


This instrument prepared by:

Harry W. Gamble, III, Esq.
429 Green Springs Hwy
Suite 161-364
Birmingham, AL 35209


20200323000113910 1/7 \$41.00
Shelby Cnty Judge of Probate, AL
03/23/2020 02:06:22 PM FILED/CERT

STATE OF ALABAMA

COUNTY OF SHELBY

BOUNDARY LINE AND DISCLAIMER AGREEMENT

This Boundary Line Agreement ("Agreement") is entered into by and between **Diann Jessie, as Personal Representative of The Estate of Thelma Smith** ("Smith Estate") and **William Acton and Martha Eugenia Acton, aka Jeannie Acton** (together, "Actons").

RECITALS

The Smith Estate owns Parcel 1, as shown on the survey prepared by Rodney Shiflett and dated May 7, 2015, a copy of which is attached as Exhibit "A," and Parcel 1 is also described in Exhibit "B." William Acton and Martha Eugenia Acton, aka Jeannie Acton, own the property described in Exhibit "C" (the "Acton Property.") Parcel 3 and the Acton Property are adjacent to each other and therefor share a common boundary line. The parties acknowledge that, because of the inadequacy of the legal descriptions of their properties, it is necessary to come to an agreement on the boundary line located on the north side of parcel 1 (the south boundary line of the Acton Property), and confirm that neither claim any interest in adjacent property beyond the boundary line.

NOW, THEREFORE, in consideration of these premises and to settle any disputes they might have concerning the location of said boundary, the parties for themselves, and for their grantees, heirs, successors and assigns, covenant and agree as follows:

1. The parties agree that the survey attached hereto as Exhibit "A," prepared by Rodney Shiflett Surveying, reflects the true boundary line between the properties, such boundary line being the north side of Parcel 1, and the south line of the Acton Property, and shown on the attached survey as having a distance of 248 feet.
2. The Smith Estate quitclaims and releases to the Actons any property lying north of the Boundary Line.
3. The Actons quitclaim and release to the Smith Estate any rights to properties lying south of the Boundary Line.

4. This Agreement shall be binding upon and inure to the benefit of the heirs, successors, assigns, and transferees of the parties.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this the day, month and year first hereinabove written.



Diann Jessie, as P.R. of
the Estate of Thelma Smith



William Acton



Martha Eugenia Acton aka
Jeannie Acton

STATE OF ALABAMA

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County and State, hereby certify that **Diann Jessie, as Personal Representative of the Estate of Thelma Smith**, whose name 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, she executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND SEAL on this the 30th day of August,
2016.

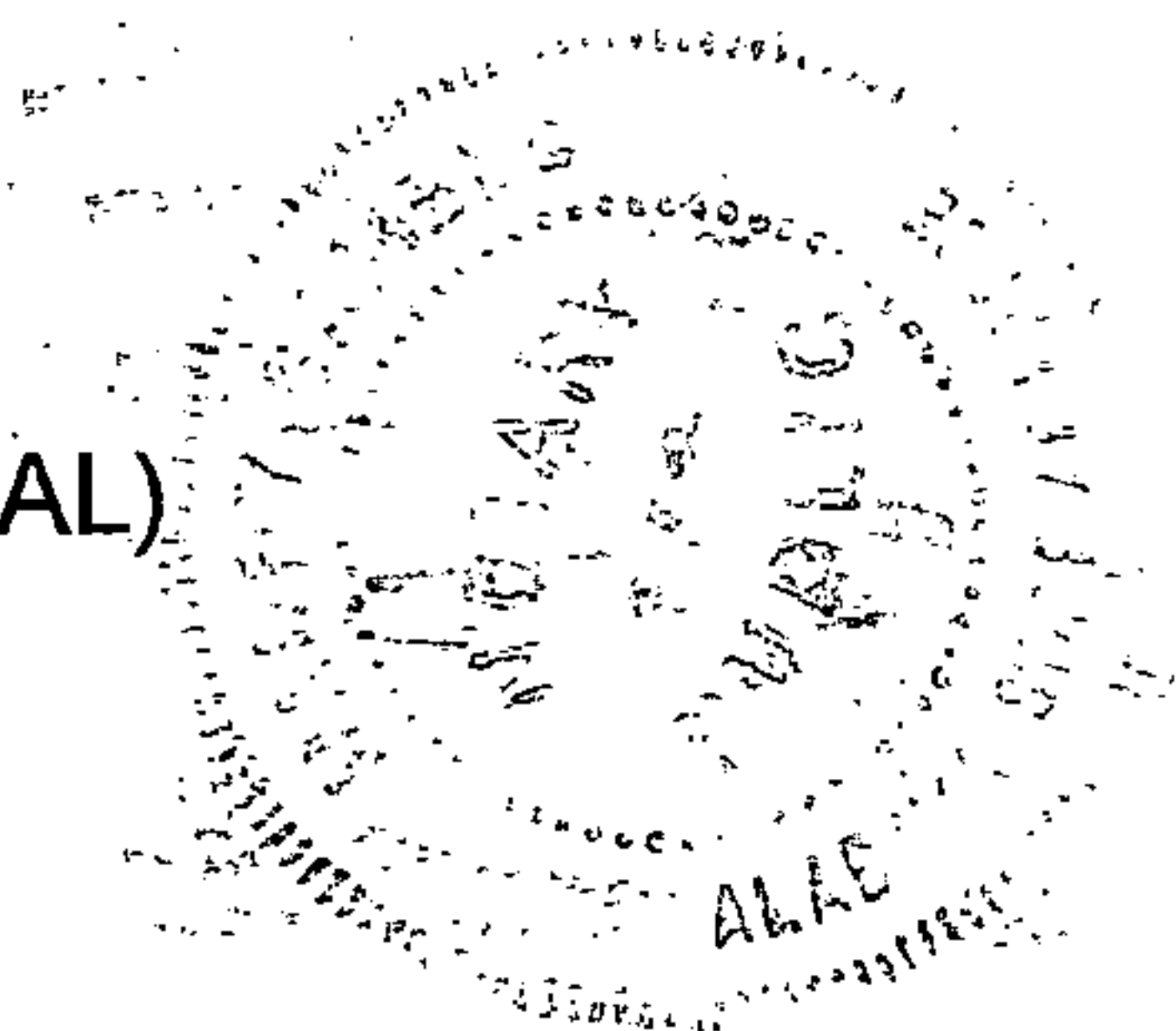


Notary Public

State of Alabama at Large

My Commission Expires: 9/17/16

(SEAL)



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STATE OF ALABAMA

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County and State, hereby certify that **William Acton and Martha Eugenia Acton, aka Jeannie Acton**, 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 instrument, they executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND SEAL on this the 30th day of Aug, 2016.



Notary Public

State of Alabama at Large

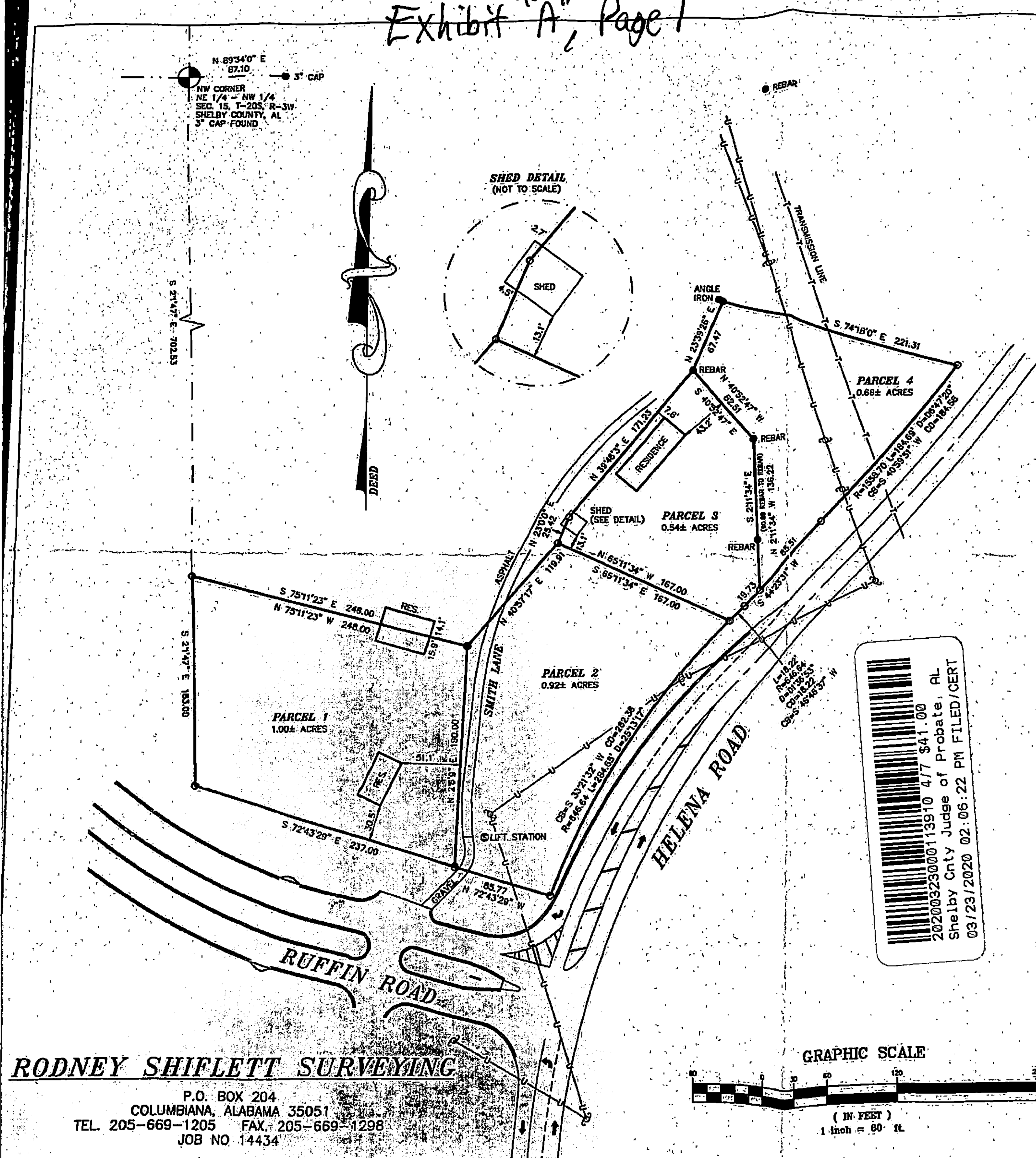
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Exhibit "A", Page 1



LEGEND

●	IRON PIN FOUND	 CONCRETE
○	B-B BEARER SET WITH CAP STAMPED (BPS)	REC. - RECORDED
Q	UTILITY POLE	— NOT TO SCALE
I.P.S.	IRON PIN SET	AC - ACES
R.D.V.	RIGHT OF WAY	C - CENTERLINE
⊙	1/4 - 1/4 TIE	T.D. - TIED BOND
—U—	INVERTED UTILITY LINES	M.B. - MAP BOOK
-X-	FENCE	P.R. - PLAY BOOK
		P.C. - PAGE
		E.S.T. - EASEMENT
		N.B.L. - NEIGHAN BUILDING LINE

STATE OF ALABAMA
SHELBY COUNTY.

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

PARCEL 1

Commences at the NW Corner of the NE 1/4 of the NW 1/4 of Section 15, Township 20 South, Range 3 West, Shelby County, Alabama; thence S02°01'47"E, a distance of 702.55' to the POINT OF BEGINNING; thence continue along the last described course, a distance of 183.00' to a point on the Northerly R.O.W. line of Ruffin Road; thence S72°43'29"E, a distance of 100.00' to the POINT OF BEGINNING; thence N02°06'09"E, and leaving said R.O.W. line, a distance of 190.00'; thence N75°11'23"W, a distance of 248.00' to the POINT OF BEGINNING.

Sold Parcel containing 1.00 acres, more or less.

PARCEL 2

Commence at the NW Corner of the NE 1/4 of the NW 1/4 of Section 15, Township 20 South, Range 3 West, Shelby County, Alabama; thence S01N01°47'E, a distance of 702.53'; thence S75N1°23'E, a distance of 248.00' to the POINT OF BEGINNING, thence N45°57'17"E, a distance of 167.00', a bearing of 167.00', a distance of 167.00' to a point on the N45°57'17"E R.O.W. line of Helena Road and the beginning of a non-tangent curve to the left, having a radius of 646.84', a central angle of 25°13'17", and subtended by a chord which bears S33°21'32"W, and a chord distance of 282.38'; thence along the arc of said curve and S33°21'32"W, a distance of 284.55' to the Northerly R.O.W. line of Rufina Road; thence N72°43'12"E, a bearing of 167.00', a distance of 167.00' to the Northerly R.O.W. line of Rufina Road; thence N45°57'17"E, a bearing of 167.00', a distance of 167.00' to the POINT OF BEGINNING.

Said Parcel containing 0.92 acres, more or less.

PARCEL 3

Commence at the NW Corner of the NE 1/4 of the NW 1/4 of Section 15, Township 20 South, Range 3 West, Shelby County, Alabama, thence S021°47'E, a distance of 702.53'; thence S75°11'23"E, a distance of 248.00'; thence S44°57'17"E, a distance of 158.91'; thence S03°03'00"E, a distance of 18.22'; thence N33°46'03"E, a distance of 171.23'; thence S40°52'47"E, a distance of 82.51'; thence S01°21'34"E, a distance of 136.22' to a point on the Northwesterly R.O.W. line of Helena Road; thence S44°23'31"W, end along said R.O.W. line, a distance of 19.73', to a curve to the left, having a radius of 846.64', a central angle of 01°35'53", and subtended by a chord which bears S45°45'37"W, and a chord distance of 18.22'; thence along the arc of said curve, and said R.O.W. line, a distance of 13.22', to a point on the Northwesterly R.O.W. line, and leaving said R.O.W. line, a distance of 167.00', to the POINT OF BEGINNING.

Said Parcel containing 0.54 acres, more or less.

PARCEL 4

Commence at the NW Corner of the NE 1/4 of the NW 1/4 of Section 15, Township 20 South; Range 3 West, Shelby County, Alabama; thence S202°17'47"E, a distance of 702.53'; thence S75°11'23"E, a distance of 248.00'; thence N40°57'17"E, a distance of 119.91'; thence N23°00'00"E, a distance of 25.42'; thence N39°46'03"E, a distance of 171.23' to the POINT OF BEGINNING; thence N23°39'26"E, a distance of 67.47'; thence S74°18'00"E, a distance of 221.31' to a point on the Northwesterly R.O.W. line of Heland Road and the beginning of a non-tangent curve to the right, having a radius of 155.00', a central angle of 89°47'22", and subtended by a chord which bears S40°55'17"W, and a chord distance of 184.59'; thence along the arc of said curve and said R.O.W. line, a distance of 184.69'; thence S44°23'31"W and along said R.O.W. line, a distance of 85.51'; thence N02°11'34"W and leaving said R.O.W. line, a distance of 136.22'; thence N40°52'47"W, a distance of 82.51' to the POINT OF BEGINNING.

Sold Parcel containing 0.66 acres, more or less.

I further certify that I have consulted the Federal Insurance Rate Map (F.I.R.M.) Community Panel #01117C 0212 E, Zone "X", dated February 20, 2013 and found that the above described Parcel does not lie in a Flood Hazard Zone.

NOTE:
This Parcel shown and described herein may be subject to setbacks, Right-of-Ways, easements, zoning and restrictions that may be found in the Probate Office of said County.

According to my survey of May 7, 2015

Rodney Y. Shifflett
Rodney Y. Shifflett Reg. #21784
BOUNDARY SURVEY

NOTES

1. NORTH ARROW AND BEARINGS AS SHOWN HEREON ARE BASED ON DEEDS.
2. NO TITLE COMMITMENT PERFORMED OR FURNISHED TO SURVEYOR.
3. ALL DISTANCES SHOWN HEREON ARE DEED/RECORD MAP, AND FIELD MEASURED UNLESS OTHERWISE NOTED.

RODNEY SHIFLETT SURVEYING

P.O. BOX 204
COLUMBIANA, ALABAMA 35051
TEL. 205-669-1205 FAX. 205-669-1298
JOB NO 14434

GRAPHIC SCALE

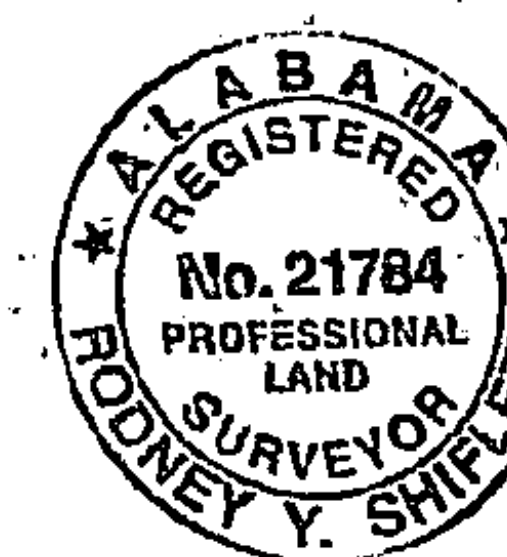
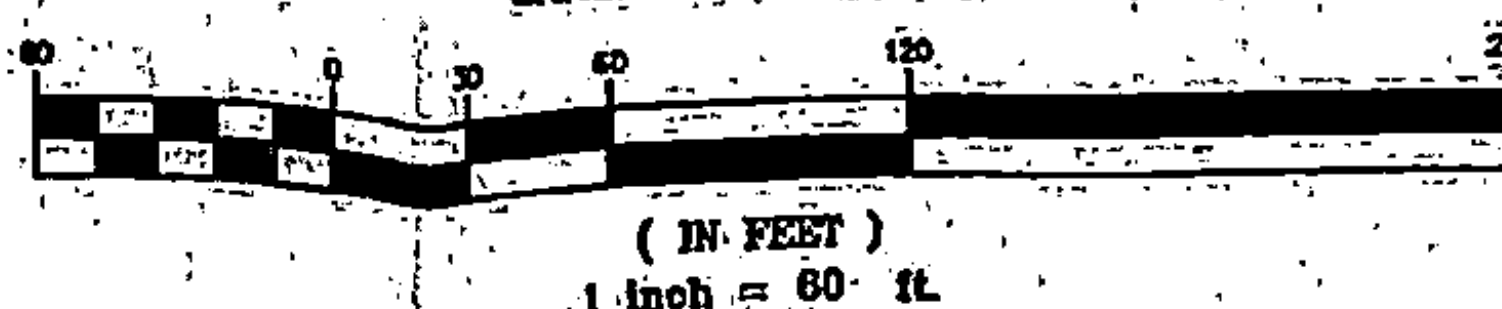
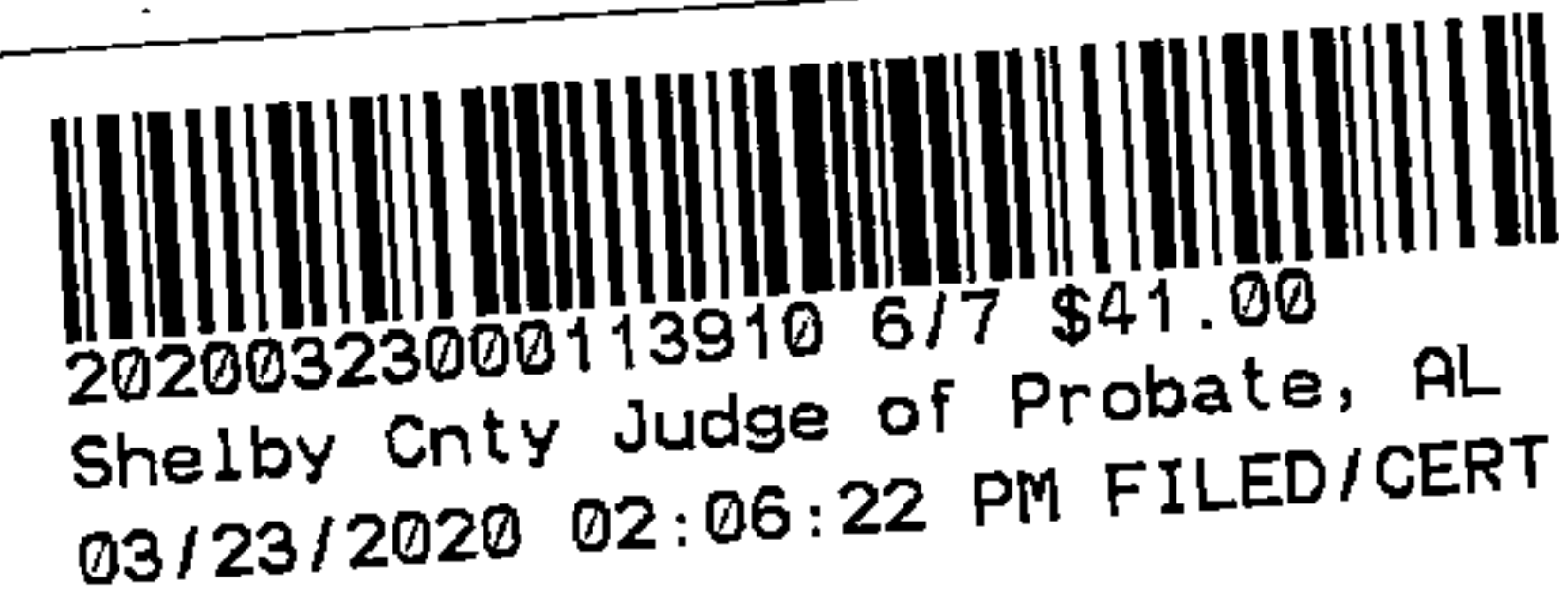


Exhibit "B"



PARCEL 1

Commence at the NW Corner of the NE 1/4 of the NW 1/4 of Section 15, Township 20 South, Range 3 West, Shelby County, Alabama; thence S02°01'47"E, a distance of 702.53' to the POINT OF BEGINNING; thence continue along the last described course, a distance of 183.00' to a point on the Northerly R.O.W. line of Ruffin Road; thence S72°43'29"E and along said R.O.W. line, a distance of 237.00'; thence N02°06'09"E and leaving said R.O.W. line, a distance of 190.00'; thence N75°11'23"W, a distance of 248.00' to the POINT OF BEGINNING.

Said Parcel containing 1.00 acres, more or less.

Begin at Northeast corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 10 Township 20 South, Range 3 West and run South along the East boundary of the said SE $\frac{1}{4}$ of SW $\frac{1}{4}$ a distance of 654 feet, more or less, to a point on the West right of way line of the Helena-Acton paved road; thence run Southwesterly along the West right of way line of the said Helena Acton Road for 730 feet, more or less, to the point of intersection of the West R. O. W. line of said Helena Acton Road and the South boundary line of said SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 10; thence run West along the South boundary of the said SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 10, for 992.74 feet to a point on the top of a Ridge, said point being 86.51 feet East of the SW corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10; thence turn an angle of 82 deg. 22' to the right and run along the top of said ridge 183.2 feet; thence turn an angle of 17 deg. 10' to the right and run along the top of said ridge 270.0 feet; thence turn an angle of 5 deg. 08' to the right and continue along the top of said ridge 332.4 feet; thence turn an angle of 7 deg. 38' to the left and continue along the top of said ridge 245.0 feet; thence turn an angle of 5 deg. 13' to the right and continue along the top of ridge 303.5 feet; thence turn an angle of 15 deg. 17' to the right and run 25.0 feet, more or less, to a point on the North boundary line of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10; thence run East along the North boundary line of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10, for 998.5 feet, more or less to the point of beginning. This being a part of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 10 Township 20 South, Range 3 West and containing 33.26 acres more or less, except transmission line permits.

Also from the Northwest corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 20 South, Range 3 West, run East along the North boundary of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15 for 86.51 feet to the point of beginning; thence continue east along the North boundary of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15 for 456.16 feet, more or less, to a point in the center of the old Helena-Acton Road; thence turn an angle of 99 deg. 58' to the right and run Southwesterly along the center line of the said Old Helena-Acton Road for 201.0 feet; thence turn an angle of 10 deg. 47' to the left and continue along the center line of said road 153.6 feet; thence turn an angle of 18 deg. 53' to the right and continue along the center line of said road 103.5 feet; thence turn an angle of 16 deg. 47' to the right and continue along the center line of said road 304.06 feet; thence turn an angle of 22 deg. 45' to the left and continue along the center line of the said road 271.3 feet, more or less, to the point of intersection of the center line of the old Helena-Acton road and the center line of the J. D. Ruffin private road; thence turn an angle of 96 deg. 28' to the right and run along the center line of the J. D. Ruffin private road for 238.0 feet, more or less, to the point of intersection of the center line of the J. D. Ruffin private road and the West boundary line of the said NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15; thence run North along the West boundary line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15, for 590 feet, more or less, to a point on the top of a ridge, said point being marked by a T. C. I. & R. R. Co. corner; thence turn an angle of 15 deg. 45' to the right and run along the top of said ridge 320 feet, more or less, to the point of beginning. EXCEPTING however, from the above described land the lot conveyed to Allen Jones, by a quit claim deed from Paramount Coal Company recorded in Volume 124 page 298 in the Probate Office of Shelby County, Alabama, described as follows: Commencing at a point on the Helena Road where the private road of J. D. Ruffin intersects said Helena Road; thence West along said private road 237 feet, more or less to the West boundary line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 20 South, Range 3 West, thence North along said 40 acre line 183.0 feet thence East 248 feet to said Helena Road; thence South along said Helena Road 190 feet to point of commencement, and containing 1 acre, more or less. This being a part of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 20 South, Range 3 West, and containing 6.3 acres more or less.

Also from the NE corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 20 South Range 3 West, run West along North boundary line of said NE $\frac{1}{4}$ of NW $\frac{1}{4}$ for 245.0 feet more or less, to the point of intersection of said North boundary line of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, and the West right of way line of the Helena-Acton paved road for point of beginning of land herein described; thence run Southwesterly along the West R. O. W. line of the said Helena-Acton road for 590 feet, more or less, to the point of intersection of the said West R. O. W. line of the Helena-Acton road and the East boundary line of the Matt Crawford lot; thence run north 5 deg. East along the East boundary of said lot 150.0 feet, more or less to the NE corner of the said lot, said point being marked by an iron nail; thence run North 71 deg. West along North boundary of said lot 191.4 feet, more or less to a point on the East right of way line of the Alabama Power Company Transmission line; thence run Northwesterly along the said Alabama Power Company East right of way line for 130.0 feet more or less to the center line of the old Helena-Acton Road; thence run Northeasterly along the center line of the old Helena-Acton road 148.0 feet, more or less, to the point of intersection of the center line of the old Helena-Acton road and the North boundary line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15; thence run East along the North boundary line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15 for 535.0 feet more or less to point of beginning, being part of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 15 Township 20 South, Range 3 West and containing 3.54 acres more or less.



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