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Shelby Cnty Judge of Probate, AL  
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## ENCROACHMENT AGREEMENT

**STATE OF ALABAMA**

**COUNTY OF SHELBY** )

**THIS AGREEMENT** made this 19 day of April, 2016, between Brian T. Russell and Charity L. Russell, who reside at 2110 Flowerwood Drive, Birmingham, Alabama 35244 (hereinafter referred to as the "Russells") and Michael Weber and Wendy Weber, who reside at 2106 Flowerwood Drive, Birmingham, Alabama 35244 (hereinafter Michael Weber and Wendy Weber are collectively referred to as the "Webers").

**WITNESSETH**

The Russells are the owners of the real property described below:

LOT 6, ACCORDING TO THE SURVEY OF FIRST ADDITION TO RIVERCHASE WEST, AS RECORDED IN MAP BOOK 7, PAGE 2, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA

The Webers are the owners of the real property described below:

LOT 7, ACCORDING TO THE SURVEY OF FIRST ADDITION TO RIVERCHASE WEST, AS RECORDED IN MAP BOOK 7, PAGE 2, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA

The parties hereby acknowledge and agree that a fence belonging to the Webers encroaches onto the real property owned by the Russells. The Russells hereby grant to the Webers permission for the aforementioned fence to remain so situate for as long as it shall stand in good condition. If the aforementioned fence is in need of inspection, painting and/or repair, the Russells expressly grant the Webers a limited license to enter the Russells premises to inspect, paint and/or repair the fence.

The parties agree to the recording of this agreement in the Probate Court of Shelby County, Alabama in order to memorialize of record the understanding between the parties.

The parties acknowledge and agree that this Agreement shall be binding upon the parties and their heirs, successors and assigns.

In Witness Whereof, the parties have duly executed this Agreement on the day and year first above written.

[Signature]  
BRIAN T. RUSSELL

Sworn to and subscribed before me on April 19, 2017

[Signature]  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: August 24, 2019

[Signature]  
CHARITY L. RUSSELL

Sworn to and subscribed before me on April 19, 2017

[Signature]  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: August 24, 2019

[Signature]  
MICHAEL WEBER  
Sworn to and subscribed before me on April 19, 2017

NOTARY PUBLIC  
MY COMMISSION EXPIRES: 9/18/2017

[Signature]  
WENDY WEBER

Sworn to and subscribed before me on April 19, 2017

NOTARY PUBLIC  
MY COMMISSION EXPIRES: 9/18/2017

