

STATE OF ALABAMA     ]  
COUNTY OF JEFFERSON ]

19810105000000430 Pg 1/6 .00  
Shelby Cnty Judge of Probate, AL  
01/05/1981 00:00:00 FILED/CERTIFIED

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EASEMENT

EASEMENT granted this 24th day of December, 1980, by VERA J. ANDERSON and husband, M. C. ANDERSON (hereinafter sometimes referred to as "Grantor") to VALLEYDALE VILLAGE, INC., an Alabama corporation (hereinafter sometimes referred to as "Grantee").

W I T N E S S E T H:

WHEREAS:

(a) Grantor is the owner in fee simple of a tract of land in Shelby County, Alabama, which property is legally described as Grantor's Property on Exhibit "A" attached hereto and incorporated herein by reference;

(b) Grantor heretofore conveyed a portion of said tract of land to Grantee by General Warranty Deed dated July 13, 1979, as recorded in Book 320, Page 654 in the Probate Office of Shelby County, Alabama, which property is legally described as Grantee's Property on Exhibit "B" attached hereto and incorporated herein by reference, and is contiguous along its Southwest boundary with Grantor's Property;

(c) Grantee has constructed on Grantee's Property a commercial shopping development with improvements consisting of buildings and a paved parking area;

(d) It is presently necessary and desirable to discharge and drain surface water from Grantee's Property onto Grantor's Property from and at the point of an eighteen inch (18") drainage pipe located on Grantee's Property which is designated on the As-Constructed Survey of Valleydale Village Shopping Center (herein "As-Constructed Survey"), attached hereto and incorporated herein by reference as Exhibit "C"; and

(d) Grantor desires to grant and convey unto Grantee an easement to discharge and drain surface water from Grantee's Property onto and across Grantor's Property from and at the point of an eighteen inch (18") drainage pipe designated on Exhibit "C".

NOW, THEREFORE, in consideration of the benefits resulting to the undersigned Grantor and to her property by the construction and use of the commercial shopping development situated upon the property of the Grantee and the sum of Ten and No/100 Dollars (\$10.00) in hand paid by the Grantee to the Grantor, the receipt and sufficiency of which are hereby acknowledged, the undersigned Grantor, VERA J. ANDERSON, and husband, M. C. ANDERSON, do by these presents grant, bargain,

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Thomas J. Anderson

sell, convey and confirm unto the Grantee, VALLEYDALE VILLAGE, INC., its successors and assigns, a drainage easement and right to drain, discharge and disperse surface water from Grantee's Property (Exhibit "B") onto, in, under and across Grantor's Property (Exhibit "A") from and at the point of the eighteen inch (18") drain pipe designated on Exhibit "C".

This easement shall run with the land.

Except as herein granted, Grantor shall continue to have the full use and enjoyment of her property described in Exhibit "A" to the Southwest of Grantee's Property.

IN WITNESS WHEREOF, we have hereunto set our hands and seals as of the day and year first above written.

In the Presence of:

Eddie Lester

Vera J. Anderson (SEAL)  
VERA J. ANDERSON

Eddie Lester

M.C. Anderson (SEAL)  
M. C. ANDERSON

ACKNOWLEDGMENT

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned authority, in and for said County in said State, hereby certify that Vera Anderson and M.C. Anderson, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day, that, being informed of the contents of said instrument, they executed the same voluntarily for and as their individual acts.

Given under my hand and seal this the 24 day of December, 1980.

Eddie Lester  
Notary Public

My Commission Expires:

4/15/81

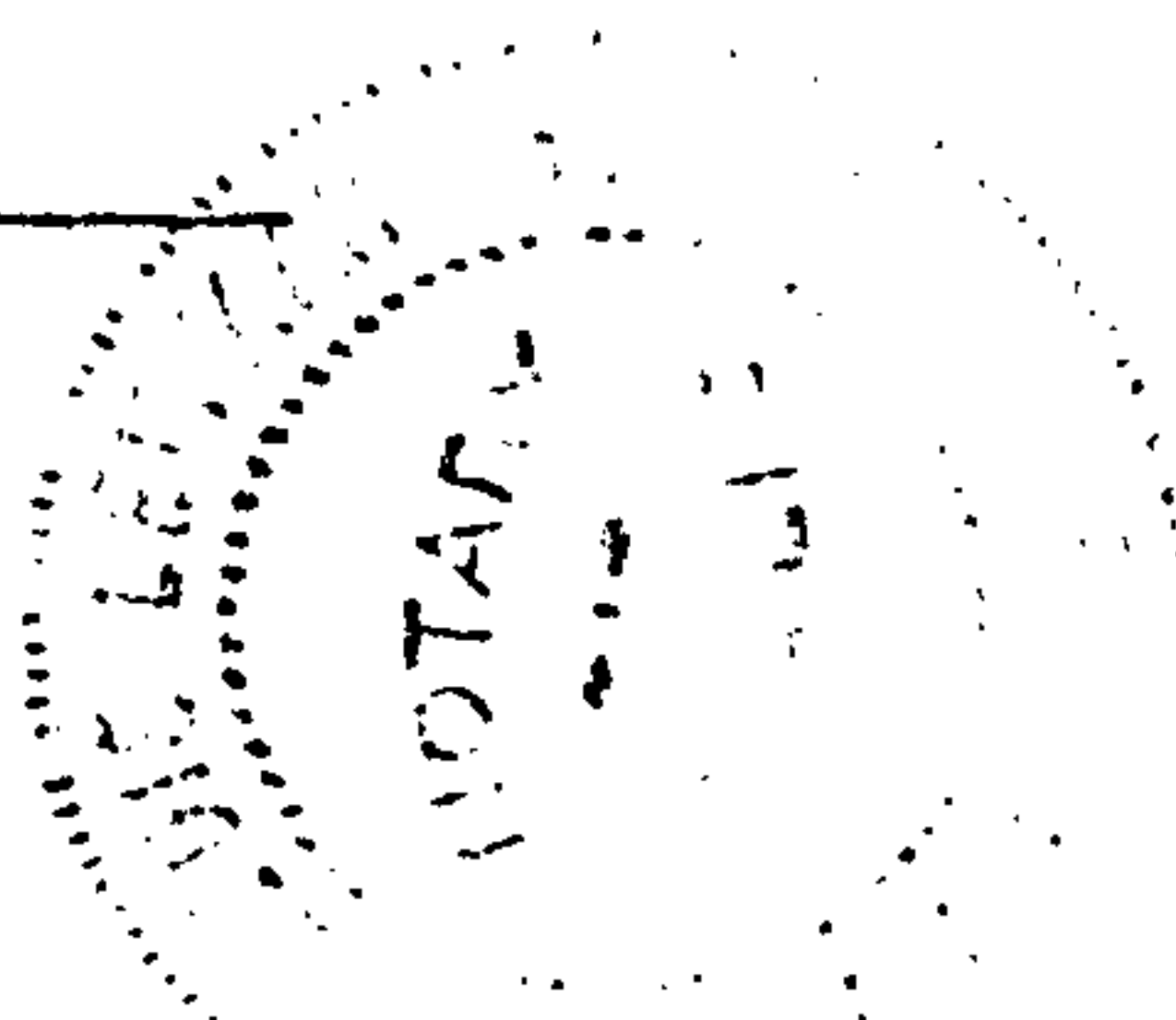


EXHIBIT "A"

The following described property situated in Shelby County, Alabama, less and except that certain portion thereof described in Exhibit "B" attached hereto and made a part hereof:

Tract No. 3: Commence at the Southeast corner of NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 15, Township 19 South, Range 2 West; thence Westerly and along the Southerly line of said quarter-quarter section a distance of 363.0 feet to point of beginning; thence continue Westerly and along said Southerly line of said quarter-quarter section a distance of 969.12 feet to the Southwest corner thereof; thence an angle of 134 degrees and 39 minutes to right and in a Northeasterly direction and along the Northwest diagonal line of the Southeast diagonal half of said quarter-quarter section a distance of 506.04 feet; thence an angle to the right of 45 degrees and 21 minutes in an Easterly direction and parallel with the aforementioned Southerly line of said quarter-quarter section a distance of 608.74 feet; thence an angle to the right of 89 degrees, 14 minutes and 15 seconds and in a Southerly direction and parallel with the Easterly line of said quarter-quarter section a distance of 363.0 feet to the Southerly line of said quarter-quarter section, the point of beginning, and containing 6.75 acres, more or less.



EXHIBIT "B"

The following described real property located in Shelby County, Alabama:

Part of the NW1/4 and the SW1/4 of the NW1/4 of Section 15, Township 19 South, Range 2 West; being more particularly described as follows:

Commence at the N.E. Corner of the SW1/4 of the NW1/4 of Section 15, Township 19 South, Range 2 West; Thence run West along the North line of said 1/4-1/4 Section line a distance of 26.25 feet to the Point of beginning; Thence continue along said North line a distance of 336.75 feet; Thence turn right 89°-14'-15" and run North a distance of 360.0 feet; Thence turn left 89°-14'-15" and run West a distance of 608.74 feet; Thence turn left 131°-35' and run Southeasterly 440.25 feet; Thence turn right 90°-00' and run Southwesterly 80.00 feet; Thence turn left 90°-00' and run 437.11 feet to the Northwesterly right-of-way line of a public road, said right-of-way line being in a curve to the left (having a radius of 2833.72 feet and an interior angle of 6°-04'18"); Thence turn left 82°-11'-40" to the tangent of said curve and run Northeasterly along said right-of-way line an arc distance of 300.29 feet; Thence from the Tangent of said curve turn left 90° and run Northwesterly a distance of 10.0 feet; Thence turn right 90°-00' and run Northeasterly along said right-of-way line a distance of 252.60 feet to the point of beginning. Containing 6.77 acres, more or less.

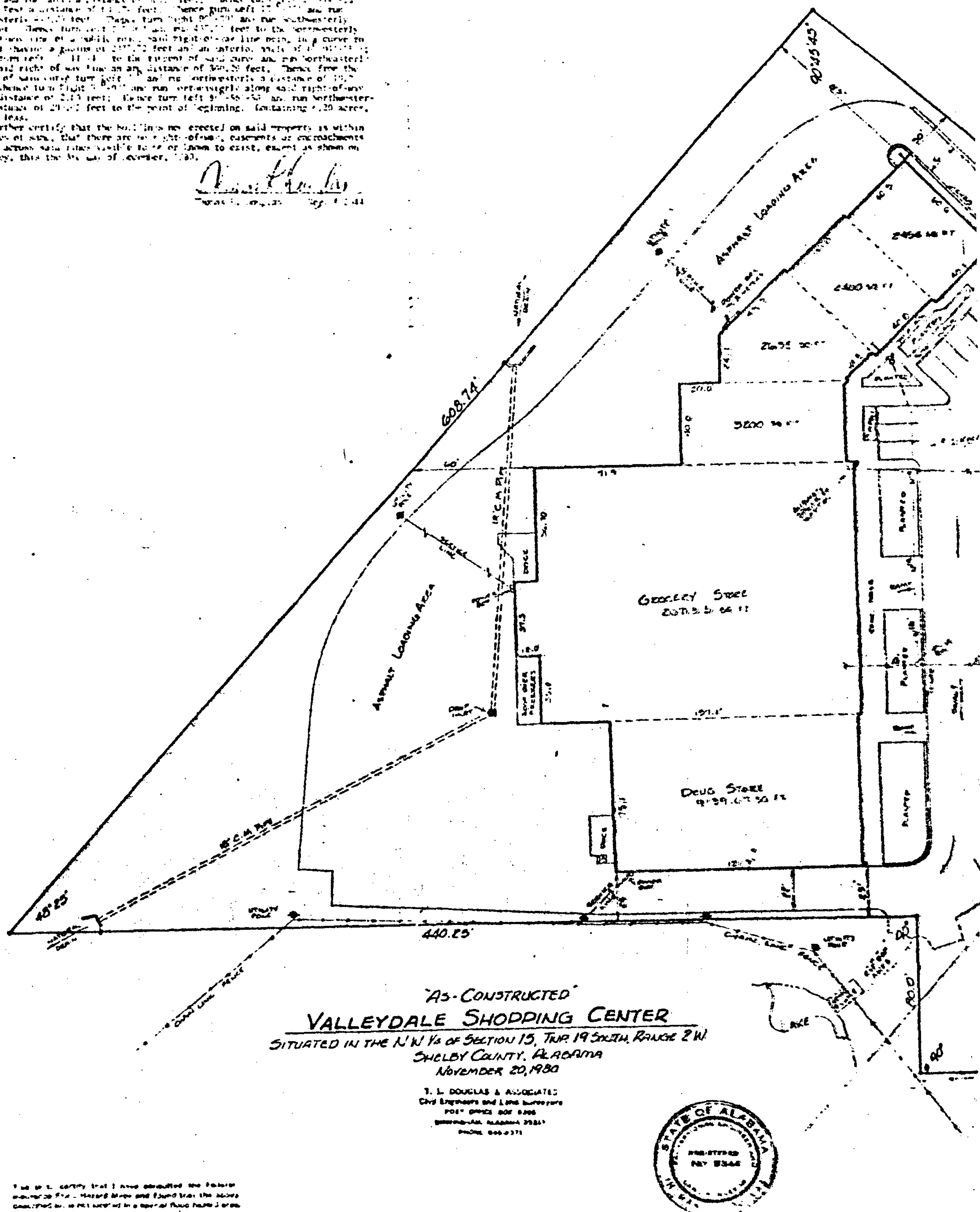
1. Debra L. Brown, a Registered Land Surveyor, deposes that, the foregoing is a true and correct representation of a part of the NW of the NE and the SW of the NE of Section 10, Township 1 South, Range 1 East, being more particularly described as follows:

being more particularly described as follows:

Beginning at the West West Corner of the S.W. of the N.W. of Section 15, Township 10 North, Range 1 West, Thence run east along the North line of said Township 10 North a distance of 1000 feet to the point of beginning, thence run north a distance of 100 feet, thence turn right 90° an. run 100 feet a distance of 100 feet, thence turn left 90° w. an. run 100 feet a distance of 100 feet, thence turn left 90° w. an. run southeasterly a distance of 100 feet, thence turn right 90° w. an. run southeasterly a distance of 100 feet, thence turn left 90° w. an. run 100 feet to the southeasterly corner of the said public road, and thence run along said line north in a curve to the east having a radius of 200 feet and an interior angle of 90° at which place thence turn left 90° w. to the point of said curve and run northeasterly along said right of way line an. distance of 300.00 feet, thence from the point of said curve turn left 90° an. run northeasterly a distance of 100 feet, thence turn right 90° w. an. run north westerly along said right of way line a distance of 100 feet, thence turn left 90° w. an. run northeasterly a distance of 200.00 feet to the point of beginning, containing 0.20 acres, more or less.

It is further certified that the building now erected on said property is within the limits of said lot, that there are no right-of-way, easements or encroachments over or across said lot, and visible to or known to exist, except as shown on the survey, and the lot is of corner, 120.

*[Signature]*  
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