

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 BRAWNER and wife, EMILY H. BRAWNER; 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

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. Rauers and wife Elizabeth W. Rauers
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 26th day of
October, 1975.

Lebra A. Hall
Notary Public

My Commission Expires: Sept. 19, 1979

STATE OF Alabama
COUNTY OF Bible

I, Judy J. Martin, a Notary Public
in and for said County, in said State, hereby certify that
Judith Davis and Helena 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.

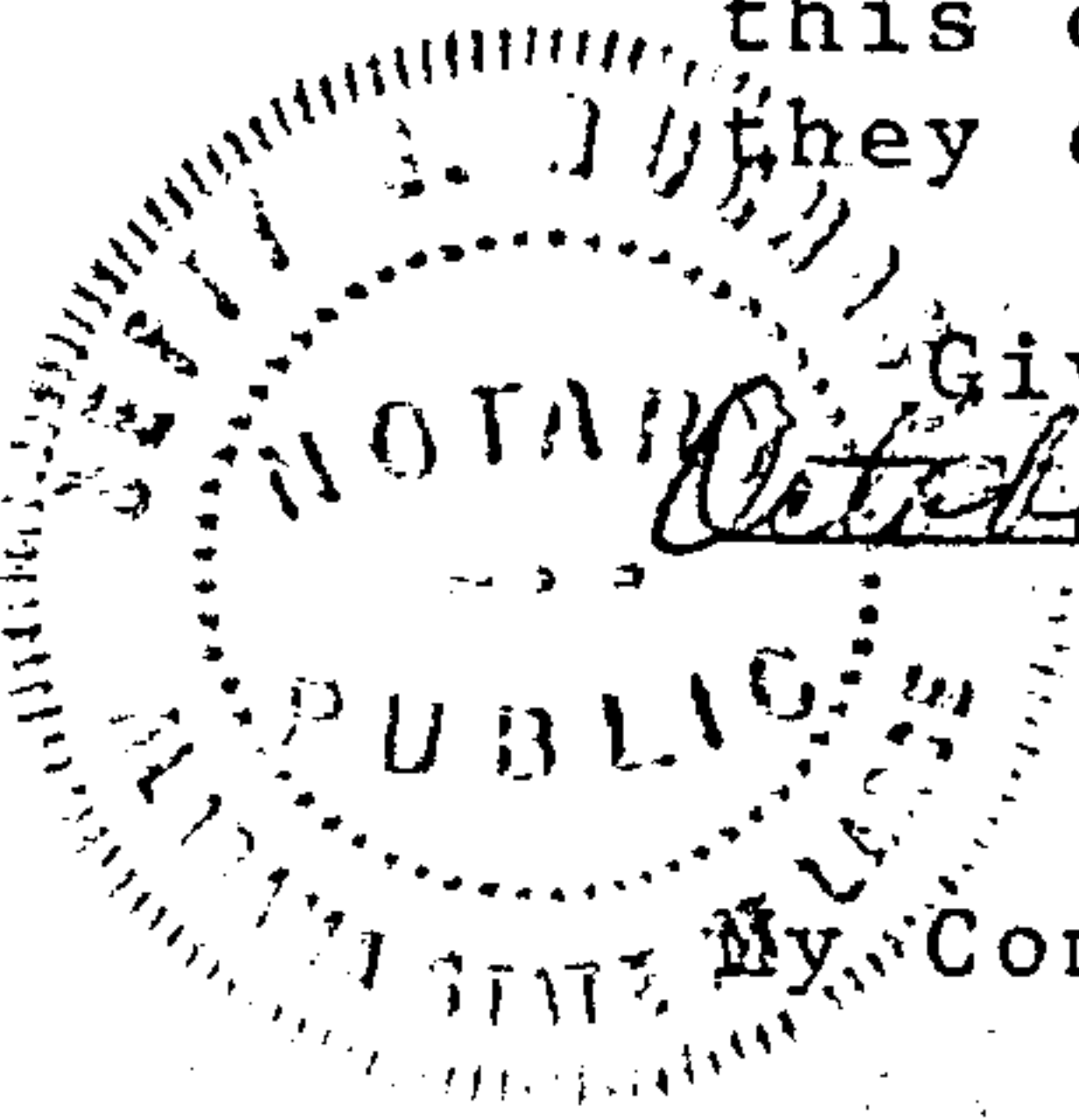
Given under my hand and official seal this 8th day of October 1976.

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

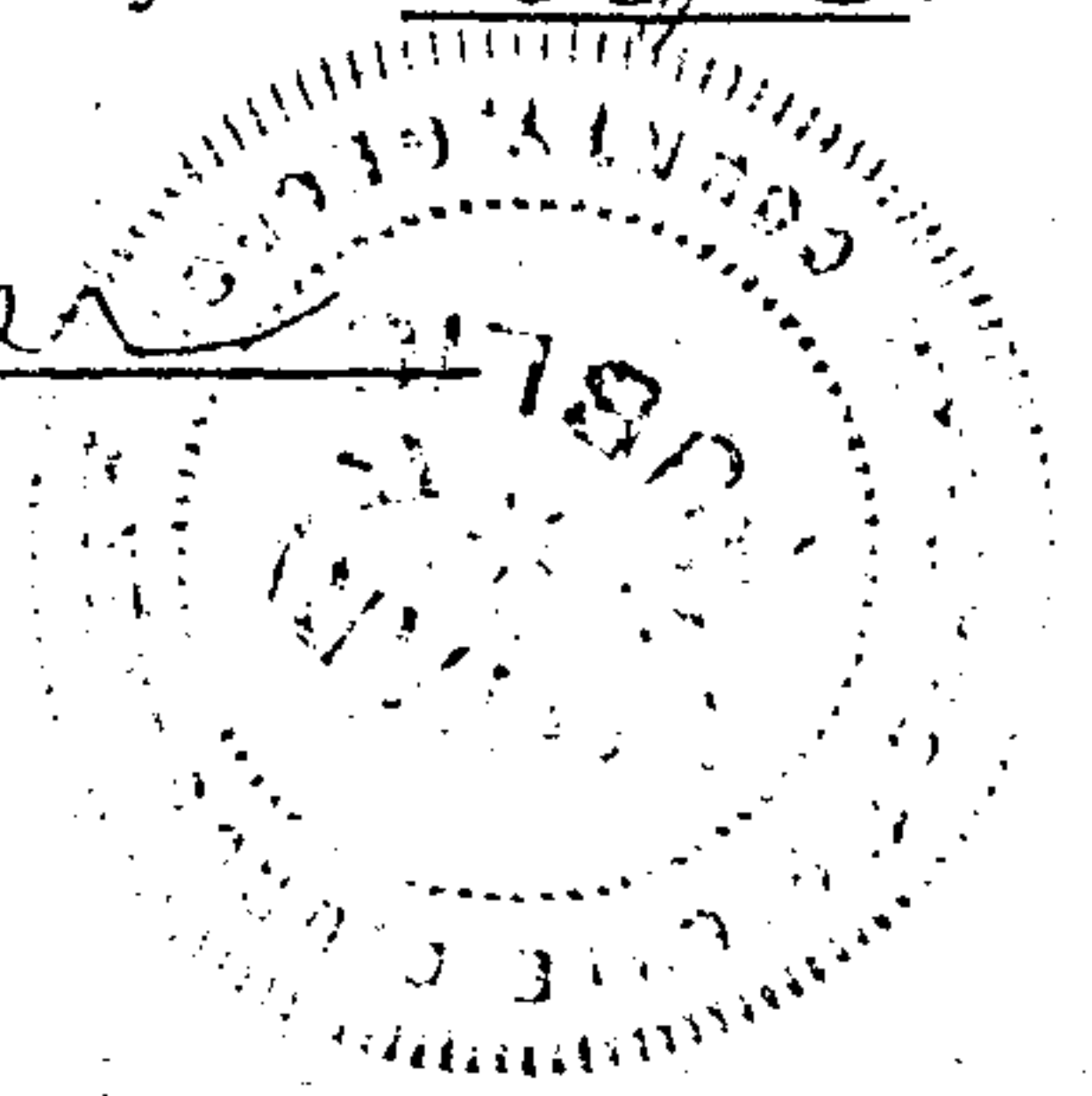
STATE OF Georgia
COUNTY OF Chatham

I, Richie C. Brubaker, a Notary Public in and for said County, in said State, hereby certify that Hugh H. Armstrong and Charles 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



19761104000106570 5/11 \$.00
Shelby Cnty Judge of Probate, AL
11/04/1976 12:00:00AM FILED/CERT

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. Osborne + Patricia C. Osborne 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 20th 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 Brainerd + Eric H. Brainerd 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 September 1976.

Richie C. Brubaker
NOTARY PUBLIC
My Commission Expires: June 4, 1979
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 16th day of 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 16th day of Sept., 1976.

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

BOOK 301 PAGE 889



19761104000106570 6/11 \$.00
Shelby Cnty Judge of Probate, AL
11/04/1976 12:00:00AM FILED/CERT

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 26th 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.
Price & wife, Elva B. Price 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 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 Ralph B.
Price & wife, Elva B. Price 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 October
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 R. Foster
Price & wife, Elva B. Price 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 October
1976.

Ernestine O. Thompson
Notary Public

My Commission Expires: 4/8/80

19761104000106570 7/11 \$.00
Shelby Cnty Judge of Probate, AL
11/04/1976 12:00:00AM FILED/CERT

STATE OF Alabama
COUNTY OF Jefferson

I, Ernestine O. Thompson, a Notary Public in and for said County, in said State, hereby certify that John & wife Julia R. 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.

Ernestine 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 A. Smith 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 29, 1976

BOOK 301 PAGE 891

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 Lingler and Adrian A. Lingler 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.

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 27th 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. Blum Jr and Conne G. Blum 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 Oct. 1976.

Notary Public

My Commission Expires: 8-14-79

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Shelby Cnty Judge of Probate, AL
11/04/1976 12:00:00AM FILED/CERT

STATE OF
COUNTY OF

I, Mary Sue Langin, a Notary Public in
and for said County, in said State, hereby certify that S. R. Harnes 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; Length 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, Length 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, Length 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, Length 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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Shelby Cnty Judge of Probate, AL
11/04/1976 12:00:00AM FILED/CERT

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

Concl. in 3rd

JUDGE OF PROBATE