

RIGHT-OF-WAY DEED

5641

STATE OF ALABAMA)

SHELBY COUNTY)

19730517000027650 1/2 \$.00
Shelby Cnty Judge of Probate, AL
05/17/1973 12:00:00 AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of -----One and No/100ths----- Dollars (\$ 1.00), cash in hand paid by Shelby County, the receipt whereof is hereby acknowledged, we, the undersigned, do hereby grant, bargain, sell and convey unto the said Shelby County, its successors and assigns, a right-of-way for public purposes, said right of way being 80 feet in width or 40 feet on each side of a center line located and described as follows:

Begin at the SE corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 3, Township 21 South, Range 3 West, and run W along the S boundary line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 25.0 ft to a point on the NW 40 ft right-of-way line of Project CP2-155; thence run north-easterly along said 40 ft right-of-way line along a curve to the right (concave southeasterly) and having a radius of 2904.69 ft a distance of 112.0 ft to a point 40 ft left of station 94+50; thence run northwesterly along the SW right-of-way line a distance of 54.50 ft to a point 60.0 ft left of station 95+00; thence run northeasterly along the NW 60 ft right-of-way line along a curve to right (concave south-easterly) and having a radius 2924.69 ft a distance of 217.0 ft to a point on the E boundary line of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence run S along said E boundary line a distance of 378 ft to the point of beginning.

Said parcel of land is lying in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 3, Township 21 South, Range 3 West, Shelby County, Alabama, and containing 0.17 acres, more or less.

For the consideration aforesaid, the undersigned do grant, bargain, sell and convey unto said County the right and privilege of a perpetual use of said lands for such public purposes, together with all rights and privileges necessary or convenient for the full use and enjoyment thereof, including the right of ingress to and egress from said strip and the right to cut and keep clear all trees, undergrowth and other obstructions on the lands of the undersigned adjacent to said strip when deemed necessary for the avoidance of danger in and about said public use of said land. The Grantor hereby grants permission with right of ingress and egress to Grantor's adjoining property at any time during construction period of project for purpose of moving Grantor's buildings and/or structures from the above described right-of-way.

This instrument is executed without warranty or representation of any kind on the part of the undersigned, 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 the undersigned 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 their individual or corporate capacities, and the undersigned expressly limit their liability hereunder to the property now or hereafter held by them in the representative capacity named.

IN WITNESS WHEREOF, THE FIRST NATIONAL BANK OF BIRMINGHAM, Birmingham, Alabama, as Executor and Trustee under the Will of W. G. Nichols, deceased,

has caused this conveyance to be executed in their names and on their behalf in their capacity as Executor and Trustee as aforesaid, on this the 26 day of January, 19 73.

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ATTEST:

C. W. Scott, Jr.
Trust Officer

THE FIRST NATIONAL BANK OF BIRMINGHAM,
Birmingham, Alabama, as Executor and
Trustee, as aforesaid.

BY: B. S. Carroll
Vice President and Trust Officer

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
EXEMPT
1973 MAY 17 AM 9:46
U.C. FILE NUMBER OR
REC. DK. & PAGE AS SHOWN ABOVE
Conrad H. Fowler
JUDGE OF PROBATE

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that B. S. CARROLL + C. W. SCOTT, JR. whose names as Vice President and Trust Officer, and Trust Officer, respectively, of THE FIRST NATIONAL BANK OF BIRMINGHAM, a corporation as Executor and Trustee under the Will of W. G. Nichols, deceased, 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 said conveyance they, as such officers, and with full authority, executed the same voluntarily for and as the act of said corporation, acting in the capacity as Executor and Trustee under the Will of W. G. Nichols, deceased, as aforesaid.

Given under my hand and official seal this the 26th day of January, 1973.

M. A. Fisher
NOTARY PUBLIC
My Commission Expires April 29, 1974

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