

54-21

RE-23035.
Cust. 3638

TERMINATION OF EASEMENT

THIS AGREEMENT, Made and entered into this 1st day of March, 19 75, by and between the SEABOARD COAST LINE RAILROAD COMPANY, a Virginia corporation, hereinafter referred to as SCL, and the CITY OF PELHAM, a municipal corporation under the laws of the State of Alabama, hereinafter referred to as the City, WITNESSETH:

WHEREAS, by an indenture dated May 12, 1966, the former Atlantic Coast Line Railroad Company, now Seaboard Coast Line Railroad Company, granted to the City, its successors and assigns, an easement for maintaining and operating a well on certain land situate, lying and being in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, Township 20 South, Range 3 West, at Pelham, Shelby County, Alabama, as particularly described in said indenture to which reference is hereby made; and

WHEREAS, effective July 1, 1967, the former Atlantic Coast Line Railroad Company merged with the former Seaboard Air Line Railroad Company, pursuant to the authority of the Interstate Commerce Commission, F/D 21215, the surviving corporation being the Seaboard Coast Line Railroad Company, a Virginia corporation; and

WHEREAS SCL desires, and the City is willing, that said indenture dated May 12, 1966 be terminated;

NOW THEREFORE the parties hereto hereby agree that effective on the 1st day of March, 19 75, said indenture dated May 12, 1966, shall be and is hereby terminated.

It is understood and agreed that this termination agreement shall not be binding until it has been authorized or ratified by a proper ordinance or resolution of the City Council of the City of Pelham, Alabama, a certified copy of which ordinance or resolution is attached hereto and made part of this agreement.

IN WITNESS WHEREOF the parties hereto have executed this agreement in duplicate the day and year first above written.

Witnesses for SCL:

J. C. Hozley Jr.
John S. Fey, Jr.

SEABOARD COAST LINE RAILROAD COMPANY

By J. B. Clark (L.S.)
J. B. Clark, Vice President - Operations

Attest H. W. Martens (SEAL)
H. W. MARTENS Assistant Secretary

Witnesses for the City:

Lynda Logan
Lynda Logan

CITY OF PELHAM, ALABAMA

By Paul Yeager (L.S.)
Mayor

Attest Helen Mae Turner (SEAL)
Clerk

BOOK 292 PAGE 854

Extracts from minutes of meeting of the City Council of the City of Pelham, Alabama
held on the 4th day of February, 1974.

RESOLUTION

Be it resolved by the City Council of the City of Pelham, Alabama in regular meeting assembled that the Mayor of said City be, and he hereby is, authorized to enter into an agreement with the SEABOARD COAST LINE RAILROAD COMPANY, and to sign same on behalf of said City whereby said Railroad Company and said City mutually agree to the termination of an indenture dated May 12, 1966, in which the former Atlantic Coast Line Railroad Company, now Seaboard Coast Line Railroad Company, granted unto said City, its successors and assigns, an easement for maintaining and operating a well on certain land situate, lying and being in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, Township 20 South, Range 3 West, at Pelham, Shelby County, Alabama, as particularly set forth in said agreement, which agreement is dated May 12, 1966, a copy of which agreement is filed with this City Council.



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Shelby Cnty Judge of Probate, AL
06/13/1975 12:00:00AM FILED/CERT

I certify the above to be a true and correct copy.

Hellen Mae Deseris
Clerk

BOOK 292 PAGE 855

ALABAMA FORM

STATE OF FLORIDACOUNTY OF DUVAL

I, J. A. SUTTON, a Notary Public in and for said County and State, hereby certify that J. B. CLARK, and H. W. MARTENS whose names as Vice President and Assistant Secretary, respectively, of SEABOARD COAST LINE RAILROAD COMPANY, a corporation, are signed to the foregoing instrument, and who are known to me, severally acknowledged before me this day that, being informed of the contents of the instrument, they as such officers and with full authority executed the same voluntarily for and as the act of the said corporation.

Given under my hand and official seal this 15th day of April, 1975.

J. A. Sutton
Notary Public.

My commission expires on the _____ day of _____, 19____.

Notary Public, State of Florida at Large
My Commission Expires Oct. 3, 1975
Bonded By American Fire & Casualty Co.



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Shelby Cnty Judge of Probate, AL
06/13/1975 12:00:00AM FILED/CERT

ALABAMA FORM

STATE OF ALABAMACOUNTY OF SHELBY

I, ELAINE S. YORK, a Notary Public in and for said County and State, hereby certify that PAUL YEAGER, and WILLIE MAE DENNIS whose names as Mayer and Clerk, respectively, of CITY OF PELHAM, ALABAMA, a municipal corporation, are signed to the foregoing instrument, and who are known to me, severally acknowledged before me this day that, being informed of the contents of the instrument, they as such officers and with full authority executed the same voluntarily for and as the act of the said City corporation.

Given under my hand and official seal this 31st day of March 19 75

Elaine S. York
Notary Public

My commission expires on the 15th day of MAY, 19 76

Conrad M. Johnson
JUDGE OF PROBATE

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1975 JUN 13 PM 1:21



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Shelby Cnty Judge of Probate, AL
06/13/1975 12:00:00AM FILED/CERT

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