

Prepared by:

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STATE OF ALABAMA  
COUNTY OF SHELBY

  
20150922000331300 1/5 \$26.00  
Shelby Cnty Judge of Probate, AL  
09/22/2015 09:21:41 AM FILED/CERT

**QUITCLAIM DEED AND  
BOUNDARY LINE AGREEMENT**

THIS QUITCLAIM DEED AND BOUNDARY LINE AGREEMENT (this "**Agreement**"), made and entered into as of the 11<sup>th</sup> day of September, 2015, between ROBERT STEVEN FRYE and SHERRY FRYE, husband and wife ("**Frye**") and VERNON M. VAUGHN, an unmarried man ("**Vaughn**").

**WITNESSETH:**

WHEREAS, Frye is the owner of Lot 18A, according to a Resurvey of Lots 17 and 18 of WAXA SUBDIVISION as recorded in Map Book 38, page 64, in the Probate Office of Shelby County, Alabama (the "*Lot 18A*"), and

WHEREAS, Vaughn is the owner of Lot No. 19, according to WAXA SUBDIVISION, as recorded in Map Book 5, Page 5, in the Probate Office of Shelby County, Alabama ("Lot 19"), a survey of which is attached hereto as Exhibit A (the "*Lot 19 Survey*"); and

WHEREAS, the parties desire to confirm and agree to the common boundary line between Lot 18A and Lot 19 as such common boundary line is set forth on the Lot 19 Survey;

WHEREAS, this Agreement is being executed in connection with the conveyance of Lot 19 by Vaughn and is being relied on in connection with such conveyance;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, and other good and valuable consideration, including but not limited to the resolution of a potential dispute, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. Quit Claim by Frye. Frye does hereby sell, remise, release, and forever quitclaim to Vaughn, and his successors-in-title and assigns, all the right, title and interest of Frye in and to any and all real property being shown as included in Lot 19 pursuant to the Lot 19 Survey.

2. Common Boundary Line Agreements/Acknowledgements.

(a) Frye acknowledges and agrees that the quitclaim pursuant to paragraph 1 above shall (i) include any portion of prior Lot 18, as shown in Map Book 5, Page 5 ("Prior Lot 18"), lying east of Lot 18A to the extent such portion of Prior Lot 18 was not resurveyed pursuant to Map Book 38, page 64 and (ii) confirm and establish the common boundary line between Lot 18A and Lot 19.

(b) Vaughn represents and warrants that he has been in open and notorious, continuous, adverse and hostile, peaceful and exclusive possession of the property included in Lot 19, as depicted on the attached Lot 19 Survey, since acquiring title to Lot 19 pursuant to deed recorded September 20, 1989, at Book 257, Page 480 in the Probate Office of Shelby County, Alabama. Frye hereby acknowledges and agrees that they have no knowledge of any facts which are contrary to Vaughn's representation of possession, as set forth and characterized above.

2. Modification. No modification of this Agreement or any waiver of any provision hereof shall be effective unless the same is in writing signed by the parties hereto.

3. Binding. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, personal representatives and successors and successors-in-title.

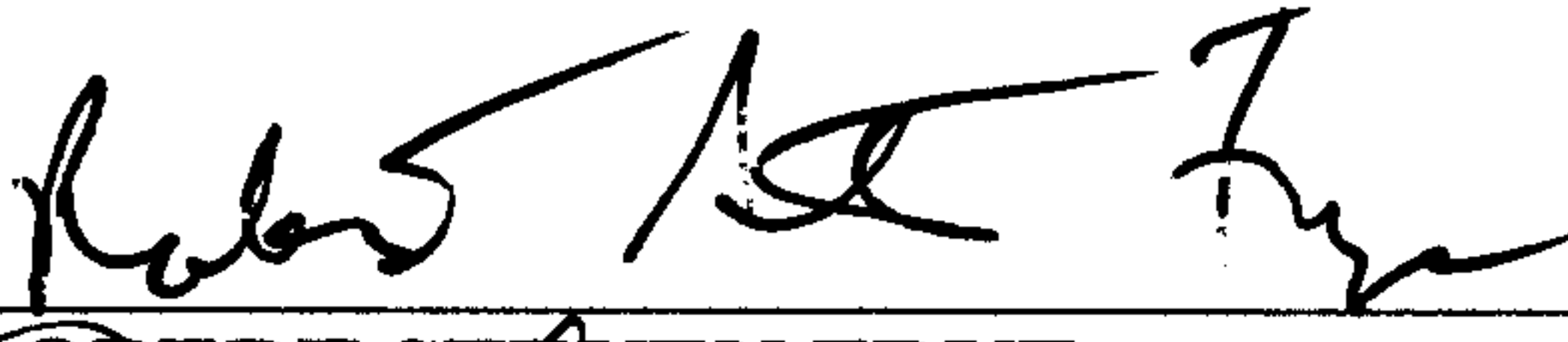
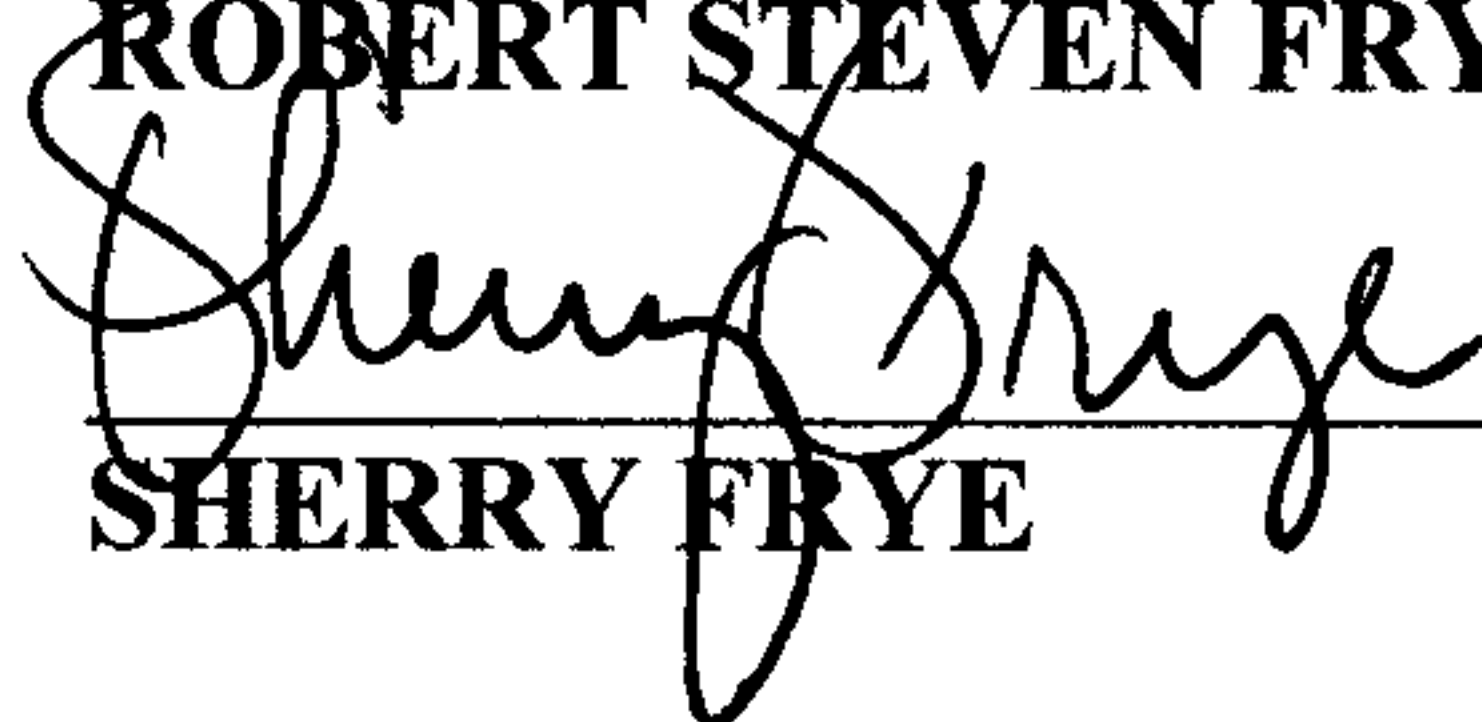
4. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Alabama.

*[Remainder of page intentionally left blank]*

  
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IN WITNESS WHEREOF, the parties hereto have caused this Instrument to be executed under seal by their duly authorized officers, the day and year above written.

**FRYE:**

  
\_\_\_\_\_  
**ROBERT STEVEN FRYE**  
  
\_\_\_\_\_  
**SHERRY FRYE**

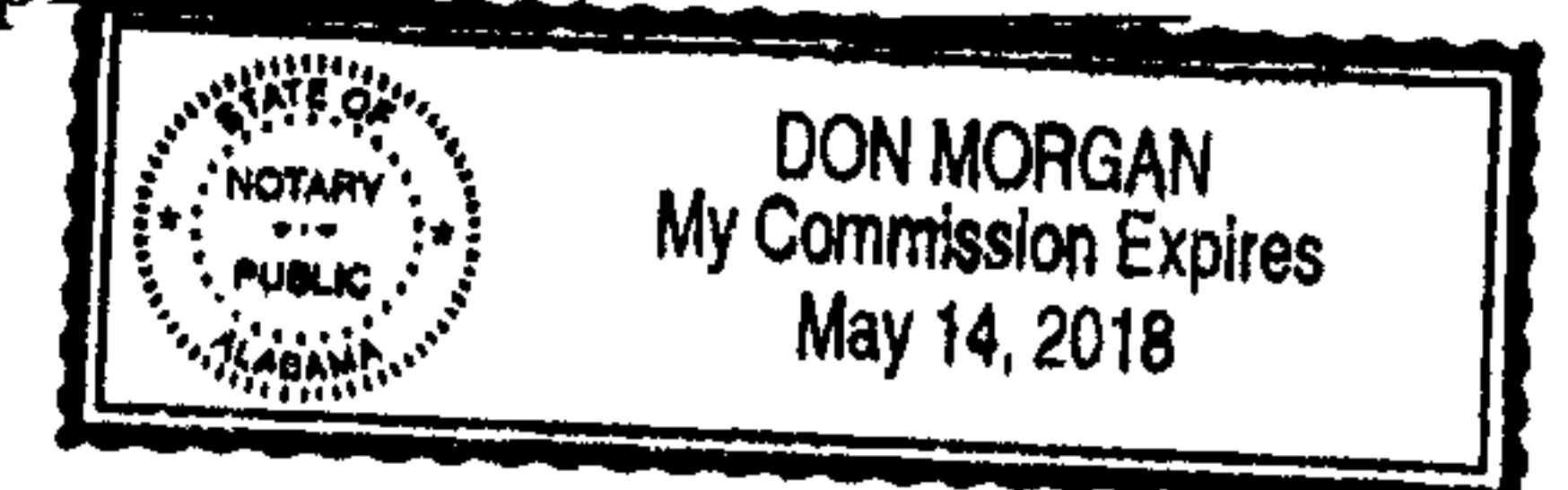
  
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STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **ROBERT STEVEN FRYE**, whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me, on this day that, being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Sworn to and subscribed before me this, the 18 day of September, 2015.

  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires:

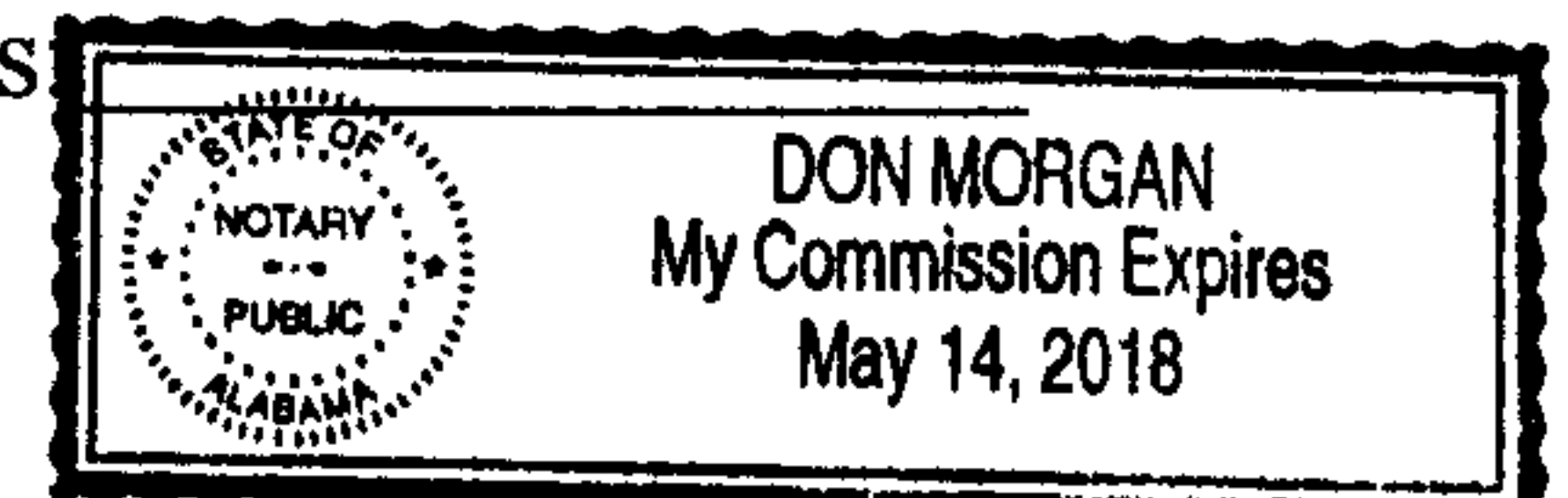


STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **SHERRY FRYE**, whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me, on this day that, being informed of the contents of said instrument, she executed the same voluntarily on the day the same bears date.

Sworn to and subscribed before me this, the 18 day of September, 2015.

  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires:



*[Signatures continue on next page]*

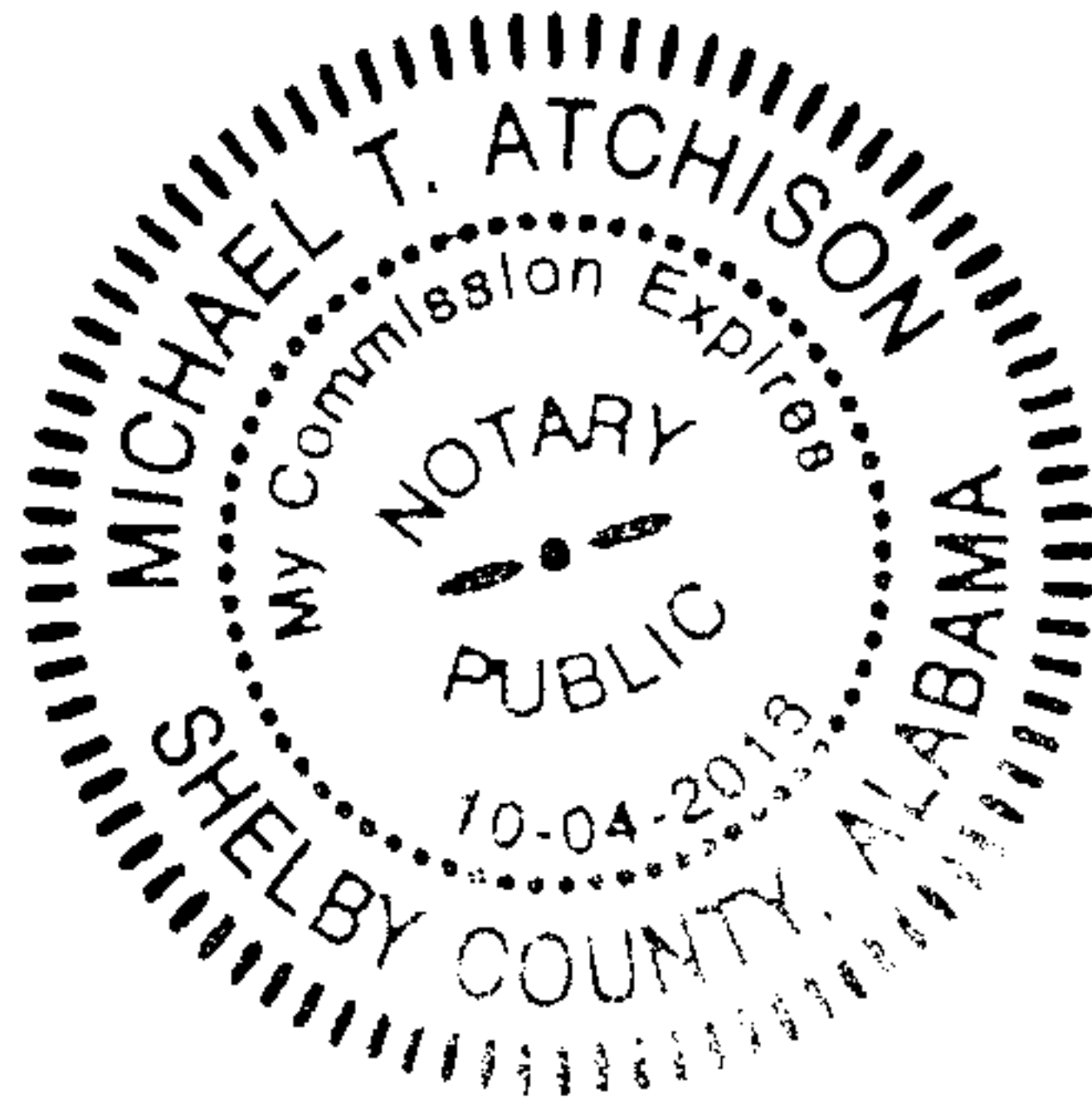
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 VERNON M. VAUGHN

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **VERNON M. VAUGHN**, whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me, on this day that, being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

On this, the 21st day of September, 2015.

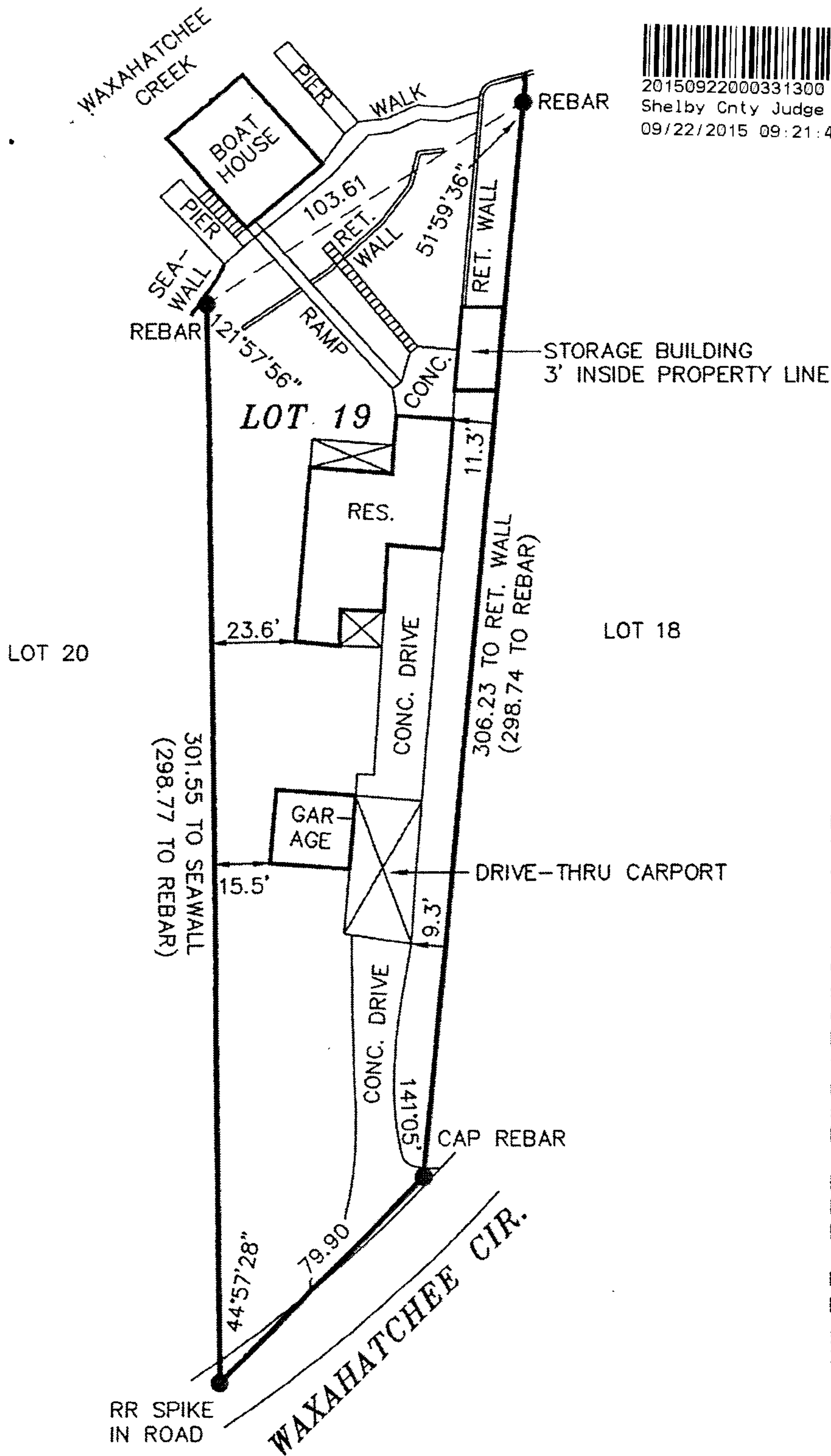
  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires: 10-4-16





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Shelby Cnty Judge of Probate, AL  
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PLAT



## MORTGAGE SURVEY

I, Rodney Shiflett, a Registered Professional Land Surveyor in the State of Alabama do hereby certify that this is a true and correct plat of my survey as shown hereon. That there are no visible encroachments of any kind upon the subject lot except as shown hereon, excluding utility service lines, wires or pipes that serve the subject lot only that are within dedicated easements or rights of way. That steel corners have been found or installed at all lot corners. I further certify that this survey and this plat meets the standards of practice for land surveying in the State of Alabama, the correct legal description being as follows:

Lot 19 of Waxa Subdivision, as recorded in Map Book 5, Page 5, in the Office of the Judge of Probate of Shelby County, Alabama.

I further certify that I have consulted the Federal Insurance Rate Map (F.I.R.M.) Community Panel #01117C 0570 E, Zone 'X', dated February 20, 2013.

*Rodney Shiflett*  
Rodney Shiflett Al. Reg. #21784



### LEGEND

- 1/2" REBAR SET
- IRON PIN FOUND
- R.O.W. RIGHT-OF-WAY
- NOT TO SCALE
- UTILITY POLE
- OVERHEAD UTILITIES
- (M) FIELD MEASURED
- (P) PLAT / RECORDED MAP
- ☒ COVERED DECK/PORCH
- ▨ DECK/PORCH

JOB NO. 15340

DATE 8/7/15 DATE OF FIELD SURVEY 8/6/15

ADDRESS 434 Waxahatchee Circle SCALE 1" = 50'

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