

4651

EASEMENT

BOOK 148 PAGE 193

STATE OF ALABAMA

SHELBY COUNTY

This indenture made on this the 5th day of September, 1951, between Homer H. Bearden and wife, Elizabeth Bearden, parties of the first part and James T. McDow, party of the second part, witnesseth:

That the parties of the first part in consideration of \$ 5.00 paid by the party of the second part, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto the party of the second part, his heirs and assigns forever a 3 foot right of way for party of second part, his heirs and assigns forever to install and maintain a sewer line underground from an adjoining lot owned by party of second part to a sewer line located on the north side of the following described lot owned by party of the first part, provided the same shall not cover any more of said lot owned by party of first part than is reasonably necessary to connect to said sewer line and said sewer line shall be available for any buildings now existing or hereafter erected on said lot owned by the party of the second part. Party of the first part further agrees that such reasonable excavation may be made from time to time as is necessary to install or maintain said sewer line, provided the surface is replaced and repaired to its conditions prior to the excavations.

It being understood and agreed that the installation, maintenance or operation of said sewer line shall not interfere with any building or other use of the following described lot by the party of the first part or his heirs or assigns.

Said lot across which said right of way is granted is described as follows:

A lot in Columbiana, Alabama, described as follows: Commencing at the intersection of the east right of way line of State Highway Now 25, being known as the Calera-Columbiana Highway, and the south boundary of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26, Township 21, Range 1 West, said point being represented by an iron pin set in concrete on the north bank of a big ditch; run thence north, 20 degrees and 30 minutes east, along the east boundary of right of way of said highway 125.5 feet to an iron pin for point of beginning of lot herein described; continue thence along right of way north, 20 degrees 30 minutes east, 124 feet to an iron pin on the east side of said highway; run thence south, 68 degrees 06 minutes east, 188.6 feet to an iron pin on the west line of Shelby Road; run thence south, 1 degree 5 minutes east along the west boundary of said road, 25 feet to an iron pin, being the northeast corner of Luther Bozeman lot; run thence along the north line of Bozeman lot south, 83 degrees and 2 minutes west, 225.2 feet to beginning; being situated in Shelby County, Alabama.

The same to be used by said party of the second part, his heirs and assigns for all such purposes and for only such purposes as are incidental to the construction, maintenance and operation of a sewer line under said land.

Witness our hands and seals this 5th day of September, 1951.

Homer H. Bearden

Homer H. Bearden

Elizabeth Bearden

Elizabeth Bearden

State of Alabama

Shelby County

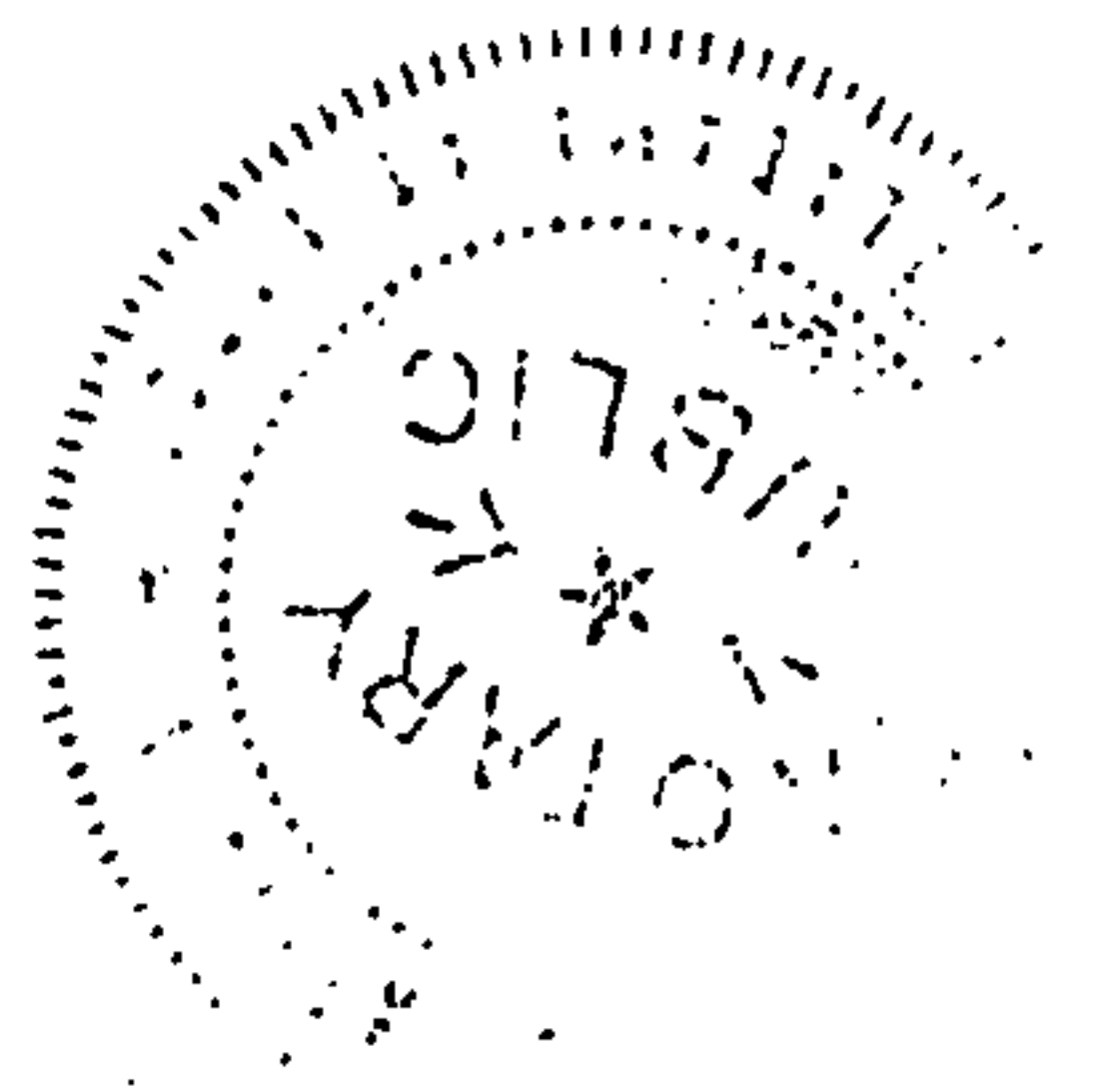
I, Harold Williams, a Notary Public in and for said county, in said State, hereby certify that Homer H. Bearden and wife, Elizabeth Bearden whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal of office this the 5th day of September, 1951.

Harold Williams

Notary Public

State of Alabama



Filed in the Office of the Probate Judge on the 7 day of Sept 1951 at 9 o'clock A M.
and recorded in Deed Book 148 Page 193 this 11 day of Sept 1951.
Deed Tax .50 Mortgage Tax — has been paid.
L.C. Walker, Judge of Probate