

STATE OF ALABAMA)
SHELBY COUNTY)

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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 eighty (80) 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 forty (40) feet on either side of a center line described and located as follows, to-wit:

Commence at the SE corner of Section 32, Township 18 South, Range 1 West; thence in a westerly direction along the south line of said section 2,950'+ to the intersection of U.S. Highway 280; thence northwesterly along U.S. Highway 280 425'+ to the point of beginning of a right-of-way, the center-line of which is described as follows:

Thence N 75°30' E+, 330'+ to the beginning of a curve to the right, said curve having a central angle of 16°30'+ and a radius of 1,000'+; thence 288'+ along said curve; thence continue easterly 495'+ to the beginning of a curve to the left, said curve having a central angle of 8°30'+ and a radius of 1,200'+; thence 178'+ along said curve; thence 370'+ tangent to said curve; thence 100'+ along a curve to the right, said curve having a

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central angle of $9^{\circ}30'+$ and a radius of $1,000'+$; thence tangent to said curve $265'+$; thence $418'+$ along a curve to the left, said curve having a central angle of $34^{\circ}15'+$ and a radius of $700'+$; thence tangent to said curve $270'+$; thence $580'+$ along a curve to the right, said curve having a central angle of $41^{\circ}30'+$ and a radius of $800'+$; thence tangent to said curve $230'+$; thence $1,026'+$ along a curve to the left, said curve having a central angle of $42^{\circ}00'+$ and a radius of $1,400'+$; thence tangent to said curve $300'+$; thence $592'+$ along a curve to the right, said curve having a central angle of $28^{\circ}15'+$ and a radius of $1,200'+$; thence tangent to said curve $170'+$; thence $330'+$ along a curve to the left, said curve having a central angle of $31^{\circ}30'+$ and a radius of $600'+$; thence tangent to said curve $1,090'+$ to a point; thence $572'+$ along a curve to the left, said curve having a central angle of $8^{\circ}00'+$ and a radius of $4,100'+$; thence tangent to said curve $1,030'+$; thence $371'+$ along a curve to the right, said curve having a central angle of $170^{\circ}00'+$ and a radius of $125'+$; thence tangent to said curve $235'+$; thence $377'+$ along a curve to the left, said curve having a central angle of $18^{\circ}00'+$ and a radius of $1,200'+$; thence tangent to said curve $180'+$; thence $558'+$ along a curve to the left, said curve having a central angle of $142^{\circ}00'+$ and a radius of $225'+$; thence tangent to said curve $295'+$ to a point; thence $214'+$ along a curve to the left, said curve having a central angle of $8^{\circ}45'+$ and a radius of $1,400'+$; thence tangent to said curve $120'+$; thence $290'+$ along a curve to the right, said curve having a central angle of $9^{\circ}30'+$ and a radius of $1,750'+$; thence tangent to said curve $190'+$; thence $283'+$ along a curve to the left, said curve having a central angle of $20^{\circ}15'+$ and a radius of $800'+$; thence tangent to said curve $1,020'+$; thence $543'+$ along a curve to the right, said curve having a central angle of $77^{\circ}45'+$ and a radius of $400'+$; thence tangent to said curve $120'+$; thence $424'+$ along a curve to the left, said curve having a central angle of $40^{\circ}30'+$ and a radius of $600'+$; thence tangent to said curve $630'+$; thence $691'+$ along a curve to the right, said curve having a central angle of $33^{\circ}00'+$ and a radius of $1,200'+$; thence tangent to said curve $680'+$ to the center line of Dunnivant Valley Road, approximately $1,750'+$ southwest of the intersection of Dunnivant Valley Road and the north line of Section 34.

It is intended that the center line of the right-of-way be along and within a 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



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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 the 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 at least 80 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 foresaid and that it will warrant and defend the same to the GRANTEE forever against the lawful claims of all persons.

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

3. A road right-of-way along the center line described above shall be conveyed to Shelby County, Alabama, after completion of construction of a road along the said right-of-way; the right-of-way granted herein shall expire and cease to exist at the time of the conveyance of the road right-of-way to Shelby County, at which time the pipeline of the GRANTEE shall lie in the public road right-of-way of Shelby County, Alabama.

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4. The GRANTOR reserves the right to use the said strip 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 GRANTOR further agrees not to construct, cause to be constructed or permit to be constructed on said right-of-way any building or structure of any kind except for the construction of street or parking paving and sidewalk.

5. 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.

6. 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.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in duplicate this the 13th day of February, 1976.

THOMPSON REALTY CO., INC.

ATTEST:

Walter D. Dickson
Walter D. Dickson, Secretary

Hall W. Thompson
By Hall W. Thompson, President

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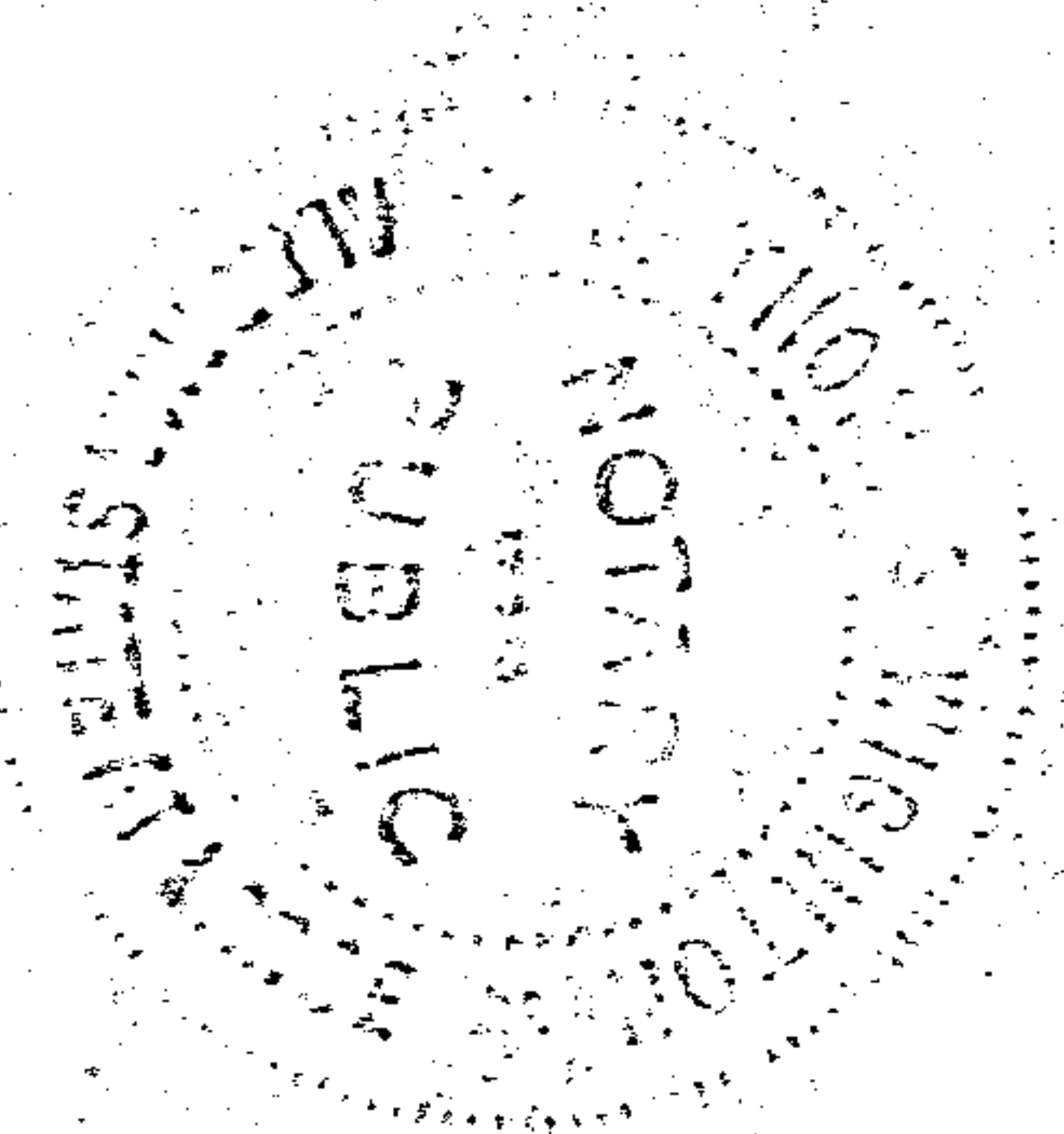
STATE OF ALABAMA)
JEFFERSON COUNTY)

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I, J. THOMAS WIGINTON, 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 corporation.

GIVEN under my hand and official seal, this the 13TH day of FEBRUARY, 1976.

Thomas Wiginton
My Commission Expires January 16, 1977



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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1976 OCT -5 AM 10:34
EXEMPT
Conrad H. Brouder
JUDGE OF PROBATE

CLERK OF JEFFERSON
JEFFERSON COUNTY
I hereby certify that the foregoing has or shall be
been entered on the instrument.
[Signature]
Judge of Probate
NO TAX COLLECTED

STATE OF ALA. JEFFERSON CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON
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MTC. TAX
DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.
James Meeks
JUDGE OF PROBATE
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