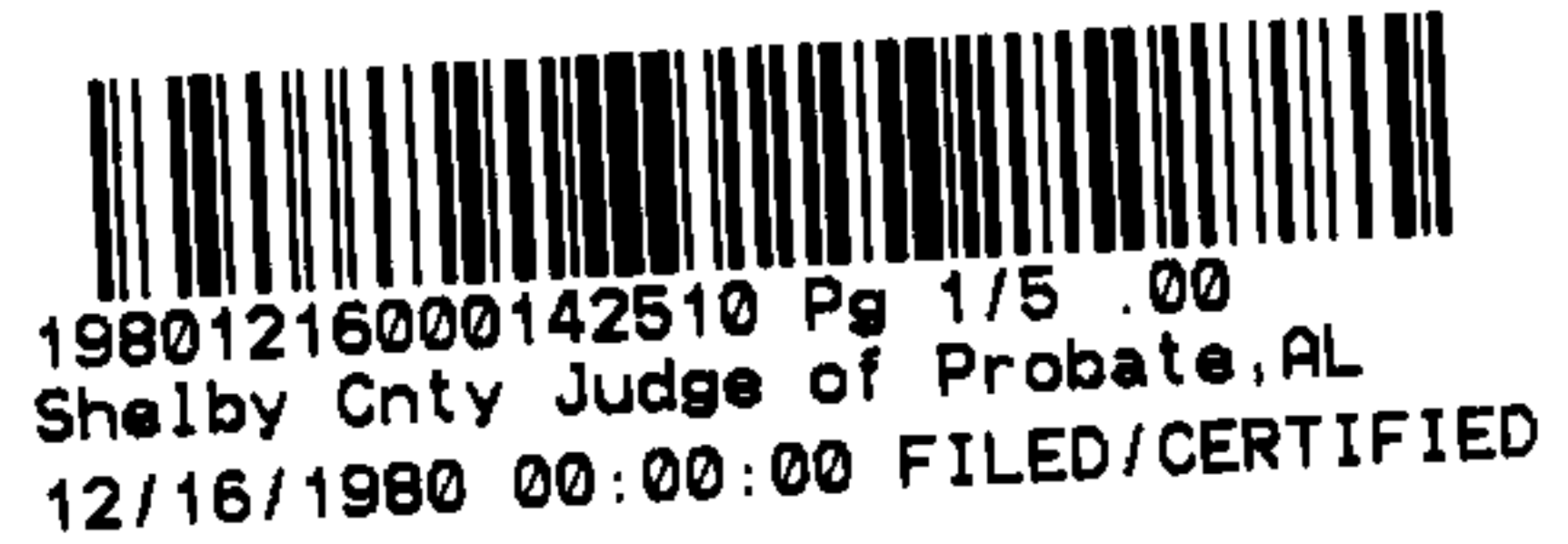




KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, THOMPSON REALTY COMPANY, INC., an Alabama corporation (hereinafter called GRANTOR) does hereby grant, bargain, sell 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 Section 26, 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 twenty (20) feet on either side of a center line described and located as follows, to-wit:

Commence at the NW Corner of Section 26, Township 18 South, Range 1 West and run South along the West line of said section for a distance of 1538.77 feet to a point; thence turn 90°00' to the left and run for a distance of 450 feet to a point; thence turn 61°43' to the left and run for a distance of 138.5 feet to a point; thence turn 16°08' to the right and run for a distance of 291.25 feet to a point; thence turn 45°35' to the right and run for a distance of 100.55 feet to a point; thence turn 90°00' to the right and run for a distance of 30.0 feet to a point; thence turn 90°00' to the left and run for a distance of 500.0 feet to a point; thence turn 90°00' to the right and run for a distance of 500.0 feet to a point; thence turn 55°00' to the left and run for a distance of 491.9 feet to a point on the Northwesternly Right-of-Way of Shelby County Highway #41; thence turn 90°11' to the left and run along said Northwesternly Right-of-Way for a distance of 25 feet to a point; thence turn 90°11' to the left and run for a distance of 80 feet to the Point of Beginning of centerline of a 20-foot Right-of-Way; thence from point thus obtained turn 13°27' to the left and run southeasterly and 10 feet either side of centerline for a distance of 167 feet to the Point of Ending on the Northwesternly Right-of-Way of Carnoustie Drive, South.

It is intended that the right-of-way be ten (10) feet on either side of the water main to be installed.

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. 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.

2. 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.

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.

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.

IN WITNESS WHEREOF, the GRANTOR has caused these presents to be executed in duplicate this the 7th day of November, 1980.

ATTEST:

Walter T. Gibson
SEC. TREAS

Hall W. Thompson
THOMPSON REALTY CO., INC.
Hall W. Thompson, President

THIS INSTRUMENT WAS PREPARED BY:

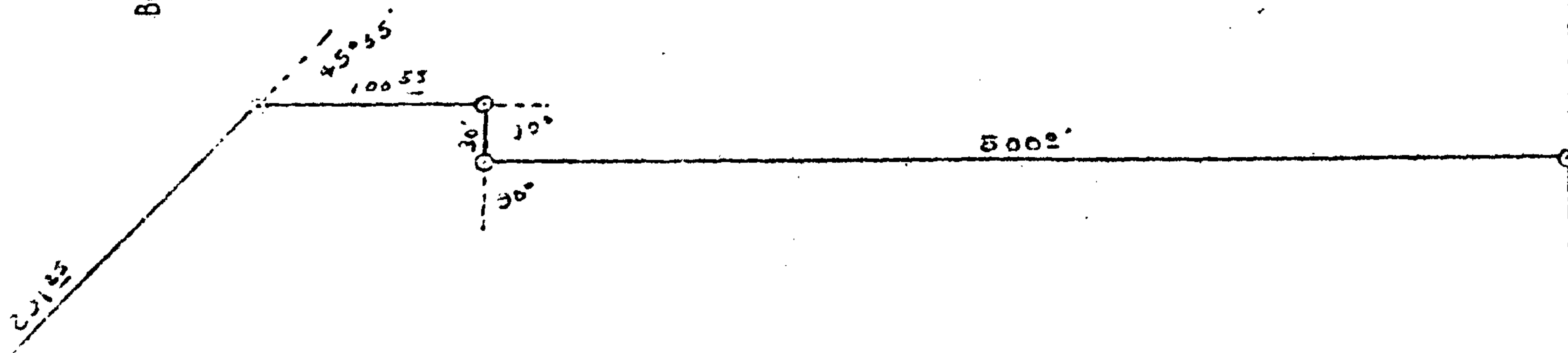
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BOOK 330 PAGE 218

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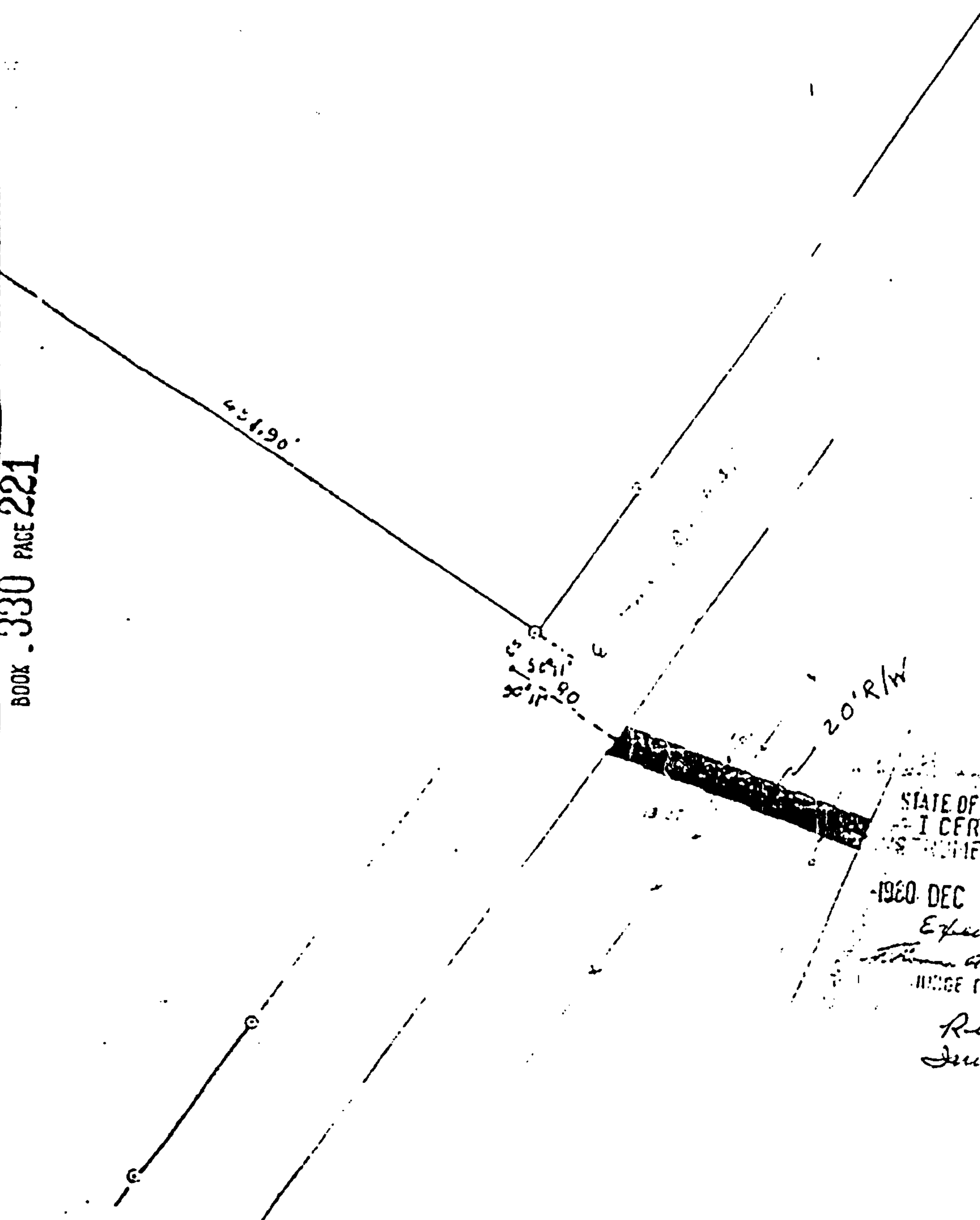
Robert Sr. a Registered Land Surveyor of Alabama, do hereby certify that the foregoing is a true and accurate map or plat of a 22-foot Right-of-Way through the Southeast Quarter of the Northwest Quarter of Section 26, T8S, R9E, S1, in Shelby County, Alabama, and being more particularly described as follows:

Begin at the NW Corner of Sec. 26, T8S, R9E and run North along the line of said section for a distance of 1538.77 feet to a point; thence turn 90°00' to the left and run for a distance of 138.5 feet to a point; thence turn 61°43' to the left and run for a distance of 291.25 feet to a point; thence turn 45° to the right and run for a distance of 132.55 feet to a point; thence turn 90°00' to the right and run for a distance of 30.0 feet to a point; thence turn 90°00' to the left and run for a distance of 500.0 feet to a point; thence turn 55°00' to the right and run for a distance of 491.0 feet to a point on the Northwesterly Right-of-Way of Shelby County Highway #41; thence turn to the left and run along said Northwesterly R-R-W for a distance of 25 feet to a point; thence turn 90°11' to the left and run for a distance of 30 feet to the Point of Beginning of a 22-foot Right-of-Way; thence from point to be observed turn 132°00' to the left and run southeasterly and 20 feet from centerline for a distance of 100 feet to the Point of Beginning on the Northwesterly R-R-W of Charlotte Lake,

TO MY SURVEY THIS 28th DAY OF AUGUST 1980

Edward A. Rouse
EDWARD A. ROUSE, JR.
LAND SURVEYOR #1623

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

1980 DEC 16 AM 10:32

Exempt
Thomas A. Shivers, Jr.
JUDGE OF PROBATE

Rec. 7.50
Sub 1.00
8.50

WATER WORKS BOARD OF THE CITY OF BIRMINGHAM, ALA.

RIGHT-OF-WAY, SHOAL CREEK

ENGR. _____
SCALE: 1"=100'
SEC. 26-18-1 A.P. 575-1
DWG. NO. _____

DFTM. E.A.R.
CKD. _____
APVD. _____
SHEET _____ OF _____

ORDER: _____ DATE: 9/9/76