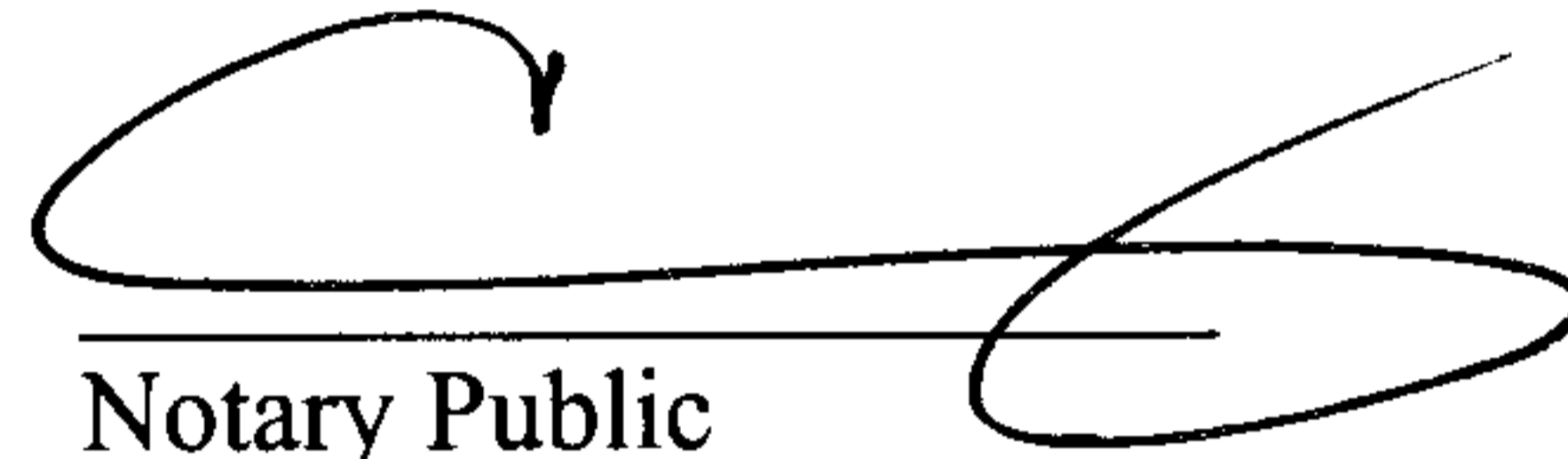


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**STATE OF ALABAMA}**  
**JEFFERSON COUNTY}**

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of The Village at Highland Lakes, Inc, an Alabama corporation, 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 above and foregoing instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal of office this 8<sup>th</sup> day of October, 2014.

  
Notary Public

My Commission Expires:


6-5-2015

This Instrument Prepared By:  
Clayton T. Sweeney, Attorney at Law  
2700 Highway 280 East, Suite 160  
Birmingham, AL 35223



COMMENCE AT THE WESTERN MOST CORNER OF LOT 106 ACCORDING TO THE 2<sup>ND</sup> AMENDMENT TO THE AMENDED MAP OF THE VILLAGE OF HIGHLAND LAKES AS RECORDED IN MAP BOOK 38 PAGE 24 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, SAID POINT LYING ON THE EASTERLY RIGHT OF WAY LINE AND BEING A COMMON PROPERTY CORNER OF LOTS 106 AND 105 OF SAID RECORD MAP; THENCE RUN NORTH 58°54'26" EAST ALONG THE COMMON BOUNDARY LINE OF SAID LOTS 106 AND 105 FOR 126.45 FEET TO THE POINT OF BEGINNING OF THE EASEMENT HEREIN DESCRIBED; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR 9.39 FEET; THENCE RUN SOUTH 81° 02'43" WEST FOR 7.96 FEET; THENCE RUN SOUTH 58°54'26" WEST FOR 2.02 FEET; THENCE RUN SOUTH 31°05'34" EAST FOR 3.00 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 17.11 SQUARE FEET

  
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