

STATE OF ALABAMA)
COUNTY OF SHELBY)

761

E A S E M E N T

THIS INDENTURE made and entered into this 26 day of October, 1976, by and between the undersigned, HARRY W. DEARING, JR., and wife, SYBIL B. DEARING, (hereinafter referred to as "Grantors") and J. HARRIS DEVELOPMENT CORPORATION, (hereinafter referred to as "Grantee"),

WHEREAS, the undersigned Grantee has, prior to the execution of this Agreement, purchased seventy (70) acres of real property owned by the Grantors herein and contiguous to the property across which this easement is granted, and

WHEREAS, the Grantee desires to use the property that they are purchasing for residential development and it is necessary to install sewers across the property owned by Grantors as part of said development, and

WHEREAS, the granting of this easement was part and parcel of the consideration of Grantee purchasing the aforementioned additional property from the Grantors:

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the undersigned Grantors do hereby grant and convey unto the Grantee, its licensees, successors and assigns an exclusive right-of-way and easement 15 feet in width for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of sanitary sewers over and across the property owned by the undersigned Grantors and described as follows:

A 15.0 foot wide Easement for utilities, situated in the Southwest 1/4 of the Northwest 1/4 section 23, Township 20South, Range 3 West, Shelby County, Alabama, and more particularly described as being 15.0 feet wide, lying South, Southwest and adjacent to the following described line: Commence at the Southwest corner of the Southwest 1/4 of the Northwest 1/4; thence run North along the West line of said 1/4-1/4 Section a distance of 1060.12 feet to the Point of Beginning; thence an angle right of 136 degrees 51 minutes 54 seconds and run in a Southeasterly direction of distance of 430.0 feet; thence an angle left of 17 degrees 8 minutes 31 seconds and run in a Southeasterly direction a distance of 150.87 feet; thence an angle left of 29 degrees 43 minutes 23 seconds and run in an Easterly direction a distance of 100.0 feet to the Point of Ending,

together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted and all rights and privileges incident thereto, including the right from time to time for the purpose of repair or replacing or relocating the said sewer at a location to be selected by the Grantors as hereinabove set out.

Grantee shall give to the Grantors sixty (60) days' written notice prior to initiating any construction on said easement to permit removal of merchantable timber by Grantors.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals the day and year first before written.

19761026000102770 1/2 \$.00
Shelby Cnty Judge of Probate, AL
10/26/1976 12:00:00AM FILED/CERT

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Harry W. Dearing, Jr.
Harry W. Dearing, Jr.

Sybil B. Dearing
Sybil B. Dearing

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned a Notary Public in and for said County and State, hereby certify that Harry W. Dearing, Jr. and wife Sybil B. Dearing, 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 official seal this 26 day of October, 1976.

James Harris
Notary Public
My Commission Expires May 17, 1980
J HARRIS DEVELOPMENT CORPORATION
BY: Jack Harris
Jack Harris, Its President

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned a Notary Public in and for said County and State, hereby certify that Jack Harris, whose name as President of J. Harris Development 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 such instrument, he, as such officer and will full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 26th day of October, 1976.

Donald R. Murphy
Notary Public

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19761026000102770 2/2 \$.00
Shelby Cnty Judge of Probate, AL
10/26/1976 12:00:00AM FILED/CERT

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1976 OCT 26 AM 11:08
Read by 504
Carnal H. Boudier
JUDGE OF PROBATE