

8204

CORRECTIVE RIGHT-OF-WAY EASEMENT

STATE OF ALABAMA)
 :
SHELBY COUNTY)


19760901000083850 1/6 \$.00
Shelby Cnty Judge of Probate, AL
09/01/1976 12:00:00AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, Thompson Realty Co., Inc., an Alabama corporation (hereinafter called GRANTOR) does hereby grant, bargain, sell and convey unto The Water Works Board of the City of Birmingham, a public corporation organized under the laws of the State of Alabama (hereinafter called GRANTEE) its successors and assigns, a free, uninterrupted and unobstructed right-of-way twenty (20) feet in width in Sections 32, 33, and 34, Township 18 South, Range 1 West, Shelby County, Alabama, for the purposes at such times and from time to time in the future as GRANTEE may elect, of laying, constructing, installing, maintaining, operating, renewing, repairing, changing the size of, relocating, removing, and/or replacing at will, one or more pipelines, appurtenances, equipment and fixtures, whether above or below ground, for the transportation and sale of water. The said right-of-way is adjacent and parallel to a center line described and located as follows, to-wit:

Commence at the Southeast corner of Section 32, Township 18 South, Range 1 West; thence North along the East line of said Section 332.81 feet to a point; thence 90°00'00" left 3072.97 feet to the point of beginning, said point also being on the West right-of-way of U.S. Highway 280; thence 147°50'02" right to the tangent of a curve to the right, said curve having a central angle of 25°22'43" and a radius of 300.00 feet; thence along said curve 132.88 feet; thence tangent to said curve 236.99 feet to a curve to the left, said curve having a central angle of 9°32'02" and a radius of 250.00 feet; thence along said curve 41.60 feet; thence tangent to said curve 86.76 feet to a curve to the right, said curve having a central angle of 52°04'23" and a radius of 302.04 feet; thence along said curve 274.51 feet to a curve to the left, said curve having a central angle of

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65°19'29" and a radius of 552.21 feet; thence along said curve 629.59 feet; thence tangent to said curve 191.09 feet to curve to the right, said curve having a central angle of 35°40'48" and a radius of 400.00 feet; thence 249.09 feet along said curve; thence tangent to said curve 336.60 feet to a curve to the left, said curve having a central angle of 47°12'09" and a radius of 350.00 feet; thence along said curve 288.34 feet; thence tangent to said curve 237.81 feet to a curve to the right, said curve having a central angle of 52°00'00" and a radius of 600.00 feet; thence along said curve 544.54 feet; thence tangent to said curve 307.80 feet to a curve to the left; said curve having a central angle of 19°14'03" and a radius of 1,400.00 feet, thence along said curve 469.98 feet; thence tangent to said curve 271.67 feet to a curve to the left, said curve having a central angle of 33°24'14" and a radius of 800.00 feet; thence along said curve 466.41 feet; thence tangent to said curve 67.13 feet to a curve to the right, said curve having a central angle of 10°51'50" and a radius of 500.00 feet; thence along said curve 94.81 feet; thence tangent to said curve 279.48 feet to a curve to the left, said curve having a central angle of 9°17'50" and a radius of 500.00 feet; thence along said curve 81.13 feet; thence tangent to said curve 74.50 feet to a curve to the left, said curve having a central angle of 12°35'29" and a radius of 413.09 feet; thence along said curve 90.78 feet to a curve to the right having a central angle of 47°36'23" and a radius of 230.00 feet; thence along said curve 191.10 feet; thence tangent to said curve 18.33 feet to a curve to the left, said curve having a central angle of 28°26'13" and a radius of 310.00 feet; thence along said curve 153.86 feet; thence tangent to said curve 151.49 feet to the beginning of a 70.00 foot right-of-way width being 40.00 feet left and 30.00 feet right of centerline; thence continue 91.41 feet to the end of said 70.00 foot right-of-way width, the beginning of said 80.00 foot right-of-way width and to a curve to the right, said curve having a central angle of 6°46'41" and a radius of 500.00 feet; thence along said curve 59.15 feet; thence tangent to said curve 1,293.32 feet to a curve to the left, said curve having a central angle of 24°33'00" and a radius of 310.00 feet; thence along said curve 132.83 feet; thence tangent to said curve 35.47 feet to a curve to the right, said curve having a central angle of 33°34'30" and a radius of 310.00 feet; thence along said curve 181.66 feet; thence tangent to said curve 34.56 feet to a curve to the left, said curve having a central angle of 17°06'15" and a radius of 310.00 feet; thence along said curve 92.54 feet; thence tangent to said curve 257.83 feet to a curve to the left, said curve having a central angle of 7°22'43" and a radius of 843.50 feet; thence along said curve 108.63 feet to a point, said point being the end of the 80.00 foot right-of-way width and the beginning of a 100.00 foot right-of-way width; thence tangent to said curve 246.67 feet to a curve to the right, said curve having a central angle of 160°15'40" and a radius of 100.00 feet; thence along said curve 279.71 feet; thence tangent to said curve 184.99 feet to a curve to the left, said curve having a central angle of 14°37'16" and a radius of 850.00 feet; thence along said curve 216.91 feet; thence tangent to said curve 265.57 feet to a curve to the left, said curve having a central angle of 118°28'20" and a radius of 200.00 feet; thence along

said curve 413.55 feet; thence tangent to said curve 61.84 feet to a curve to the left, said curve having a central angle of 20°00'00" and a radius of 500.00 feet; thence along said curve 174.53 feet to a point, said point being the end of the 100.00 foot right-of-way width and the beginning of a 80.00 foot right-of-way width; thence tangent to said curve 395.31 feet to a curve to the left, said curve having a central angle of 8°33'06" and a radius of 1,000.00 feet; thence along said curve 149.25 feet; thence tangent to said curve 96.28 feet to a curve to the right, said curve having a central angle of 12°02'32" and a radius of 1,000.00 feet; thence along said curve 210.18 feet; thence tangent to said curve 189.65 feet to a curve to the left, said curve having a central angle of 26°18'24" and a radius of 700.00 feet; thence along said curve 321.40 feet; thence tangent to said curve 220.71 feet to a curve to the right, said curve having a central angle of 11°17'22" and a radius of 2,864.79 feet; thence along said curve 564.47 feet; thence tangent to said curve 259.84 feet to a curve to the right, said curve having a central angle of 72°34'19" and a radius of 258.64 feet; thence along said curve 327.60 feet to a curve to the left, said curve having a central angle of 5°22'43" and a radius of 1,672.07 feet; thence along said curve 156.96 feet; thence tangent to said curve 367.92 feet to a curve to the right, said curve having a central angle of 25°05'36" and a radius of 511.17 feet; thence along said curve 223.87 feet to a curve to the left, said curve having a central angle of 117°16'08" and a radius of 200.00 feet; thence along said curve 409.35 feet to a curve to the right, said curve having a central angle of 56°32'00" and a radius of 477.71 feet; thence along said curve 471.35 feet; thence tangent to said curve 443.18 feet to a curve to the left, said curve having a central angle of 15°05'30" and a radius of 818.51 feet; thence along said curve 215.59 feet; thence tangent to said curve 63.91 feet to a curve to the right, said curve having a central angle of 51°23'30" and a radius of 300.00 feet; thence along said curve 269.09 feet; thence tangent to said curve 339.40 feet to the East right-of-way of Dunavant Valley Road.

It is intended that the center line of the right-of-way be along and within a 60 foot road right-of-way, the center line of which shall be the above-described center line.

Together with all rights and privileges necessary or convenient for the full enjoyment or use of the rights herein granted, including, but without limiting same to, the free right of ingress and egress over and across the said right-of-way together with right from time to time in connection with the enjoyment of the privileges herein conveyed to

cut and keep clear trees and other obstructions of said right-of-way to the extent necessary to permit the full enjoyment of the rights and privileges herein conveyed.

The rights and privileges herein conveyed are given, granted and accepted upon the following conditions and subject to the following stipulations:

1. GRANTOR does hereby covenant with the GRANTEE that they are lawfully seized of a road and utility right-of-way 60 feet wide along the center-line described above, that the right-of-way is free from all encumbrances, and that it has a good right to sell and convey the same as aforesaid and that it will warrant and defend the same to the GRANTEE forever against the lawful claims of all persons.

2. The GRANTORS reserve the right to use the plot of land over which the said right-of-way is granted for any purpose which will not unreasonably endanger or interfere with installation, operation and maintenance of the said pipelines hereinabove described. The GRANTORS further agree not to construct, cause to be constructed or permit to be constructed on said right-of-way any building or structure of any kind which would prevent ready access to the pipelines and appurtenances of GRANTEE for any of the purposes hereinabove set forth.

3. GRANTEE agrees that any pipeline placed within said right-of-way shall be buried so that the top thereof shall be not less than thirty inches (30") below the surface of the ground, and further agrees that following the construction, repair, relocation or removal of any such pipeline, GRANTEE will cause the surface of the ground to be restored as nearly as practicable to its former condition.

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4. Should the GRANTEE at any time for a period of as much as twelve (12) successive months following the initial installation of a pipeline, cease to use the right-of-way herein granted for the purpose or purposes herein named, the rights and privileges herein conveyed shall cease and be at an end.

5. This instrument shall inure to the benefit of and be binding upon the GRANTORS and GRANTEE and their respective successors and assigns in title to the right-of-way hereby conveyed.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in duplicate this the 25th day of August, 1976.

THOMPSON REALTY CO., INC.

ATTEST:

Walter D. Dickson
Walter D. Dickson, Secretary

Hall W. Thompson
Hall W. Thompson, President

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STATE OF ALABAMA)
 :
JEFFERSON COUNTY)

I, Robert B. Rymer, a Notary Public
in and for said County in said State, hereby certify that
Hall W. Thompson, whose name as President of Thompson Realty
Co., Inc., an Alabama corporation, is signed to the foregoing
instrument, and who is known to me, acknowledged before me
on this day that, being informed of the contents of this
instrument, he, as such officer and with full authority,
executed the same voluntarily for and as the act of said cor-
poration.

GIVEN under my hand and official seal, this the
25th day of August, 1976.

Robert B. Rymer
Notary Public

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STATE OF ALABAMA, JEFFERSON CO.
I HEREBY CERTIFY THIS
INSTRUMENT WAS FILED
1976 SEP - 1 AM 8:52
Cornelia
Cornelia
JUDGE OF PROBATE

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THIS INSTRUMENT WAS PREPARED BY: JAMES WILLIAM LEWIS
1500 BROWN MARX BUILDING, BIRMINGHAM, ALABAMA 35203