

SEND TAX NOTICE TO:

Shelby County Commission
P. O. Box 467
Columbiana, AL 35051
(Tax Exempt)

THIS INSTRUMENT WAS PREPARED BY
WALLACE, ELLIS, FOWLER & HEAD
P. O. BOX 587
COLUMBIANA, ALABAMA 35051

WARRANTY DEED

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One and no/100 (\$1.00) Dollar and other good and valuable consideration to the undersigned grantor, in hand paid by the grantee herein, the receipt whereof is acknowledged, I, James E. Fortner, a married man, (hereinafter referred to as grantor), grant, bargain, sell and convey unto Shelby County, Alabama (herein referred to as grantee), the following described real estate and or interests therein, situated in Shelby County, Alabama, to-wit:

All of grantor's undivided interest in and to the following described real estate or interests therein:

1. Fee Simple: Property described on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein, which said Exhibit "A" is signed by grantor herein for the purpose of identification.
2. Permanent and Perpetual Easement thirty (30) feet in width for installation, construction, maintenance and operation of a water line under, over and along that property described on Exhibit "B" attached hereto and made part and parcel hereof as fully as if set out herein, which said Exhibit "B" is signed by grantor herein for the purpose of identification.
3. An easement thirty (30) feet for ingress and egress and installation of utilities over, across and along the property described on Exhibit "C" attached hereto and made part and parcel hereof as fully as if set out herein, which said Exhibit "C" is signed by grantor herein for the purpose of identification.

The parties hereto further agree, covenant and contract as follows:

(a) That if and when the property of grantors is developed into subdivisions or otherwise, it is anticipated that there will be constructed by grantors, their heirs, successors and assigns, various public streets and roadways which will provide alternate access to the tank site of grantee as described on Exhibit "A". Grantee agrees that if such public and dedicated access is made available to grantee, it will forfeit and discontinue its rights in the ingress and egress easement granted herein and described on Exhibit "C" attached hereto.

(b) As additional consideration for the execution by all of the joint owners of the easements herein contained, grantee agrees that upon request from the owners of all of the undivided interests in subject property, grantee will waive charges for and make up to a total not exceeding four (4) individual commercial or residential taps not exceeding six (6) inches. It is understood and agreed that there will be

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SHELBY COUNTY JUDGE OF PROBATE
DUG MCD

no impact fees charged by the grantee to the owners of said property for making the aforesaid four (4) taps; the owners of said property shall, however, pay for any additional taps which they request at regular rates. The owners of said property agree that there will be regular monthly service charges for water used in connection with said taps; the use of all water by grantor, said owners, their heirs, successors and assigns and shall be in accord with all applicable rules and regulations promulgated and from time to time amended by grantee.

(c) Grantor, grantor's heirs, successors and assigns agree that they will make no use of the property contained within the easement descriptions which in any way threatens or damages the water line or other installations of grantee or in any way is inconsistent with the use and operation of said water line or other improvements over and along said easements.

The above described property constitutes no part of the homestead of grantor herein.

TO HAVE AND TO HOLD to the said grantee, its successors and assigns forever.

And I do for myself and for my heirs, executors, and administrators covenant with the said GRANTEE, its successors and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I, have hereunto set my hand and seal this 14th day of JAN, 1992.

 (SEAL)
James E. Fortner

STATE OF ALABAMA
Jefferson COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that James E. Fortner, a married man, 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 14th day of Jan, 1992.

 (SEAL)
Notary Public

STATE OF ALABAMA
SHELBY COUNTY

The above and foregoing is hereby accepted by Shelby County, Alabama, according to the terms and conditions contained therein.

Done this 27th day of JANUARY, 1993
1992.

ATTEST:


Clerk

SHELBY COUNTY, ALABAMA


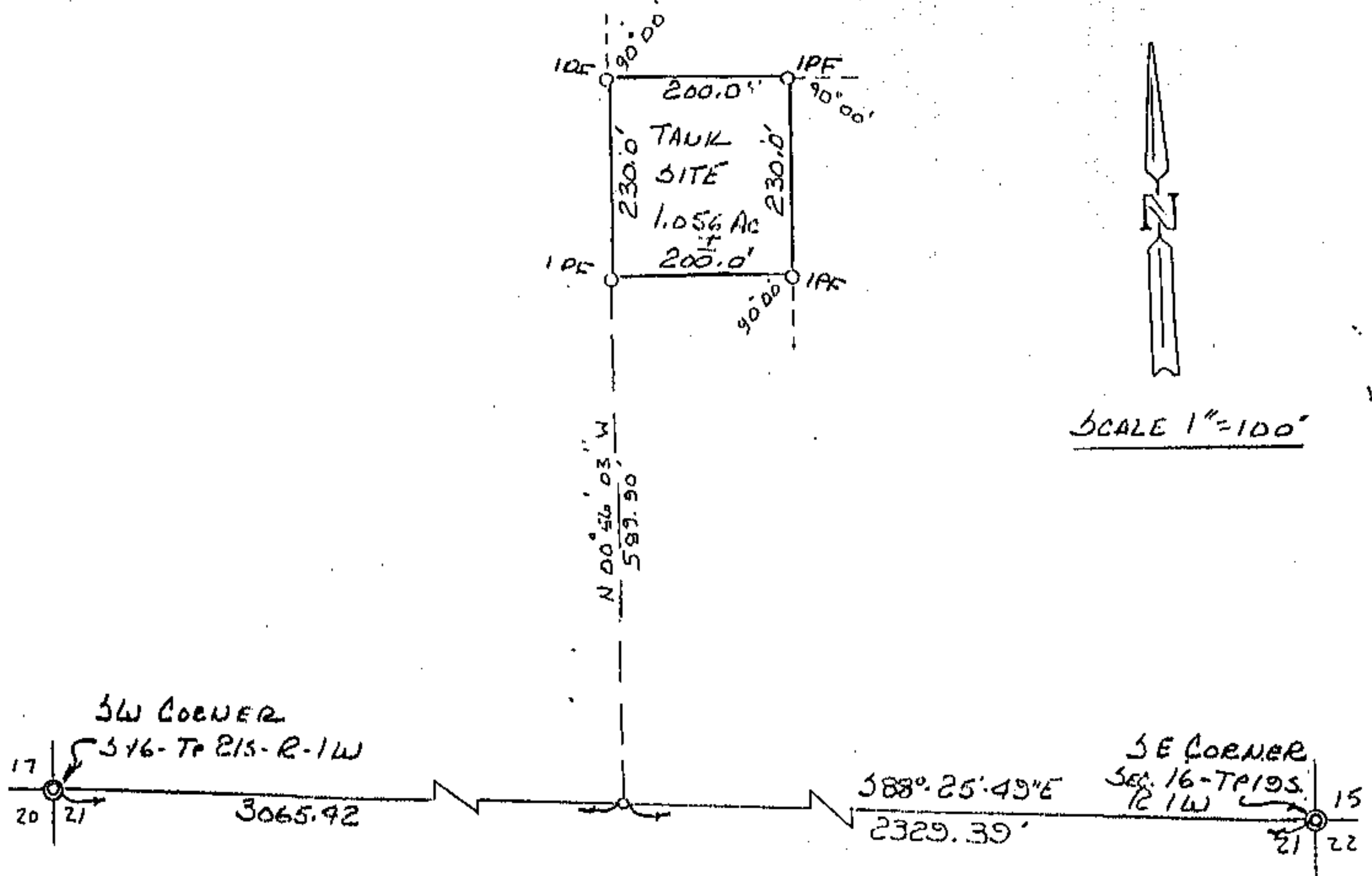
By 
Chairman of Shelby
County Commission

Exhibit "A"



STATE OF ALABAMA
SHELBY COUNTY

AUGUST 15, 1992

I, Robert C. Farmer, a Professional Land Surveyor registered in the State of Alabama, do hereby certify this to be a true and correct map or plat of a parcel of land situated in the SW 1/4 of the SE 1/4 of Section 16, Township 19 South, Range 1 West and being more particularly described as follows:

Commence at the SW Corner of said Section 16 and run East along the South Line of said Section 16 on a bearing of S 88deg-25'-49" E a distance of 3065.42'; thence N 00deg-56'-03" W a distance of 589.90' to the POINT OF BEGINNING; thence continue along the last described course a distance of 230.00'; thence right 90deg-00'-00" a distance of 200.00'; thence right 90deg-00'-00" a distance of 230.00' to the Point of Beginning. Containing 1.056 acres more or less.

I further certify that the buildings now on said property are within the bounds of same, that there are no visible encroachments, except as shown, and there are no rights-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no visible electric or telephone wires (except those which serve the premises) or structures or supports therefore including poles, anchors and guy wires, on or over said premises except as shown, and that all parts of this survey and drawing have been completed in accordance with the requirements of the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama, and that I have consulted the Federal Flood Hazard Map for this area and have found that the above described property is NOT in a special flood hazard area.

R.C. Farmer and Associates, Inc.
P.O. Box 1664
Alabaster, Alabama 35007
205-664-2566

Robert C. Farmer
Robert C. Farmer, P.L.S.
AL Reg. No. 14720

SIGNED FOR IDENTIFICATION:

James E. Fortner
James E. Fortner, Grantor

Exhibit "B"

SHELBY COUNTY WATERLINE EASEMENT

Commence at the SE Corner of Section 16, Township 19 South, Range 1 West in Shelby County, Alabama; thence run West along the South line of said section on a bearing of N 88deg-25'-49" W, a distance of 2329.39'; thence S 00deg-56'-03" E a distance of 4231.77'; thence N 44deg-11'-37" E a distance of 3196.42' to the Center Line of Shelby County Road # 43 (80' ROW); thence N 48deg-15'-00" W a distance of 40.00' to the Northwesternly right-of-way of said County Road, said point being the POINT OF BEGINNING of a 30' wide easement, lying 15' each side of the following described line:

thence N 48deg-15'-00" W a distance of 164.05';
thence N 64deg-47'-27" W a distance of 138.13';
thence N 34deg-44'-29" W a distance of 69.81';
thence N 54deg-39'-21" W a distance of 104.77';
thence N 67deg-57'-23" W a distance of 41.59';
thence N 53deg-33'-48" W a distance of 187.12';
thence N 76deg-54'-26" W a distance of 104.29';
thence N 75deg-34'-46" W a distance of 180.95';
thence N 58deg-26'-23" W a distance of 104.32';
thence N 26deg-09'-05" W a distance of 63.33';
thence N 3deg-18'-30" W a distance of 56.63';
thence N 13deg-13'-36" W a distance of 126.64';
thence N 2deg-01'-31" W a distance of 194.73';
thence N 53deg-57'-56" W a distance of 104.72';
thence N 48deg-31'-18" W a distance of 237.60';
thence N 49deg-18'-00" W a distance of 301.00';
thence N 31deg-53'-59" W a distance of 61.40';
thence N 50deg-30'-54" W a distance of 85.72';
thence N 51deg-24'-36" W a distance of 103.43';
thence N 49deg-56'-24" W a distance of 171.24';
thence N 50deg-38'-59" W a distance of 330.21';
thence N 24deg-11'-44" W a distance of 250.35';
thence N 34deg-10'-43" W a distance of 127.79';
thence N 20deg-32'-57" W a distance of 174.56';
thence N 33deg-22'-26" W a distance of 178.63';
thence N 33deg-22'-26" W a distance of 62.74';
thence N 52deg-52'-59" W a distance of 164.43';
thence N 48deg-42'-35" W a distance of 5.02';
to the end of said easement;

Said easement lying in Sections 21 and Section 16, Township 19 South, Range 1 West, Shelby County, Alabama.

SIGNED FOR IDENTIFICATION:


James E. Fortner, Grantor


Exhibit "C"

SHELBY COUNTY ACCESS ROAD EASEMENT

Commence at the SE Corner of Section 16, Township 19 South, Range 1 West in Shelby County, Alabama; thence run West along the South line of said section on a bearing of N 88deg-25'-49" W, a distance of 2329.39'; thence S 00deg-56'-03" E a distance of 4231.77'; thence N 44deg-11'-37" E a distance of 402.92' to the Center Line of Shelby County Road # 43 (80' ROW); thence N 00deg-13'-43" E a distance of 54.82' to the Northwesternly right-of-way of said County Road, said point being the POINT OF BEGINNING OF A 30' wide easement, lying 15' each side of the following described line:

thence N 00deg-13'-43" E a distance of 170.45';
thence N 6deg-17'-18" W a distance of 89.98';
thence N 40deg-59'-47" W a distance of 62.34';
thence N 51deg-34'-47" W a distance of 108.57';
thence N 48deg-51'-12" W a distance of 67.59';
thence N 43deg-38'-43" W a distance of 118.29';
thence N 38deg-16'-40" W a distance of 84.91';
thence N 20deg-29'-31" W a distance of 107.62';
thence N 16deg-40'-59" E a distance of 270.80';
thence N 15deg-38'-29" E a distance of 152.18';
thence N 4deg-42'-25" W a distance of 77.39';
thence N 21deg-11'-42" W a distance of 153.09';
thence N 11deg-57'-54" W a distance of 126.39';
thence N 55deg-18'-27" W a distance of 67.54';
thence N 25deg-17'-29" E a distance of 49.79';
thence N 2deg-22'-08" E a distance of 51.47';
thence N 29deg-20'-25" E a distance of 60.42';
thence N 42deg-49'-35" E a distance of 55.55';
thence N 45deg-35'-03" E a distance of 180.91';
thence N 51deg-20'-02" E a distance of 272.67';
thence N 43deg-17'-16" E a distance of 49.54';
thence N 24deg-20'-33" E a distance of 55.46';
thence N 26deg-31'-09" E a distance of 64.15';
thence N 40deg-48'-13" E a distance of 79.31';
thence N 50deg-33'-59" E a distance of 114.56';
thence N 43deg-47'-51" E a distance of 96.58';
thence N 45deg-44'-37" E a distance of 92.26';
thence N 42deg-15'-14" E a distance of 86.38';
thence N 33deg-56'-39" E a distance of 85.62';
thence N 5deg-39'-49" E a distance of 262.35';
thence N 48deg-55'-20" E a distance of 105.17';
thence N 30deg-31'-38" E a distance of 33.20';
thence N 22deg-48'-29" E a distance of 65.59';
thence N 10deg-33'-56" E a distance of 54.17';
thence N 26deg-39'-04" E a distance of 20.95';
thence N 38deg-52'-57" W a distance of 77.64';
thence N 37deg-48'-53" W a distance of 83.68';
thence N 51deg-46'-44" W a distance of 56.68';
thence N 42deg-53'-21" W a distance of 46.80';
thence N 34deg-28'-56" W a distance of 102.39';
thence N 13deg-30'-16" W a distance of 56.60';
thence N 52deg-20'-19" W a distance of 36.52';
thence N 53deg-16'-28" W a distance of 48.65';
thence N 62deg-24'-09" W a distance of 83.63';
thence N 73deg-28'-36" W a distance of 62.49';
thence N 67deg-39'-05" W a distance of 41.16';
thence N 44deg-37'-55" W a distance of 73.26';
thence N 26deg-57'-48" W a distance of 49.51';
thence N 83deg-50'-20" W a distance of 54.43';
thence N 62deg-47'-50" W a distance of 55.46';
thence N 50deg-23'-03" W a distance of 31.69';
thence N 37deg-06'-28" W a distance of 59.36';
thence N 77deg-29'-50" W a distance of 33.51';
thence N 56deg-59'-40" W a distance of 28.41';

SIGNED FOR IDENTIFICATION:



James E. Fortner, Grantor

thence N 36deg-13'-28" W a distance of 40.13';
thence N 46deg-25'-01" W a distance of 63.22';
thence N 58deg-17'-25" W a distance of 49.79';
thence N 42deg-49'-01" W a distance of 27.12';
thence N 29deg-45'-06" W a distance of 122.18';

to the end of said easement;

Said easement situated in Sections 21 and 16,
Township 19 South, Range 1 West
Shelby County, Alabama.

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John C. Fay, Jr., Grantor

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