

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations in hand paid, the receipt whereof is hereby acknowledged, Shelby Ridge Development Company, An Alabama General Partnership, (hereinafter called GRANTORS whether singular or plural) do hereby grant, bargain, sell and convey unto THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM, a public corporation organized under and by virtue of 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 the Northeast quarter of the Southeast quarter of Section 11, Township 19 South, Range 2 West in 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 and appurtenances for the transportation of water. The said right-of-way is as shown in red on the map hereto attached and made a part hereof, and the center line thereof is more particularly described and located as follows, to-wit:

Commence at the Southeast corner of the Northeast quarter of the Southeast quarter of Section 11, Township 19 South, Range 2 West and run West along the South line of said quarter quarter section for a distance of 626.56 feet to a point, said point being a corner of Lot 46 and Lot 47 of Meadow Brook Fourth Sector according to a map dated April 13, 1978, by Louis H. Weygand, Registered Engineer, Surveyor #1347; thence turn 108°00' to the right and run Northeasterly along the Easterly line of Lot 47 and Lot 48 for a distance of 350.0 feet to the Point of Beginning of center line of 20 foot right-of-way; thence from said point, turn 93°59'30" to the left and run Northwesterly and 10 feet each side of a line for a distance of 148.95 feet to the Point of Ending on the Easterly right-of-way of a 60 foot street known as Post House Lane.

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 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. GRANTORS do hereby covenant with the GRANTEE that they are lawfully seized in fee simple of the said premises, that they are free from all incumbrances and that they have a good right to sell and convey the same as aforesaid and that they 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.



19780524000064690 1/3 \$.00
Shelby Cnty Judge of Probate, AL
05/24/1978 12:00:00AM FILED/CERT

Water Works Board of Bham
3600 - 1st Ave. No.
Bham Ala

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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, Shelby Ridge Development Company, An Alabama General Partnership, has caused these presents to be executed in its name and behalf by Steven E. Chambers, its Partner, who is duly authorized this the 2ND day of MAY, 1978.

Witness:

SHELBY RIDGE DEVELOPMENT COMPANY,
AN ALABAMA GENERAL PARTNERSHIP

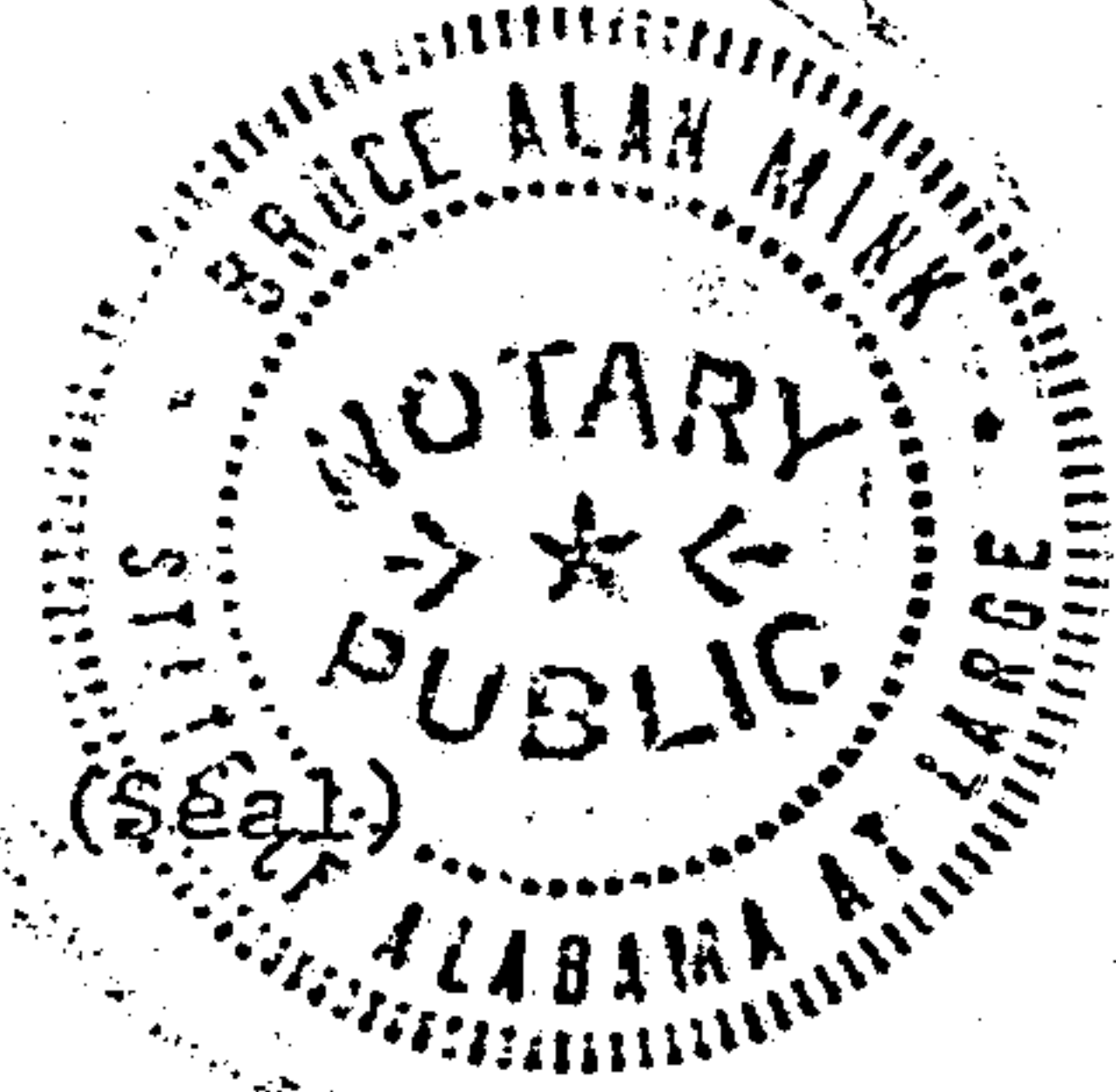
Steven E. Chambers
Steven E. Chambers, Partner

STATE OF ALABAMA)
SHELBY COUNTY)

I, BRUCE ALAN MINK, a Notary Public in and for said county in said state, hereby certify that Steven E. Chambers, whose name as Partner of Shelby Ridge Development Company, an Alabama General Partnership, 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 Partner, and with full authority, executed the same voluntarily for and as the act of said Partnership.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this 2ND day of MAY, 1978.

Bruce Alan Mink
Notary Public



THIS INSTRUMENT WAS PREPARED BY:

J. THOMAS WIGINTON
NAME (PLEASE PRINT)

3600 NORTH 1ST AVENUE
ADDRESS (PLEASE PRINT)

P.O. Box C-110

BIRMINGHAM, AL 35283



19780524000064690 2/3 \$.00
Shelby Cnty Judge of Probate, AL
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SHELBY COUNTY
SECTION 11
Township 19 South
Range 2 West

MEADOW BROOK 4th SECTOR

BOOK 312 PAGE 423

STATE OF ALABAMA
SHELBY COUNTY

I, Edward A. Rogers Sr., a Registered Land Surveyor of Alabama do hereby certify that the foregoing is a true and accurate map or plat of a 20-foot right-of-way required for water line being on the common line with LOT 48 & LOT 49 of MEADOW BROOK 4th SECTOR according map made April 13, 1978 by LOUIS H. WEYGAND, Registered Engineer-Surveyor #1347 and situated in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11, Township 19 South, Range 2 West in Shelby County, Alabama, the centerline of aforesaid 20-foot right-of-way being more particularly described as follows:

Commence at the SE Corner of NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 11, T19S, R2 W and run West along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 626.56 feet to a point, said point being a corner of LOT 46 & LOT 47 of said subdivision; thence turn 108°00' to the right and run northeasterly along the easterly line of LOT 47 & LOT 48 for a distance of 350.0 feet to the Point of Beginning of centerline of 20-foot right-of-way; thence from said point turn 93°59'30" to the left and run northwesterly and 10 feet each side of a line for a distance of 148.95 to the Point of Ending on the Easterly Right-of-Way 60' Street known as Post House Lane.

ACCORDING TO MY SURVEY THIS 18th DAY OF APRIL 1978

SCALE 1" = 60'

STATE OF ALA. SHELBY CO. Edward A. Rogers Sr.
I CERTIFY THIS EDWARD A. ROGERS SR.
LAND SURVEYOR #1623

1978 MAY 24 AM 10:24

Thomas A. Rogers
JUDGE OF PROBATE

Need by - 50
the 4.50
600

THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM

11-19-78

1" = 60'

4/18/78 DOWN BY EAR

19780524000064690 3/3 \$.00
Shelby Cnty Judge of Probate, AL
05/24/1978 12:00:00AM FILED/CERT

SE Cor.
NE $\frac{1}{4}$ SE $\frac{1}{4}$
11-19-2

626.56'

108°00'

350.0'

180'

170'

LOT 48

LOT 49

LOT 47

35' Setback

Post House Lane (60')

N