

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

AFFIDAVIT


PERSONALLY appeared before me E. LEANETTE ORCUTT who, upon being first duly sworn, deposes and says:

That she is the owner of property located at 308 N. Main Street in Columbiana, Alabama, having purchased said property from the Estate of Norman L. Lefkovits and Sonya D. Lefkovits on March 15, 2013, said deed being recorded on March 22, 2013 as Instrument #20130322000120730 in the Office of the Judge of Probate of Shelby County, Alabama.

That there is a paved circular driveway located on said property that encircles the home and accesses Main Street on either side (See Exhibit "A" Attached hereto and made a part hereof); that this drive way is entirely located upon the property belonging to the said E. Leanette Orcutt; that she is solely responsible for its maintenance, upkeep and repair.

That sometime after her purchase of the property, she became aware that the owners of the property to the left of her home (306 N. Main Street) were using her driveway for ingress and egress to their property. She was not aware of any agreement for any other party or parties to use said driveway; that there is no shared driveway agreement of record; that there is no easement for ingress and egress recorded nor set out on her title insurance policy; and that she was never informed by any party before or during her purchase that her driveway would be used by any other party or parties.

There is no agreement with the current owner of 306 N. Main Street to give a permanent easement for use of the driveway, although temporary permission has been granted to use the driveway to access their property; the permission given is granted only to the current owners of said property, Dale E. McCullough, II and Robin McCullough, and will not be granted to any subsequent purchasers of that


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property; that there is not now, nor has there ever been in the past, an executed Shared Driveway Agreement between owners of the two properties; that there is not now, nor has there at any time in the past, been an easement for ingress and egress granted between the two properties, either written or implied, and this affidavit is being recorded in order to set out and declare that the driveway located on the property at 308 N. Main Street, Columbiana, Alabama 35051 is for the sole and exclusive use by the owner of said property and no other party or parties. This right shall run with the land and convey to any future owners of said property.

IN WITNESS WHEREOF, the said E. Leanette Orcutt has set her Hand and Seal this 3rd day of February, 2015.

E. Leanette Orcutt
E. LEANETTE ORCUTT

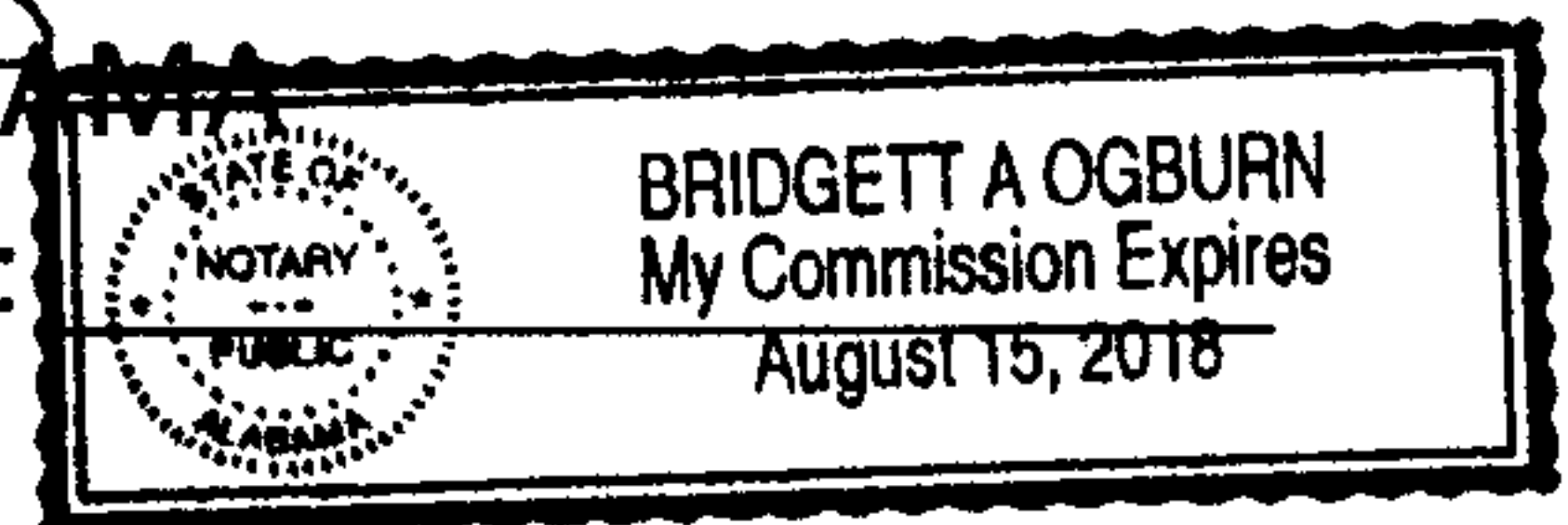
STATE OF ALABAMA

COUNTY OF SHELBY

Given under my Hand and Seal this 3rd day of February, 2015.

Bridgett A Ogburn

NOTARY PUBLIC FOR ALABAMA
MY COMMISSION EXPIRES:



Prepared By:
Reli
3595 Grandview Pkwy.
Suite 600
Bham, AL 35243

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL A:

That certain real property located in Shelby County, Alabama more particularly described as follows:

That certain parcel or tract of land in the Town of Columbiana, Alabama, described as beginning at a point on the West side of the West margin of North Main Street at the NE corner of the lot formerly known as the W. W. Albright residence lot, which is further marked by the intersection of the West margin of North Main Street with the North section line of Section 26, Township 21, Range 1 West and run thence North along the West margin of North Main Street a distance of 169 feet; running thence West a distance of 420 feet, more or less, to an alley; running thence South along said alley a distance of 169 feet to the NW corner of said home lot of said W. W. Albright, which is the North section line of said Section 26, as aforesaid; thence run East along the North line of said section a distance of 420 feet, more or less, to the point of beginning. All situated in the Town of Columbiana, Shelby County, Alabama.

PARCEL B:

That certain real property located in Shelby County, Alabama, more particularly described as follows:

Commence at a point on the West side of the West margin of North Main Street in the Town of Columbiana, Alabama, at a point being the NE corner of the lot formerly known as the W. W. Albright residence lot, which said point is further marked by the intersection of the West margin of North Main Street with the North section line of Section 26, Township 21, Range 1 West and run thence North along the West margin of said North Main Street a distance of 169 feet to point of beginning of the lot herein described and conveyed and which is the point constituting the NE corner of the certain property described in deed from Alvin P. Lefkovits and wife, Dorothy Lefkovits to Norman Lefkovits and wife, Sonya Lefkovits recorded in the Probate Office of Shelby County, Alabama in Deed Book 202, Page 146; from said beginning point run thence North along the West margin of said North Main Street a distance of 73 feet to a point; thence West 420 feet, more or less, to an alley; thence run South along the East boundary of said alley, a distance of 73 feet to the NW corner of said property described in the Probate Office of Shelby County, Alabama in Deed Book 202, Page 146; thence East along the North boundary of said described property 420 feet, more or less, to point of beginning.

LESS AND EXCEPT property described in deed recorded in Real Book 223, Page 162, Probate Office, Shelby County, Alabama.



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