

RIGHT-OF-WAY DEED FOR PUBLIC ROAD

STATE OF ALABAMA:
SHELBY COUNTY:

KNOW ALL MEN BY THESE PRESENTS, That we, AMSOUTH BANK OF ALABAMA as trustee u/w/o F. G. Koenig, deceased, and Myra K. Lewis, Individually, in and for the consideration of one dollar (\$1.00) in hand paid by the City of Columbiana, the receipt whereof is hereby acknowledged and for the further consideration of the benefit accruing to us and to the public from the construction and improvement of a public road through our lands, in the City of Columbiana, do hereby give, grant, bargain, sell and convey unto the City of Columbiana, its successors or assigns, a right-of-way hereinafter described, over and across our said lands in the City of Columbiana for a public road; which right-of-way is more particularly described as follows:

Commence at the Northwest corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 26, Township 21 South, Range 1 West; thence run Easterly along the North boundary line of said NE $\frac{1}{4}$ of NW $\frac{1}{4}$, a distance of 107.48 feet to a point; thence turn an angle of 78°11'55" to the right and run in a Southerly direction a distance of 84.43 feet to a point 40 feet left of centerline of Project CPI-002-94 (Industrial Parkway improvement) at Station PRC 12+42.81; thence turn an angle of 90° to the left and run in a Northeasterly direction along the Northwest 40 foot right-of-way line of said project and along a curve to the left (concave Northwesterly and having a radius of 1525.36 feet and a central angle of 21°41'54") for an arc distance of 592.81 feet to a point 40 feet left of centerline of said project at Station PT 18+35.62; thence turn an angle of 90° to the right from the tangent of said curve and run Southeasterly a distance of 10 feet to a point on the Northern 100 foot right-of-way of Norfolk Southern Railroad; thence turn an angle of 90° to the right and run in a Westerly direction along said railroad right-of-way a distance of 214.98 feet to a point; thence turn an angle of 90° to the left and run along the Southwest right-of-way line of said railroad a distance of 50 feet to a point; thence turn an angle of 90° to the right and run in a Southwesterly direction along the Northwest 50 foot right-of-way line of said railroad a distance of 37.64 feet to a point on the Southeast 40 foot right-of-way line of said project; thence turn an angle of 9°03'12" to the right to the tangent of a curve to the right and run Southwesterly along the right-of-way of said project and along a curve to the right (concave Northerly and having a radius of 1605.36 feet and a central angle of 12°38'41") for an arc distance of 354.29 feet to a point 40 feet right of centerline of said project at Station PRC 12+42.81; thence continue along the Southeast right-of-way of said project and along a curve to the left (concave Southeasterly and having a radius of 1525.36 feet and a central angle of 15°57'00") for an arc distance of 424.63 feet to a point on the West property line of the grantor; thence turn an angle of 118°41'06" from the tangent of said curve and run Northerly along the West property line of said grantor a distance of 90.52 feet to a point on the Northwest right-of-way line of said project; thence turn an angle of 62°51'57" to the right to the tangent of a curve to the right and run Northeasterly along said right-of-way line and along a curve to the right (concave Southeasterly and having a radius of 1605.36 feet and a central angle of 14°23'56") for an arc distance of 403.44 feet to the point of beginning. Less and except from the above description is any and all portions of the Fancher Mallory Estate as described in deed book 241, page 667 in the office of Probate Judge of Shelby County.

Said parcel of land is lying in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, and NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 26, Township 21 South, Range 1 West.

To have and to hold by the City of Columbiana, its successors and assigns forever. And we do, for ourselves and for our heirs, executors and administrators, covenant with said grantee that this instrument is executed without warranty or representation of any kind on part of AmSouth Bank of Alabama as Trustee u/w/o F. G. Koenig, deceased, express or implied except that there are no liens or encumbrances outstanding against the premises conveyed which were created or suffered by the undersigned and not specifically excepted herein.

This instrument is executed by AmSouth Bank of Alabama, as Trustee u/w/o F. G. Koenig, deceased, solely in the representative capacity named herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of the undersigned in its individual or corporate capacity, and AmSouth Bank of Alabama, as Trustee u/w/o F. G. Koenig, deceased, expressly limits its liability hereunder to the property now or hereafter held by it in the representative capacity named.

IN WITNESS WHEREOF, AMSOUTH BANK OF ALABAMA, as Trustee under the will of F. G. Koenig, deceased, Myra K. Lewis, Individually, have caused these presents to be executed in their names and on their behalf and in their capacities, as aforesaid on this 7th day of November, 1994.

Inst # 1994-34679

11/22/1994-34679
09:49 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 HCD 12.00

CITY OF COLUMBIANA
107 MILDRED ST.
COLUMBIANA, AL 35051
ANTHONY KING

Inst # 1994-34679

ATTEST:

Frank Harris

AmSouth Bank of Alabama, as Trustee
u/w/o F. G. Koenig, deceased

Thomas W. Paul (SEAL)
ITS: Vice President

Myra K. Lewis (SEAL)
Myra K. Lewis, Individually

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Thomas W. Paul and Frank Harris whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this date, that being informed of the contents of said conveyance, they as such officers and with full authority as Trustee, executed the same voluntarily for and as the act of said association, acting in its capacity as trustee on the day the same bears date.

Given under my hand and official seal this 7th day of November, 1994.

Jaey L. Shuman
NOTARY PUBLIC
My commission expires 11-15-95

STATE OF ALABAMA)

Montgomery)
~~SHELBY~~ COUNTY)

I, the undersigned Notary Public, in and for said County in said State, hereby certify that Myra K. Lewis, Individually, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this date, that being informed of the contents of this conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 17th day of November, 1994

Shelby L. White
NOTARY PUBLIC
My commission expires 04-18-98

Inst # 1994-34679

11/22/1994-34679
09:49 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 12.00