

Filed 5/31/2022
Clerk of Court

After Recording Return to:
Hubert Wayne Howell
401 County Line
Fayetteville, GA 30215-4608
(770) 716-2545

COPY

**STATE OF GEORGIA
COUNTY OF FAYETTE**

PERMANENT INGRESS AND EGRESS EASEMENT

THIS INDENTURE is made this 31 day of May, in the year 2022, by and between **Hubert Wayne Howell** as executor of the estate of **Amanda Howell Eber** (also known as Amanda Howell Gerald) (Deceased) and **Hubert Wayne Howell and Reta Nell Howell**, of 401 County Line Road, Fayetteville, Fayette County, GA 30215 ("Grantors") and **Richard Dean Howell and Kimberly P. Howell** ("Grantees"), having an address of 405 County Line Road, Fayetteville, Fayette County, GA 30215.

WITNESSETH, that, for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, including but not limited to continued use and maintenance of said driveway since 2007, the receipt and sufficiency of which is hereby acknowledged, and the benefits to be conferred on Grantor's property, Grantors, and for and on behalf of his, her, its or their heirs, administrators, executors, successors and assigns and for and on behalf of anyone claiming by, through or under Grantors, hereby grants unto the Grantees and his, her, its or their heirs, administrators, executors, successors and assigns, a non-exclusive, perpetual ingress and egress driveway easement of not more than a 25 feet in width beginning at County Line Road and continuing to the residence located at 405 County Line Road, Fayetteville, Fayette County, GA 30215 ("Grantee's residence"), on, over, upon, across, under and through the following described property:

THAT TRACT OR PARCEL OF LAND LYING AND BEING in Land Lot 107 of the 5th District, Fayette County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the Southwesterly side of County Line Road (80' R/W), N 00 22'06" W, a distance of 326.46' feet from the south line of Land Lot 107 and being the true point of beginning, thence running N 84 22' 12" W, a distance of 1412.16' feet to a point, thence running N 00 23' 54" W, a distance of 503.11' feet to a point, thence running N 89 36' 06" E, a distance of 458.0' feet to a 1" open top pipe found, thence running S 00 23' 23" E, a distance of 426.03' feet to a 1/2" Rebar Set, thence running S 82 52' 58" E, a distance of 954.67' feet to a 1/2" Rebar Set, County Line Road (80 R/W), thence S 00 22' 06" E, a distance of 100.52' feet to a point, and the true point of beginning, said property being Lot 1 as shown on plat of survey dated February 16, 1999, prepared by Delta Surveyors, Inc. for Hubert W. Howell.

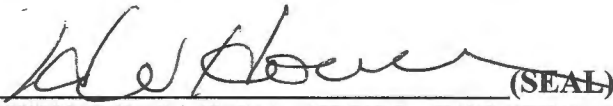
The rights, benefits, privileges, and easements granted herein are for the purpose of non-exclusive use and enjoyment of ingress and egress from County Line Road to the Grantee's Residence, and together with all rights, members and appurtenances to said easement and right of way in any way appertaining or belonging. The easements granted herein shall include all rights, benefits, privileges, and easements necessary or convenient for the full enjoyment and use of the easement area for the purposes described herein and the right to cut away and keep clear, remove and dispose of all trees and to remove and dispose of all obstructions now on the Easement Area

by the Grantors or any person, which removal is necessary for the Grantee's use of the Easement Area;

Except for the rights, privileges, benefits, and easements granted herein, Grantors reserves all rights of ownership and use to the easement area not inconsistent herewith; provided that such uses shall not interfere with the proper operation, maintenance and repair to the ingress and egress over the driveway to Grantee's Residence. The easement granted herein shall run with and bind the land, to current and future owners of this property, benefiting the Grantee's Property, and burdening the Grantor's property of which the Easement Area is a part. This easement may only be amended or cancelled with the written consent of ~~the owner~~^{us} the owners of 401 and 405 County Line Road properties,

TO HAVE AND TO HOLD said easement unto Grantees and their successors and assigns so long as the property described herein is used for the purpose designated above.


IN WITNESS WHEREOF, the Grantors have signed, sealed and delivered this instrument day and year first set forth above.


 (SEAL)
**HUBERT WAYNE HOWELL, EXECUTOR,
ESTATE OF AMANDA HOWELL EBER,
PROBATE COURT OF FAYETTE COUNTY
GEORGIA; ESTATE NO. 21-15908**

 (SEAL)
HUBERT WAYNE HOWELL

 (SEAL)
RETA NELL HOWELL

Signed, sealed and delivered in the presence of:


Witness


Notary Public

Commission Expiration Date: 2/26/23

