

STATE OF ALABAMA  
SHELBY COUNTY

1043

THIS INDENTURE, made and entered into on this 2ND day of November, 1976 by and between FIRST ALABAMA BANK OF BIRMINGHAM (formerly Exchange Security Bank), C.W. WALTER and JOHN H. BREWER, as Trustees under that certain Indenture of Trust dated May 24, 1971 and recorded in Book 268, Pages 7-19, in the Probate Office of Shelby County, Alabama and C.W. WALTER and wife, ARLINE F. WALTER; FRED H. DAVIS and wife, ROBENA B. DAVIS; W.W. McTYEIRE, JR. and wife, KATHERINE M. McTYEIRE; KATHERINE M. McTYEIRE and husband, W.W. McTYEIRE, JR.; HUGH H. ARMSTRONG and wife, CHARLENE B. ARMSTRONG; WILLIAM W. OSBORNE and wife, PATRICIA C. OSBORNE; DARNELL BRAUNER and wife, EMILY H. BRAUNER; JOHN J. RAUERS and wife, ELIZABETH W. RAUERS; JOHN B. ADAMS and wife, MARTHA O. ADAMS; JOHN H. BREWER and wife, EDNA EARLE BREWER; WILLIAM M. SPENCER, III and wife, EVALINA B. SPENCER; BERTHA SPENCER RINGLAND and husband, ADRIAN A. RINGLAND; RICHARD S. RILEY and wife, ELNA B. RILEY; LEE B. LLOYD and wife, ANNETTE W. LLOYD; RALPH B. TATE and wife, LOUISE C. TATE; JOHN P. ANSLEY and wife, RUBY S. ANSLEY; R. FOSTER ETHEREDGE and wife, JOANNA C. ETHEREDGE; S.R. STARNES and wife, MARY M. STARNES; H. HOBART GROOMS, JR. and wife JULIA W. GROOMS; OLLIE L. BLAN, JR. and wife, CONNIE G. BLAN (hereinafter referred to as Grantors) and WESTOVER WATER AND FIRE PROTECTION AUTHORITY, and Alabama non-profit corporation (hereinafter referred to as Grantee).

WITNESSETH: That

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) and other good and valuable considerations to Grantors in hand paid by Grantee, the receipt whereof is hereby acknowledged, Grantors have granted, bargained and sold and do by these presents grant, bargain, sell and convey unto Grantee the following described property in Shelby County, Alabama.

That certain property described in Exhibit "A" attached hereto and incorporated herein by reference.

The 100' x 100' site described in Exhibit "A" is for a water tank location. In the event the water tank is not constructed on said site within 18 months from the date hereof, said site, as herein described, together with the herein described easement for a





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Shelby Cnty Judge of Probate, AL  
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roadway, and the herein described easement for a water line location, shall revert to the Grantors. The easement for a roadway shall not be exclusive to Grantee. Grantors shall have free and unlimited use of said roadway for themselves, their heirs, successors and assigns.

The undersigned Trustees execute this instrument solely in their representative capacity herein specified and specifically limit their liability hereunder to the property and assets of said trust now or hereafter held by them in such capacity.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, Grantors have caused these presents to be executed on the day and year first above written.

FIRST ALABAMA BANK OF BIRMINGHAM

BY: B. H. Brown  
AS TRUSTEE

C. W. Walter  
C.W. WALTER, as Trustee

John H. Brewer  
JOHN H. BREWER, as Trustee

C. W. Walter and wife Arline F. Walter  
C.W. WALTER ARLINE F. WALTER

Fred H. Davis and wife Robena B. Davis  
FRED H. DAVIS ROBENA B. DAVIS

W. W. McTyre, Jr. and wife Katherine M. McTyre  
W.W. McTYEIRE, JR. KATHERINE M. McTYEIRE

Katherine M. McTyre and husband W. W. McTyre, Jr.  
KATHERINE M. McTYEIRE W.W. McTYEIRE, JR.

Hugh H. Armstrong and wife Charlene B. Armstrong  
HUGH. H. ARMSTRONG CHARLENE B. ARMSTRONG

William W. Osborne and wife Patricia C. Osborne  
WILLIAM W. OSBORNE PATRICIA C. OSBORNE

Darnell Brawer and wife Emily H. Brawer  
DARNELL BRAWNER EMILY H. BRAWNER

John J. Rauer and wife Elizabeth W. Rauer  
JOHN J. RAUERS ELIZABETH W. RAUERS



John B. Adams and wife Marta O. Adams  
JOHN B. ADAMS MARTHA O. ADAMS

John H. Brewer and wife Edna Earle Brewer  
JOHN. H. BREWER EDNA EARLE BREWER

William M. Spencer, III and wife Evalina B. Spencer  
WILLIAM M. SPENCER, III EVALINA B. SPENCER

Richard S. Riley and wife Elma B. Riley  
RICHARD S. RILEY ELMA B. RILEY

V Bertha Spencer Ringland and husband Adrian A. Ringland  
BERTHA SPENCER RINGLAND ADRIAN A. RINGLAND

Lee B. Lloyd and wife Annette W. Lloyd  
LEE. B. LLOYD ANNETTE W. LLOYD

Ralph B. Tate and wife Louise C. Tate  
RALPH B. TATE LOUISE C. TATE

John P. Ansley and wife Ruby S. Ansley  
JOHN P. ANSLEY RUBY S. ANSLEY

R. Foster Etheredge and wife Joanna C. Etheredge  
R. FOSTER ETHEREDGE JOANNA C. ETHEREDGE

S.R. Starnes and wife Mary M. Starnes  
S.R. STARNES MARY M. STARNES

H. Hobart Grooms, Jr. and wife Julia W. Grooms  
H. HOBART GROOMS, JR. JULIA W. GROOMS

Ollie L. Blan, Jr. and wife Connie G. Blan  
OLLIE L. BLAN, JR. CONNIE G. BLAN

STATE OF Alabama  
COUNTY OF Jefferson

I, Lebra A. Hall, a Notary Public  
in and for said County, in said State, hereby certify that  
C.W. Walter and Arline F. Walter 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 official seal this 26<sup>th</sup> day of  
October, 1975.

Lebra A. Hall  
Notary Public

My Commission Expires: Sept. 19, 1979

STATE OF Alabama  
COUNTY OF Bibb

I, Judy D. Martin, a Notary Public  
in and for said County, in said State, hereby certify that  
Paul H. Davis and Rebecca B. Davis 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 official seal this 8th day of October 1976.

Judy D. Martin  
Notary Public

My Commission Expires: 4-18-79

STATE OF Alabama  
COUNTY OF Jefferson

I, Betty S. Buchanan, a Notary Public in and for said County, in said State, hereby certify that William M. Spencer, III, & Evalina B. Spencer 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 official seal this 21st day of October, 1976.

Betty S. Buchanan  
Notary Public

My Commission Expires: 5-31-78

STATE OF Alabama  
COUNTY OF Jefferson

I, Debra A. Hall, a Notary Public in and for said County, in said State, hereby certify that W.W. McTyre, Jr. and Katherine M. McTyre 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 official seal this 26th day of October 1976.

Debra A. Hall  
Notary Public

My Commission Expires: Sept. 19, 1979

STATE OF Georgia  
COUNTY OF Chatham

I, Richie C. Brubaker, a Notary Public in and for said County, in said State, hereby certify that Rich H. Armstrong and Charlene B. Armstrong 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 official seal this 29th day of Sept. 1976.

Richie C. Brubaker  
Notary Public

My Commission Expires: Notary Public, Chatham County, Ga.  
My Commission Expires June 4, 1979

BOOK 301 PAGE 888



STATE OF Georgia  
COUNTY OF Chatham

I, Elizabeth Marshall, a Notary Public  
in and for said County, in said State, hereby certify that  
William R. Osborn + Patricia C. Osborn whose names are signed  
to the foregoing conveyance, and who are known to me, acknow-  
ledged 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 official seal this 20<sup>th</sup> day of September  
1976.

Elizabeth Marshall  
NOTARY PUBLIC  
ELIZABETH MARSHALL  
Notary Public, Chatham County, Ga.  
My Commission Expires Aug. 5, 1977

STATE OF Georgia  
COUNTY OF Chatham

I, Richie C. Brubaker, a Notary Public in  
and for said County, in said State, hereby certify that  
Darrell Brummet + Emil H. Brummet 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 official seal this 29<sup>th</sup> day of Sept  
1976.

Richie C. Brubaker  
NOTARY PUBLIC  
My Commission Expires: Notary Public, Chatham County, Ga.  
My Commission Expires June 4, 1979

STATE OF Georgia  
COUNTY OF Chatham

I, Elizabeth Marshall, a Notary  
Public in and for said County, in said State, hereby certify that  
John J. Powers + Elizabeth W. Powers whose names are signed  
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 official seal this 16<sup>th</sup> day of Sept  
September, 1976.

Elizabeth Marshall  
Notary Public  
My Commission Expires: August 5, 1977

STATE OF Georgia  
COUNTY OF Chatham

I, Richie C. Brubaker, a Notary Public in  
and for said County, in said State, hereby certify that  
John B. Adams + Martha S. Adams 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 official seal this 16<sup>th</sup> day of Sept,  
1976.

Richie C. Brubaker  
Notary Public  
My Commission Expires: Notary Public, Chatham County, Ga.  
My Commission Expires June 4, 1979





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STATE OF Alabama  
COUNTY OF Jefferson

I, Debra A. Hall, a Notary Public in  
and for said County, in said State, hereby certify that Katherine M. McTye  
and W.W. McTye, Jr. 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 official seal this 26<sup>th</sup> day of October  
1976.

Debra A. Hall  
Notary Public

My Commission Expires: Sept. 19, 1979

STATE OF Alabama  
COUNTY OF Jefferson

I, Ernestine O. Thompson, a Notary Public in  
and for said County, in said State, hereby certify that Richard A.  
Pike & wife, Elva B. Pike whose names are signed to the  
foregoing conveyance, and who are know 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 official seal this 2d day of October  
September, 1976.

Ernestine O. Thompson  
Notary Public

My Commission Expires: 4/8/80

STATE OF Alabama  
COUNTY OF Jefferson

I, Ernestine O. Thompson, a Notary Public in  
and for said County, in said State, hereby certify that Karl B.  
Sto & wife, Louise C. Sto whose names are signed to the  
foregoing conveyance, and who are know 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 official seal this 2d day of September  
1976.

Ernestine O. Thompson  
Notary Public

My Commission Expires: 4/8/80

STATE OF Alabama  
COUNTY OF Jefferson

I, Ernestine O. Thompson, a Notary Public in  
and for said County, in said State, hereby certify that P. Foster  
Thompson & wife, Emma C. Thoms 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 official seal this 2d day of September  
1976.

Ernestine O. Thompson  
Notary Public

My Commission Expires: 4/8/80



STATE OF Alabama  
COUNTY OF Jefferson

I, Emmett O. Thompson, a Notary Public in and for said County, in said State, hereby certify that John & wife Julia W. Brown 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 official seal this 2d day of September 1976.

Emmett O. Thompson  
Notary Public

My Commission Expires: 4/1/80

STATE OF Alabama  
COUNTY OF Jefferson

I, Nynelle A. Smith, a Notary Public in and for said County, in said State, hereby certify that John & wife Ruby 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 official seal this 12 day of October, 1976.

Nynelle A. Smith  
Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF ALABAMA  
JEFFERSON COUNTY

I, Vivian C. Green, a Notary Public in and for said Office in said State, hereby certify that B.L. BROWN whose name as Trust Officer of FIRST ALABAMA BANK OF B'HAM is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the same, he, as such officer and with full authority, executed the same voluntarily for and as the act of said First Alabama Bank of Birmingham, acting in its capacity as Trustee.

Given under my hand and official seal this 2nd day of November, 1976

Vivian C. Green  
Notary Public

My Commission Expires: MY COMMISSION EXPIRES MAY 29, 1978

STATE OF ALABAMA  
JEFFERSON COUNTY

I, Debra A. Hall, a Notary Public in and for said County, in said State, hereby certify that John W. Brewer and C.W. Walter, whose names, as trustees, 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 same, they as such trustees executed the same for and as their act as such trustees.

Given under my hand and official seal this 26th day of October, 1976

Debra A. Hall  
Notary Public

My Commission Expires: Sept 19, 1976



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 official seal this \_\_\_\_\_ day of \_\_\_\_\_ 1976.

Notary Public

My Commission Expires: \_\_\_\_\_

STATE OF Alabama  
COUNTY OF Jefferson

I, Debra A. Hall, a Notary Public in and for said County, in said State, hereby certify that Bertha Spencer Lingh and Adrian A. Lingh 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 official seal this 26<sup>th</sup> day of October, 1976.

Notary Public

My Commission Expires: Sept. 19, 1976

STATE OF  
COUNTY OF

I, Debra A. Hall, a Notary Public in and for said County, in said State, hereby certify that Lee B. Lloyd and Annette W. Lloyd 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 official seal this 27<sup>th</sup> day of October 1976.

Notary Public

My Commission Expires: \_\_\_\_\_

My Commission Expires Sept. 19, 1979

STATE OF Alabama  
COUNTY OF Jefferson

I, Cheryl L. Cagle, a Notary Public in and for said County, in said State, hereby certify that Ollie L. Blain Jr and Connie L. Blain 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 official seal this 26<sup>th</sup> day of Oct. 1976.

Notary Public

My Commission Expires: 8-14-79



STATE OF  
COUNTY OF

I, Mary Sue Langin, a Notary Public in  
and for said County, in said State, hereby certify that S. R. Harner and wife  
Mary M. Starnes 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 official seal this 1st day of  
November, 1976.

Mary Sue Langin  
NOTARY PUBLIC

My Commission Expires: 11-1-79

STATE OF  
COUNTY OF

I, Nebr A. Hall, a Notary Public in  
and for said County, in said State, hereby certify that John F. Brewer and  
Edna Earle Brewer 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 official seal this 3rd day of  
November, 1976.

Nebr A. Hall  
NOTARY PUBLIC

My Commission Expires: Sept. 17, 1979



EXHIBIT A

Water Tank Lot Description:

Commence at the northwest corner of the NE 1/4 of the SW 1/4, Sec. 28, T-19-S, R-1-W, Huntsville Meridian: thence run easterly along the north Line of said 1/4-1/4 Sec. a distance of 125.79 feet to the southeasterly R/W of U.S. Hwy. No. 280; thence continue along said course 784.34 feet; thence turn an angle of 89 deg. 17 min. 50 sec. to the right and run a distance of 56.05 feet to the point of beginning; thence continue along aforesaid course 100.00 feet; thence turn an angle of 90 deg. 00. min. to the left and run a distance of 100.00 feet; thence turn an angle of 90 deg. 00. min to the left and run a distance of 100.00 feet thence turn an angle of 90 deg. 00.min. to the left and run a distance of 100.00 feet to the point of beginning, containing .230 acres, more or less.

Center-line description of a 60-foot easement for a roadway:

Commence at the Northwest corner of the NE 1/4 of the SW 1/4 of Sec. 28, T-19-S, R-1-W, thence run East along the North line of said 1/4-1/4 Section a distance of 30.00 feet; thence turn an angle of 90 deg. 05 min. to the right and run South and parallel with the West line of said 1/4-1/4 Section a distance of 135.25 feet to the Southeast R/W line of Shelby County Hwy. No. 11 and the point of beginning; thence continue South and parallel with the West line of said 1/4-1/4 Section a distance of 787.23 feet to the P. C. of a centerline curve; thence continue along said centerline curve (whose Delta Angle is 100 deg. 54 min. to the left, Radius is 82.58 feet, Tangent distance is 100.00 feet. length of Arc is 145.42 feet) to the point of a compound curve; thence continue along said curve (whose Delta Angle is 47 deg. 18 min, to the left, Radius is 222.29 feet, Tangent Distance is 97.35 feet; Lenght of Arc is 183.51 feet) to the P. T. of said compound curve; thence continue along said centerline a distance of 228.50 feet to the P.C. of a centerline curve; thence continue along said centerline curve, (whose Delta Angle is 13 deg. 14 min. to the right, Radius is 698.28 feet, Tangent distance is 81.00 feet, Lenght of Arc is 161.27 feet to the point of a reverse curve; thence continue along said reverse curve (whose Delta Angle is 12 deg. 54 min. to the left, Radius is 716.48 feet, Tangent Distance 81.00 feet, Lenght of Arc is 161.31 feet) to the P.T. of said curve; thence continue in the same direction along said centerline a distance of 161.75 feet to the P.C. of a centerline curve: thence continue along said centerline curve (whose Delta Angle is 19 deg. 04 min. 35 sec. to the right, Radius is 595.44 feet, Tangent distance is 100.00 feet, Lenght of Arc 198.15 feet) to the P.T. of said curve; thence continue along said centerline a distance of 126.21 feet to the point of ending. Situated in the NE 1/4 of the SW 1/4, Sec. 28, T-19-S, R-1-W, Shelby County, Alabama

Water Line Easement description:

Commence at the Northwest corner of the NE 1/4 of the SW 1/4 Sec. 28, T-19-S, R-1-W, thence run East along the North line of said 1/4-1/4 Section a distance of 125.79 feet to the Southeast R/W of Shelby County Hwy. No. 11 and the point of beginning; thence continue East along the North line of said 1/4-1/4 Section a distance of 799.34 feet; thence turn an angle of 89 deg. 17 min. 50 sec. to the right and run a distance of 56.05 feet to the North line of proposed water tank site : thence turn an angle of 90 deg. 00. min. to the right and run





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a distance of 15 feet to the Northwest corner of said water tank site: thence turn an angle of 90 deg. 00 min. to the right and run a distance of 41.05 feet; thence turn an angle of 89 deg. 17 min. 50 sec. to the left and run West and parallel with the North line of said 1/4-1/4 Section a distance of 800 feet, more or less, to the Southeast R/W line of said Hwy. No. 11; thence turn an angle of 125 deg. 22 min. to the right and run along said R/W line to the point of beginning; Situated in the NE 1/4 of the SW 1/4, Sec. 28, T-19-S, R-1-W, Shelby County, Alabama.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

1976 NOV -4 AM 9:33

*Exempt*

*Conceded*

JUDGE OF PROBATE