

STATE OF ALABAMA

SHELBY COUNTY

689

A G R E E M E N T



19811023000113100 1/5 \$.00
Shelby Cnty Judge of Probate. AL
10/23/1981 12:00:00 AM FILED/CERT

WHEREAS, there are several parcels of property located in the City of Montevallo, Shelby County, Alabama, and in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 21, Township 22, South Range 3 West, and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, Township 22, South Range 3 West; which are served by private sanitary sewer lines; and

WHEREAS, a portion of said parcels of property are shown on the attached map which is marked Exhibit A and which is made a part of this agreement, said map shows the location of several private sanitary sewer lines and a pumping station for said sanitary sewage; and

WHEREAS, it is the desire of the owners of the land on which the said sanitary sewer system is presently located to continue the use of the sewer system to serve the parcels of land presently served by said system. NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the mutual benefits to be derived by the undersigned property owners, the said undersigned owners do hereby covenant and agree with each other that the pumping station and the sanitary sewer lines connected thereto shall continue to exist in their present location whether or not said locations are accurately depicted on Exhibit A attached hereto. As presently constituted said sanitary sewer system serves 4 apartment units on property owned by William B. Surface and wife, June C. Surface; 2 units owned by James McLaughlin; the home of William B. Surface and wife, June C. Surface; the home of James G. Surface and the home of Wilson Shepherd and wife, Catherine Shepherd and a lot owned by Johnny Shepherd and wife, Karen Shepherd. It being understood that Johnny Shepherd and wife, Karen Shepherd shall have the right to build a ~~single-family dwelling~~ ^{no more than four (4) units} on the lot owned by them and connect on to said sanitary sewer system.

The parties hereby further agree that the cost of repairs and replacement if required to the pumping station and

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James B. Bush

to the line extending from said pumping station in a westerly direction and conveying the sanitary sewage to the city sewer line located in Comanche Road and the charges for electric service to operate the pump in said pumphouse shall be shared by the parties on ^{a pro-rata unit} ~~the following~~ basis: *WAS JCS*

4/10th of the cost to be borne by the owners of the 4 apartment units, of which is served by said sewer system.

2/10th to be borne by James McLaughlin. *KCS*

1/10th by William B. Surface and wife, June C. Surface.

1/10th by James G. Surface. *WAS*

1/10th by Wilson Shepherd and wife, Catherine Shepherd. *WAS JCS*

1/10th to be borne by Johnny Shepherd and wife, Karen Shepherd.

Any repairs or replacements to the lines serving the individual parcels of property shall be borne by the owners of said property.

If the City of Montevallo, Alabama should take over the operation of said pumphouse and sanitary sewer system, the obligations set out in the preceding paragraph shall terminate.

This agreement shall impose a private easement over and across the property shown on Exhibit A for the continuation, repair and replacement of the sanitary sewer lines and pumping station as presently located thereon.

This agreement shall be binding on the heirs, successors or assigns of the undersigned.

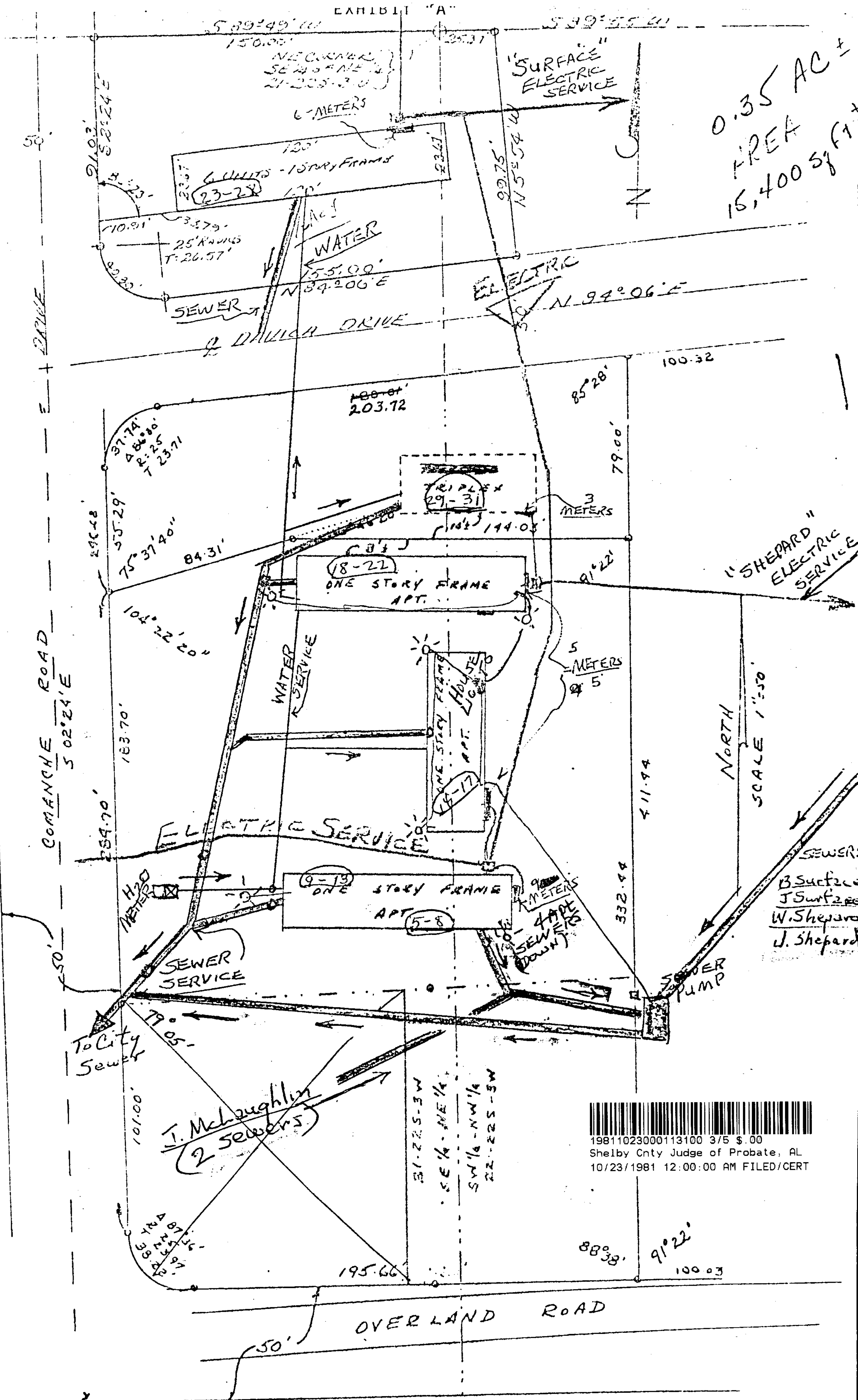
IN WITNESS WHEREOF, the undersigned have hereunto placed their hands and seals this 10 day of OCTOBER, 1981.

WITNESSES:



19811023000113100 2/5 \$.00
Shelby Cnty Judge of Probate, AL
10/23/1981 12:00:00 AM FILED/CERT

Karen A. Shepherd
John C. Shepherd
James G. McLaughlin
Wilson H. Shepherd
Catherine Shepherd
William B. Surface
June C. Surface
James G. Surface



STATE OF ALABAMA
COUNTY OF: Shelby

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that William B. Surface and wife, June C. Surface, whose names are signed to the foregoing agreement, and who are known to me, acknowledged before me on this day, that being informed of the contents of said Agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of October, 1981.

[Signature]
NOTARY PUBLIC My Commission Expires June 5, 1984

STATE OF ALABAMA
COUNTY OF: Shelby

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that James G. Surface, an unmarried man, whose name is signed to the foregoing agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of said agreement, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of October, 1981.

[Signature]
NOTARY PUBLIC My Commission Expires June 5, 1984

STATE OF ALABAMA
COUNTY OF: Shelby

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Wilson Shepherd and wife, Catherine Shepherd, whose names are signed to the foregoing agreement, and who are known to me, acknowledged before me on this day, that being informed of the contents of said agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of October, 1981.

[Signature]
NOTARY PUBLIC My Commission Expires June 5, 1984

STATE OF ALABAMA
COUNTY OF: Shelby

I, the undersigned a Notary Public, in and for said County, in said State, hereby certify that James McLaughlin, an unmarried man, whose name is signed to the foregoing agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of said agreement, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of October, 1981.

[Signature]
NOTARY PUBLIC My Commission Expires June 5, 1984



19811023000113100 4/5 \$.00
Shelby Cnty Judge of Probate, AL
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STATE OF ALABAMA
COUNTY OF *Shelby*

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Johnny Shepherd and wife, Karen Shepherd, whose names are signed to the foregoing agreement, and who are known to me, acknowledged before me on this day, that being informed of the contents of said agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this *10th* day of October, 1981.

Laura L. Roberts
NOTARY PUBLIC

My Commission Expires June 5, 1984



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BOOK

STATE OF ALA. SHELBY CO.
I CERTIFY THAT
1981 OCT 23 PM 2:51

Thomas P. Henderson, Jr.
JUDGE OF PROBATE

Decd 7.50

Jud 1.00

8.50