

20221205000442010 1/5 \$37.00  
Shelby Cnty Judge of Probate, AL  
12/05/2022 12:57:16 PM FILED/CERT

This instrument was prepared without benefit of title evidence by:

William R. Justice  
P.O. Box 587, Columbiana, Alabama 35051

**GRANT OF EASEMENT WITH CONSENT OF MORTGAGEE**

**STATE OF ALABAMA**

**SHELBY COUNTY** KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One and no/100 DOLLARS (\$1.00) to the undersigned GRANTOR in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, the undersigned Robert T. Nelson, Jr., married (herein referred to as GRANTOR) does grant, bargain, sell and convey unto Luke B. Lombardo and Jana H. Lombardo, and Rodney O. Burchell and Cassie B. Burchell (herein referred to as GRANTEE) a permanent easement over real estate situated in Shelby County, Alabama, described as follows, to-wit:

Description 0.079 acres

30 foot easement for ingress, egress, and utilities to serve property described on Exhibit A:

Begin at the most northerly corner of Lot 1, according to the survey of Lot1, Nelson Mini Subdivision, as recorded in Map Book 39, page 89, in the Shelby County Probate Office, Shelby County, Alabama; said point being situated on the southerly right of way line of Shelby County Highway No. 41, said point also being situated on a curve to the left, having a central angle of 2 deg. 02 min. 41 sec., and a radius of 2802.33 feet; thence run along the arc of said curve and said right of way line, in a southwesterly direction, for 100.01 feet; thence departing said right of way, run S 22 deg. 56 min. 16 sec. W for 42.27 feet to a point situated on a curve to the left and running in a northeasterly direction, being 30 feet southerly of and parallel to the last described curve, having a central angle of 2 deg. 40 min. 44 sec. and a radius of 2772.33 feet; thence run along the arc of said curve, in a northeasterly direction, for 129.62 feet to a point on the easterly line of said Lot 1; thence run N 21 deg. 32 min. 38 sec. W along said line for 30.02 feet to the point of beginning.

This permanent easement is an easement appurtenant to the real property described on the attached Exhibit A and runs with the land.

The property over which the easement crosses is not the homestead of GRANTOR or his spouse.

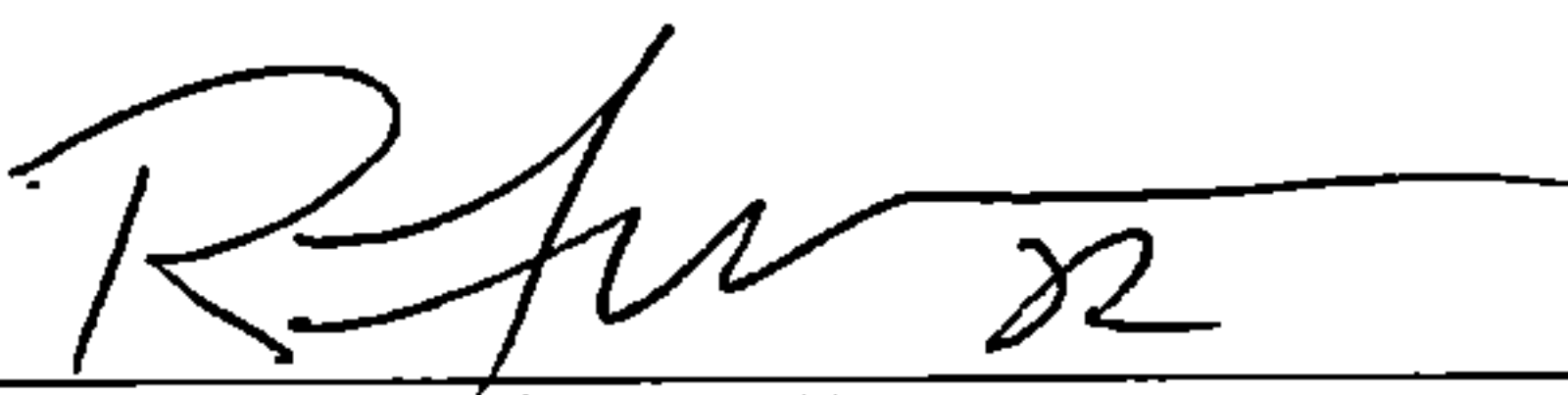
TO HAVE AND TO HOLD to the said GRANTEE and his, her, or their heirs and assigns forever.

And GRANTOR does for GRANTOR and for GRANTOR'S heirs, executors, and



administrators covenant with the said GRANTEE and his, her, or their heirs and assigns that GRANTOR is lawfully seized in fee simple of said premises; that they are free from all encumbrances unless otherwise noted above; that GRANTOR has a good right to sell and convey the same as aforesaid; that GRANTOR will and GRANTOR'S heirs, executors and administrators shall warrant and defend the same to the said GRANTEE and his, her, or their heirs and assigns forever against the lawful claims of all persons.

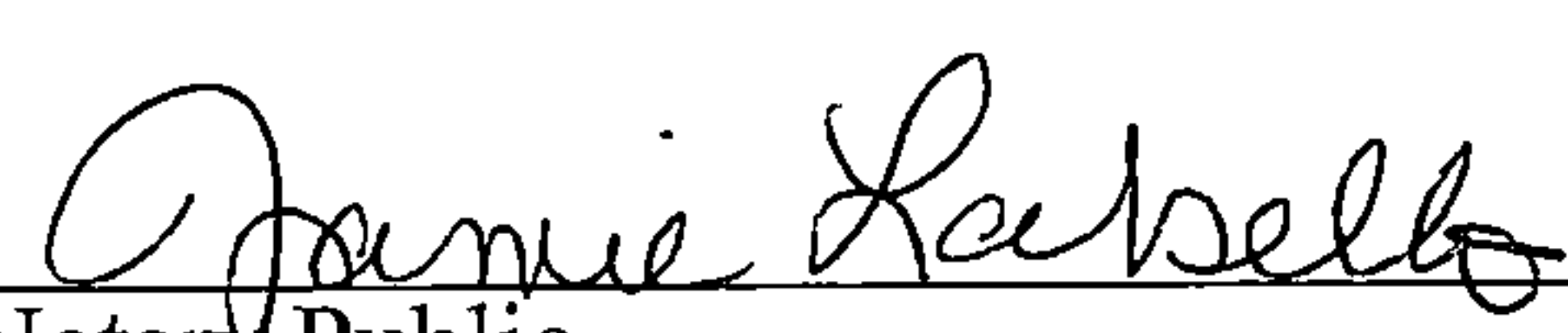
IN WITNESS WHEREOF, GRANTOR has hereunto set GRANTOR'S hand and seal, this 18<sup>th</sup> day of October, 2022.

  
\_\_\_\_\_  
Robert T. Nelson, Jr.

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert T. Nelson, Jr., whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18<sup>th</sup> day of October, 2022.

  
\_\_\_\_\_  
Notary Public

My commission expires:

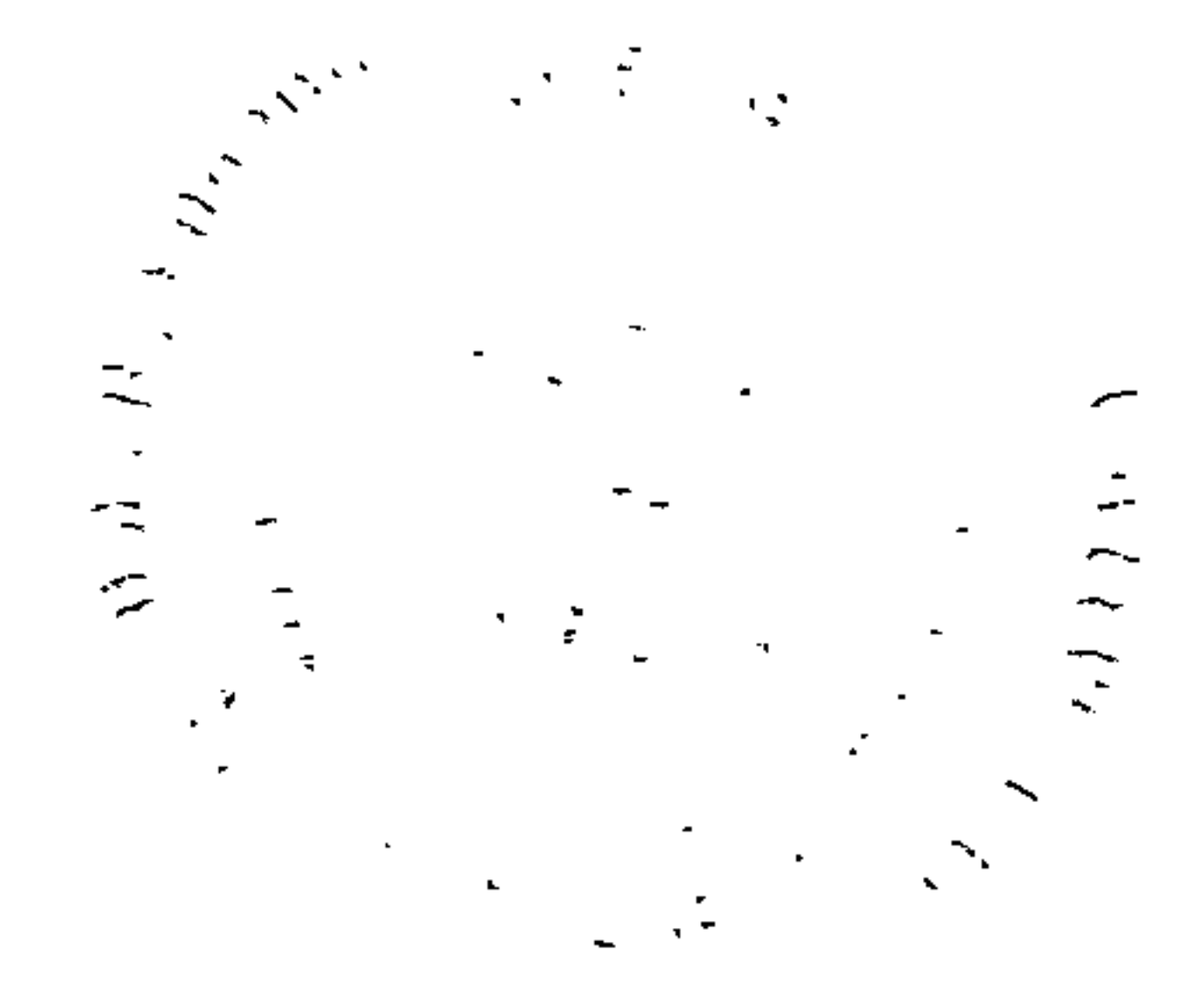
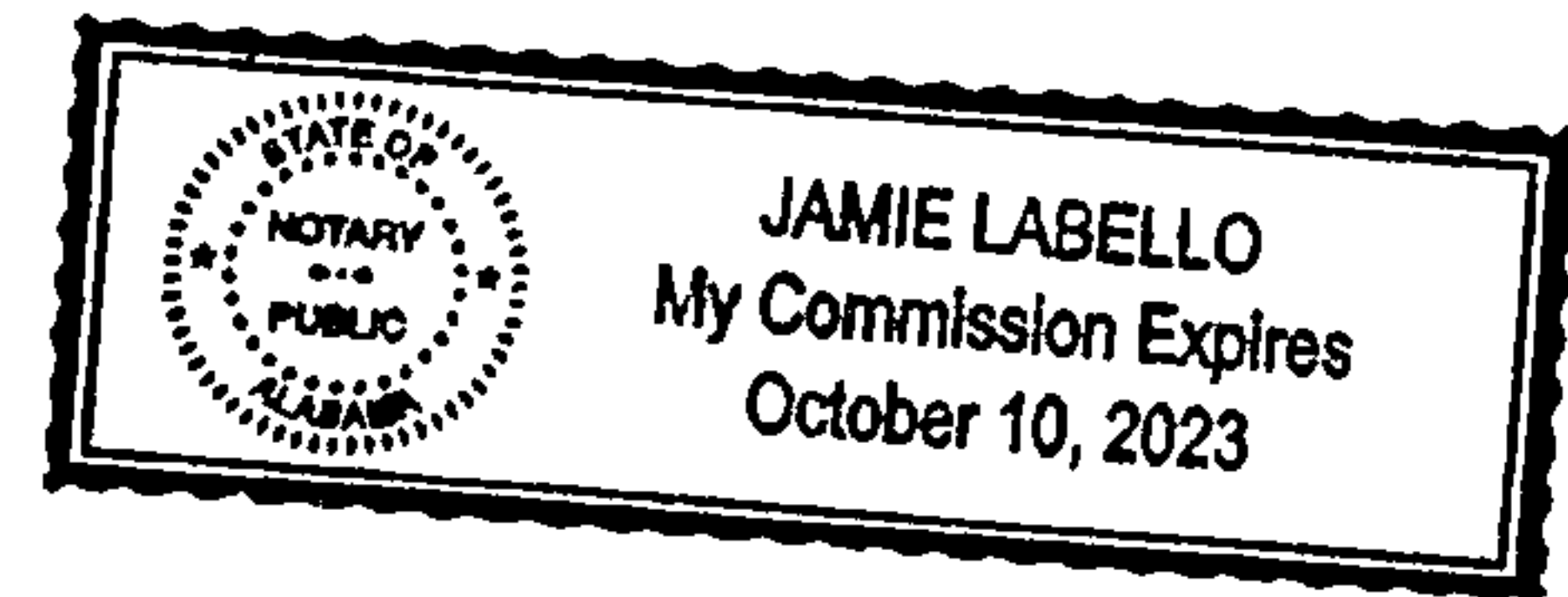


EXHIBIT A  
LEGAL DESCRIPTION OF PROPERTY SERVED BY EASEMENT

From a 5/8" rebar accepted as the SE corner of the NW ¼ - NE ¼ of Section 8, Township 18 South, Range 1 East, being the point of beginning of herein described parcel of land; run thence West along the accepted South boundary of said NW ¼ - NE ¼ a distance of 100.00 feet to a ½" rebar; thence turn 91 degrees 24 minutes 07 seconds left and run 67.01 feet to a ½" rebar; thence turn 91 degrees 24 minutes 07 seconds right and run 1217.74 feet to a ½" rebar on the accepted West boundary of the SW¼ - NE¼ of said Section 8; thence turn 89 degrees 00 minutes 08 seconds right and run 67.00 feet along the accepted West boundary of said SW ¼ - NE ¼ to the accepted SW corner of the NW ¼ - NE ¼ of said Section 8; thence continue along said course and the accepted West boundary of said NW¼ - NE¼ a distance of 479.49 feet to a 5/8" rebar; thence turn 66 degrees 07 minutes 53 seconds right and run 275.12 feet to a ½" rebar; thence turn 01 degrees 58 minutes 52 seconds right and run 317.55 feet to a ½" rebar; thence turn 20 degrees 48 minutes 00 seconds left and run 125.78 feet to a ½" rebar; thence turn 15 degrees 46 minutes 31 seconds left and run 232.00 feet to a ½" rebar; thence turn 04 degrees 36 minutes 10 seconds left and run 254.68 feet to a ½" rebar on the South boundary of Shelby County Highway #41 (80' ROW), said point being on a curve concave, right, having a delta angle of 19 degrees 10 minutes 15 seconds and tangents of 473 .25 feet; thence turn 37 degrees 45 minutes 41 seconds right and run a chord distance of 24.49 feet to a point on said curve boundary; thence turn 01 degrees 04 minutes 21 seconds right and run a chord distance of 80.42 feet to a ½" rebar on said curve boundary; thence turn 93 degrees 03 minutes 54 seconds right and run 220.53 feet to a ½" rebar; thence turn 90 degrees 03 minutes 14 seconds left and run 200.00 feet to a ½" rebar; thence turn 93 degrees 06 minutes 22 seconds right and run 240.36 feet to a ½" rebar on the accepted East boundary of the NW ¼ - NE ¼ of said Section 8; thence turn 18 degrees 07 minutes 46 seconds right and run 925.46 feet along the accepted East boundary of said NW ¼ - NE¼ to the point of beginning of herein described parcel of land, containing 28.06 acres, situated in the W ½ - NE ¼ of Section 8, Township 18 South, Range 1 East, Shelby County, Alabama.



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### CONSENT TO EASEMENT

The undersigned 21<sup>st</sup> Mortgage Corporation, mortgagee of the Mortgage executed by Robert T. Nelson and Jennifer P. Nelson, a married couple, which is recorded in the office of the Judge of Probate of Shelby County, Alabama, as Instrument # 20071221000574880, in consideration of the payment of One and no/100 Dollars (\$1.00), hereby consents to the granting of the foregoing described easement.

In Witness Whereof, the undersigned has caused this Consent to be executed this 2 day of November, 2022.

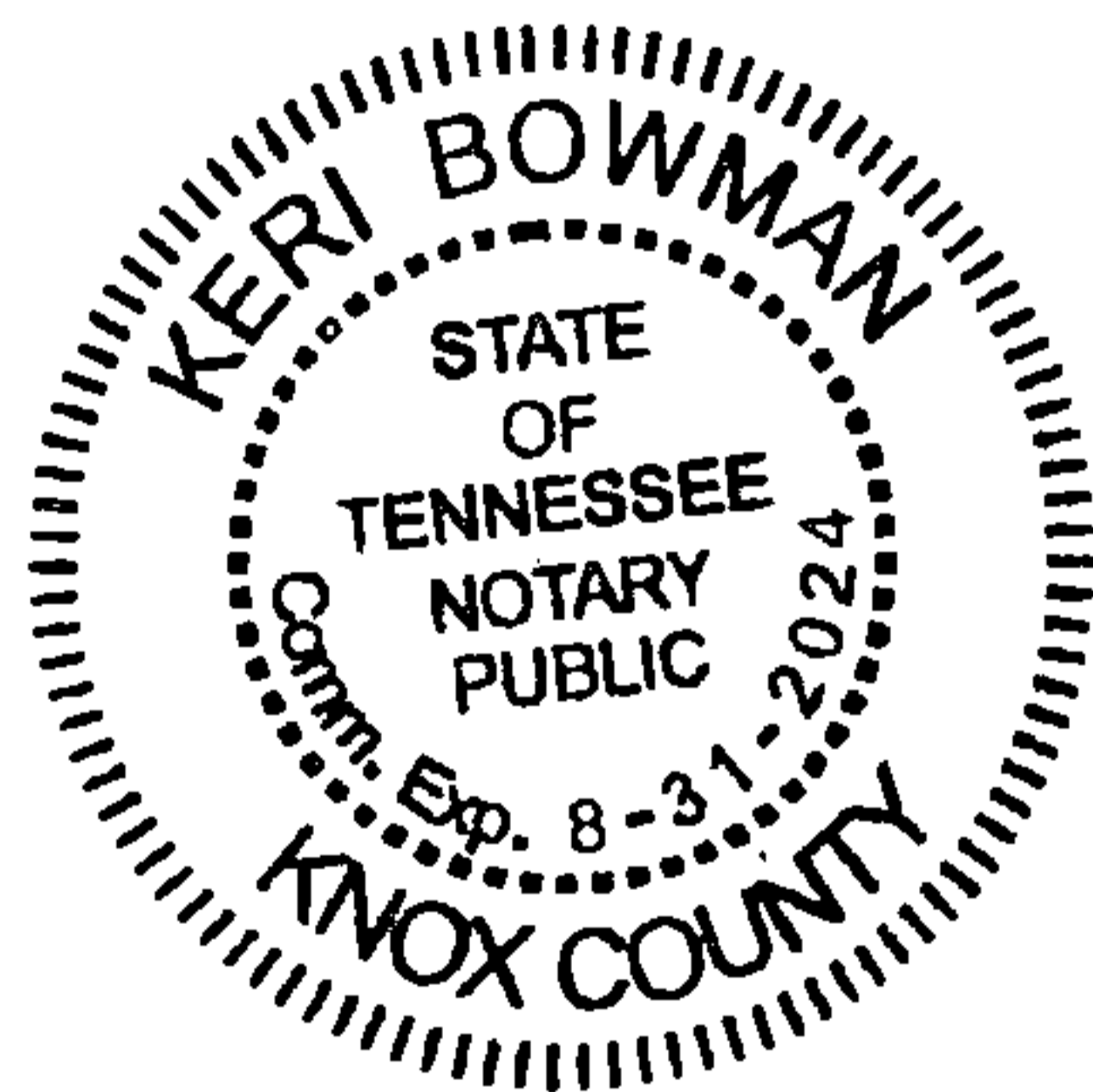
21<sup>st</sup> Mortgage Corporation

by [Signature]  
[typed name]: Troy Fussell  
as its Vice President

STATE OF Tennessee  
COUNTY OF Knox

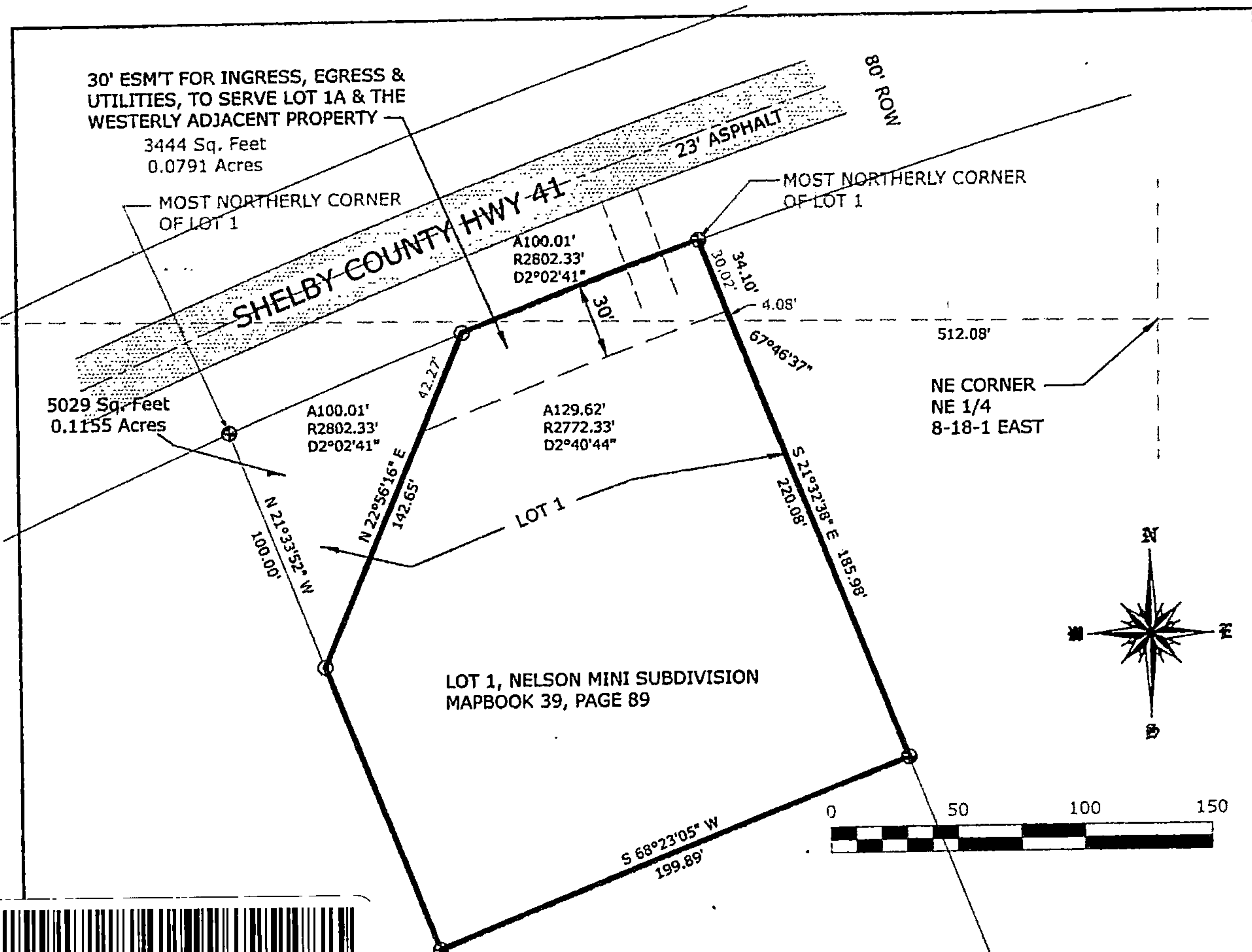
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Troy Fussell, whose name as Vice President of 21<sup>st</sup> Mortgage Corporation, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he or she, 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 2 day of November, 2022.



[Signature]  
Notary public

My commission expires: 8/31/2024



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DESCRIPTION 0.079 ACRES  
 30' EASEMENT FOR INGREGES, EGRESS & UTILITIES TO SERVE LOT 1 AND THE WESTERLY ADJACENT PROPERTY.

BEGIN AT THE MOST NORTHERLY CORNER OF LOT 1, ACCORDING TO THE SURVEY OF LOT1, NELSON MINI SUBDIVISION, AS RECORDED IN MAPBOOK 39, PAGE 89, IN THE SHELBY COUNTY PROBATE OFFICE, SHELBY COUNTY ALABAMA; SAID POINT BEING SITUATED ON THE SOUTHERY RIGHT OF WAY LINE OF SHELBY COUNTY HIGHWAY NO. 41, SAID POINT ALSO BEING SITUATED ON A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 2-02'41", AND A RADIUS OF 2802.33'; THENCE RUN ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE, IN A SOUTHWESTERLY DIRECTION, FOR 100.01'; THENCE DEPARTING SAID RIGHT OF WAY, RUN S 22-56'16" W FOR 42.27' TO A POINT SITUATED ON A CURVE TO THE LEFT AND RUNNING IN A NORTHEASERLY DIRECTION, BEING 30' SOUTHERLY, AND PARALELL TO THE LAST DESCRIBED CURVE, HAVING A CENTRAL ANGLE OF 2-40'44" AND A RADIUS OF 2772.33'; THENCE RUN ALONG THE ARC OF SAID CURVE FOR 129.62' TO A POINT ON THE EASTERLY LINE OF SAID LOT 1; THENCE RUN N 21-32'38" W, ALONG SAID LINE FOR 30.02' TO THE POINT OF BEGINNING.

DESCRIPTION 0.1155 ACRES  
 PART OF LOT 1, ACCORDING TO THE SURVEY OF LOT1, NELSON MINI SUBDIVISION, AS RECORDED IN MAPBOOK 39, PAGE 89, IN THE SHELBY COUNTY PROBATE OFFICE, SHELBY COUNTY ALABAMA ;

BEGIN AT THE MOST WESTERLY CORNER OF LOT 1, ACCORDING TO THE SURVEY OF LOT1, NELSON MINI SUBDIVISION, AS RECORDED IN MAPBOOK 39, PAGE 89, IN THE SHELBY COUNTY PROBATE OFFICE, SHELBY COUNTY ALABAMA; SAID POINT BEING SITUATED ON THE SOUTHERY RIGHT OF WAY LINE OF SHELBY COUNTY HIGHWAY NO. 41, SAID POINT ALSO BEING SITUATED ON A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 2-02'41", AND A RADIUS OF 2802.33'; THENCE RUN, IN A NORTHEASTERLY DIRECTION; THENCE DEPARTING SAID RIGHT OF WAY, RUN S 22-56'16" W FOR 142.65' TO A POINT SITUATED ON THE WESTERLY LINE OF SAID LOT 1; THENCE RUN N 21-33'52" W FOR 100.00' TO THE POINT OF BEGINNING.

DRAWN BY: SMA	REVISIONS	PROJECT DESCRIPTION MAP	<b>SM ALLEN PLS</b> S.M. ALLEN, PLS 12944 9378 HIGHWAY 119 SUITE B ALABASTER, AL. 35007 205 563-4251
DATE: 9-16-22		BEARINGS ASSUMED NORTH	
DWG. NO.: 16698		CLOSURE 1:20000	
APPROVED BY: SMA			