

STATE OF ALABAMA)
COUNTY OF SHELBY)

EASEMENT

This easement made and entered into this 23rd day of December, 2019, by and between and **David A. Chunn and wife, Kim N. Chunn** (hereinafter referred to as Grantees) and **The Village at Highland Lakes, Inc.**, an Alabama Corporation, and **Eddleman Residential, LLC**, an Alabama limited liability company (hereinafter referred collectively referred to as "Grantor"):

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 Grantee, the receipt and sufficiency of which are hereby acknowledged, the Grantor does hereby grant, bargain, sell, convey and warrant to the Grantees, their heirs, successors, agents, assigns, guests and invitees, a right of way and easement in perpetuity, with the right, privilege and authority to said Grantees, their heirs, successors, agents and assigns, to maintain, re-construct, re-build, replace, and repair a concrete drainage flume and driveway which encroaches over the North property line of Lot 1, according to the Survey of 2nd Amendment to the Amended Map of the Village at Highland Lakes Sector One, as recorded in Map Book 38, Page 24, in the Probate Office of Shelby County, Alabama, onto land designated as common area on said recorded plat; said easement being more particularly described on the attached survey prepared by Jeff D. Arrington, AL Reg. #18664, Arrington Engineering & Land Surveying, Inc. dated December 10, 2019 as Exhibit "A", as follows, being situated in Shelby County, Alabama:

DESCRIPTION:

A 5 FOOT DRIVEWAY EASEMENT DESCRIBED AS FOLLOWS:

BEGIN AT A POINT BEING THE NORTHWEST CORNER OF LOT 1, ACCORDING TO THE SURVEY OF 2ND AMENDMENT TO THE AMENDED MAP OF THE VILLAGE AT HIGHLAND LAKES SECTOR ONE, 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 OF HIGHLAND VILLAGE TRAIL; THENCE RUN SOUTH 73 DEGREES 06 MINUTES 30 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT FOR 100.00 FEET; THENCE RUN NORTH 16 DEGREES 40 MINUTES 51 SECONDS EAST FOR 5.00 FEET; THENCE RUN NORTH 73 DEGREES 06 MINUTES 30 SECONDS WEST FOR 100.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF HIGHLAND VILLAGE TRAIL, SAID POINT BEING ON A NON TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 680.00 FEET, A CHORD BEARING OF SOUTH 16 DEGREES 40 MINUTES 51 SECONDS WEST, AND A CHORD LENGTH OF 5.00 FEET; THENCE RUN ALONG SAID ARC FOR 5.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 499.98 SQUARE FEET OR 0.01 ACRES MORE OR LESS.

Further, there shall be a right of way for ingress and egress to, over and under the premises at any and all times for the purpose of re-constructing, inspecting, maintaining, repairing, re-building and/or replacing the concrete drainage flume and/or driveway.



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Shelby Cnty Judge of Probate, AL
01/02/2020 09:40:44 AM FILED/CERT

TO HAVE AND TO HOLD, unto the said **David A. Chunn and wife, Kim N. Chunn**, their heirs, successors, agents and assigns, forever, subject to the following terms and conditions:

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

2. The Grantee herein, **David A. Chunn and wife, Kim N. Chunn**, their, heirs, successors, agents and assigns shall have the responsibility for maintaining, re-constructing, re-building, repairing and replacing of said concrete drainage flume and driveway.

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 Village at Highland Lakes, Inc., by its President, Douglas D. Eddleman, has caused this easement to be executed this the 23rd day of December, 2019.

The Village at Highland Lakes, Inc.


BY:


Douglas D. Eddleman
Its: President

STATE OF ALABAMA)
JEFFERSON COUNTY)

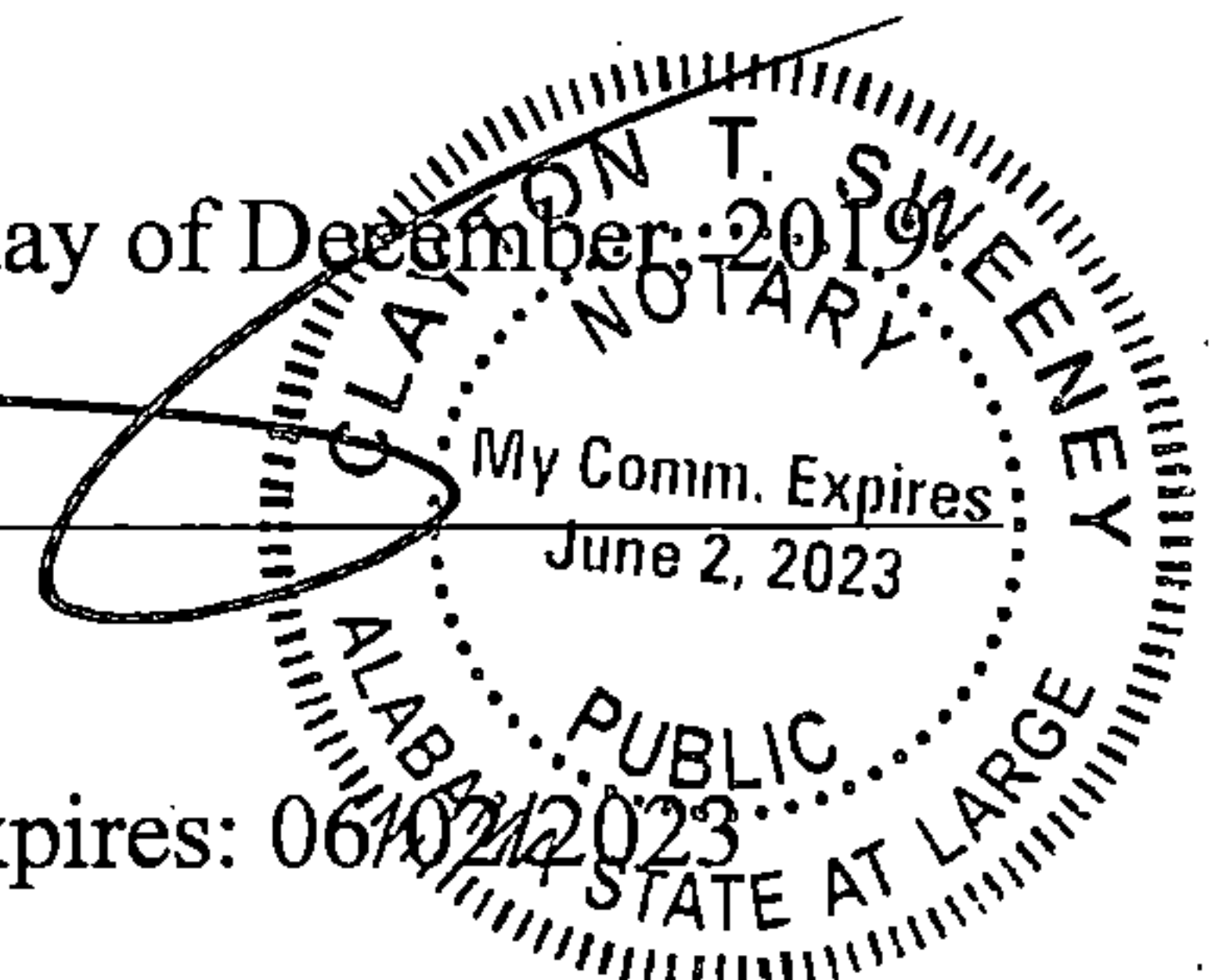
I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of The Village at Highland Lakes, Inc., an Alabama Corporation, is signed to the foregoing instrument; and who is known to me, acknowledged before me on this day that, 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 the 23rd day of December, 2019.


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Shelby Cnty Judge of Probate, AL
01/02/2020 09:40:44 AM FILED/CERT

Notary Public

My Commission Expires: 06/02/2023



IN WITNESS WHEREOF, Eddleman Residential, LLC, by its President & CEO, Douglas D. Eddleman, has caused this easement to be executed this the 23rd day of December, 2019.

Eddleman Residential, LLC

BY:


Douglas D. Eddleman
Its: President & CEO

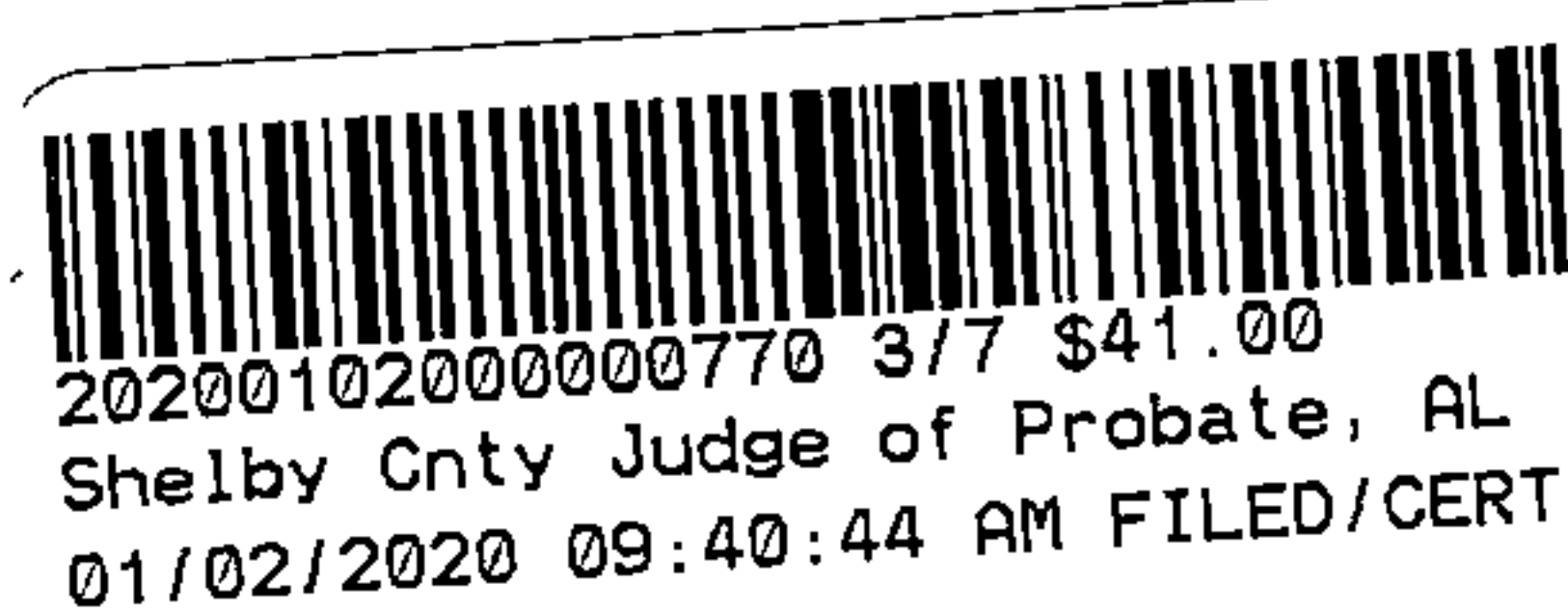
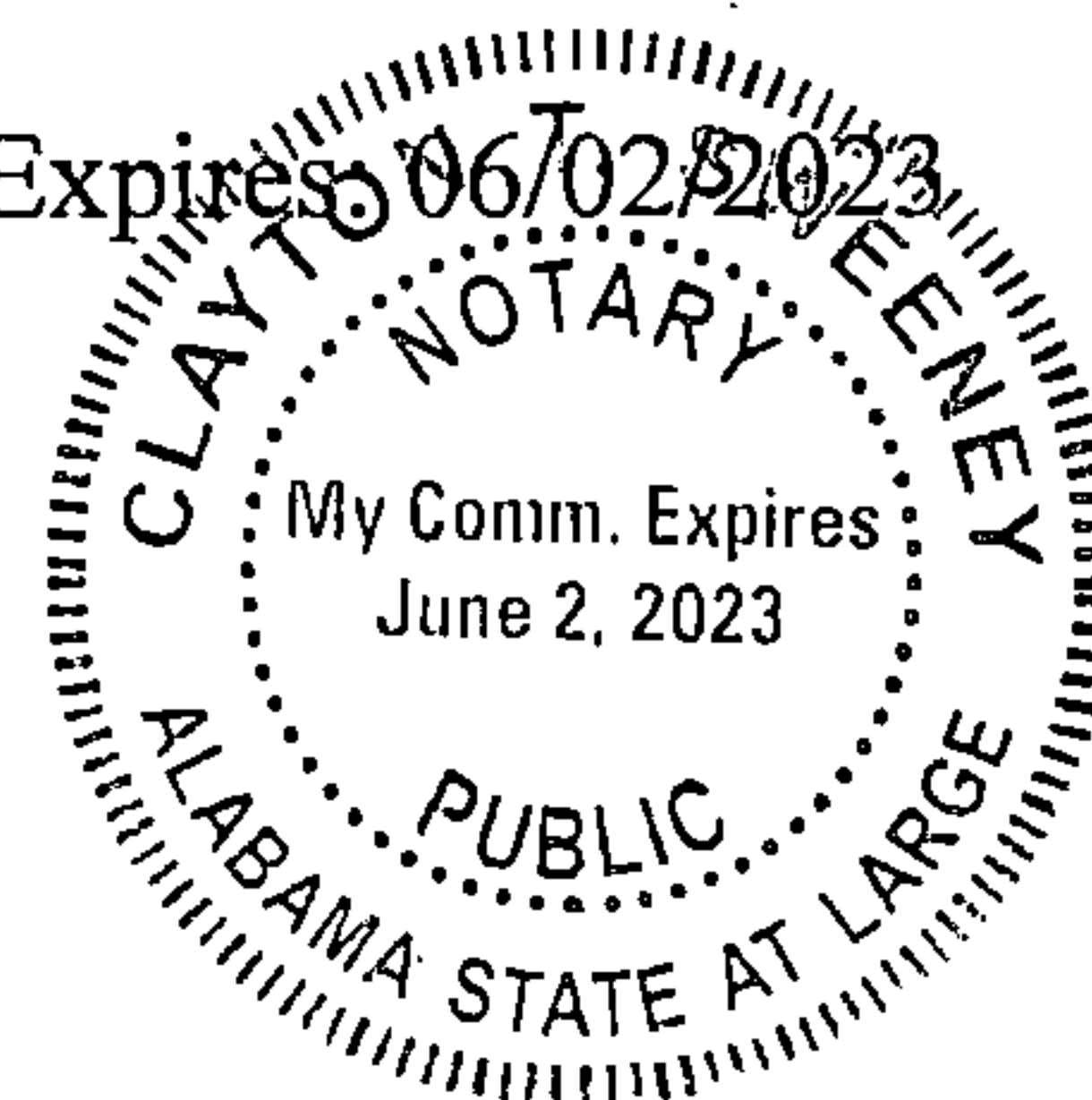
STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President & CEO of Eddleman Residential, LLC, an Alabama limited liability company, 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 limited liability company.

Given under my hand and official seal of office this the 23rd day of December, 2019.


Notary Public

My Commission Expires 06/02/2023



DAVID A. CHUNN and KIM N. CHUNN as Grantees herein and being the Owners of Lot 1, according to the Survey of 2nd Amendment to the Amended Map of the Village at Highland Lakes Sector One, as recorded in Map Book 38, Page 24, in the Probate Office of Shelby County, Alabama, executes this Easement to acknowledge and accept the terms and conditions of this hereinabove Easement for themselves, their successors and assigns.


DAVID A. CHUNN


KIM N. CHUNN


STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that DAVID A. CHUNN and wife, KIM N. CHUNN, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the above foregoing instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this the 23rd day of December, 2019.


Notary Public

My Commission Expires 06/02/2023


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Shelby Cnty Judge of Probate, AL
01/02/2020 09:40:44 AM FILED/CERT



The Village at Highland Lakes Residential Association, Inc executes this easement only to acknowledge and consent to all terms, conditions, restrictions and conditions contained hereinabove and to convey any interest it may have in said property. The Village at Highland Lakes Residential Association, Inc. does for itself, its successors and assigns, agree and understand that the property conveyed herein is subject to the foregoing terms, conditions, restrictions and conditions of said easement.

The Village at Highland Lakes Residential
Association, Inc.

BY:


Douglas D. Eddleman
Its President

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 Residential Association, Inc., an Alabama Non-Profit 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 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 this the 23rd day of December, 2019.


Notary Public

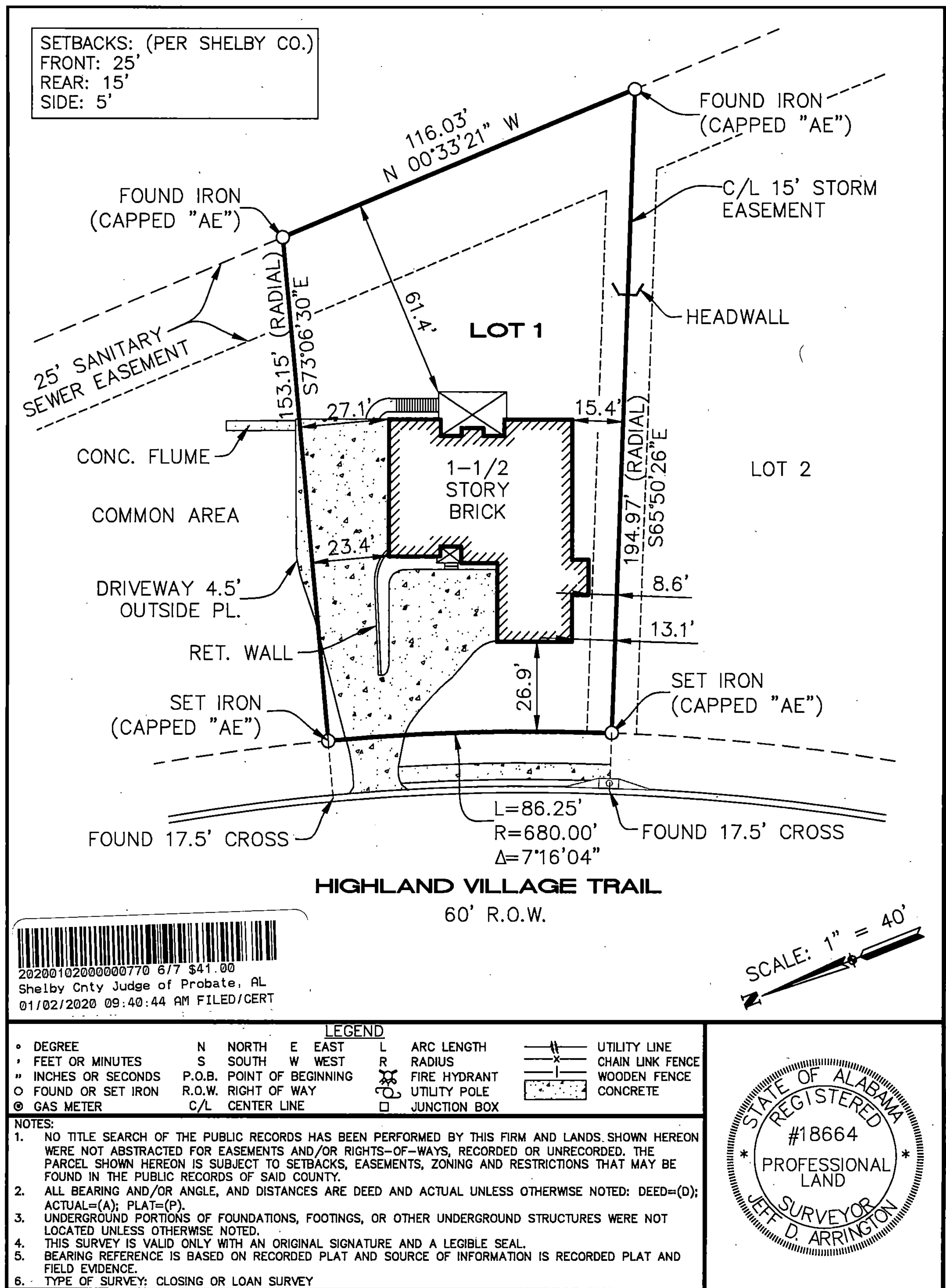
My Commission Expires: 06/26/2023

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



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Shelby Cnty Judge of Probate, AL
01/02/2020 09:40:44 AM FILED/CERT

EXHIBIT "A"



STATE OF ALABAMA
 SHELBY COUNTY

I, Jeff D. Arrington, a registered Land Surveyor, certify that I have surveyed Lot 1, according to the survey of 2ND AMENDMENT TO THE AMENDED MAP THE VILLAGE AT HIGHLAND LAKES SECTOR ONE AN EDDLEMAN COMMUNITY, as recorded in Map Volume 38, Page 24, in the office of the Judge of Probate Shelby County, Alabama; That all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; That there are no encroachments on said lot except as shown; That improvements are located as shown above. No Flood Zone Determination was requested or performed as part of this survey

Address: 1108 HIGHLAND VILLAGE TRAIL
 Drawing Date: 12-10-2019
 Date of Survey: 12-09-2019 By: MA
 Order No. 73689 Field Book: RG
 For: CHUNN

Jeff D. Arrington, AL Reg. #18664
 Arrington Engineering & Land Surveying, Inc.
 2032 Valleydale Road, Birmingham, AL 35244
 Phone: (205) 985-9315 (Fax 205-985-9385)

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