

STATE OF ALABAMA

SHELBY COUNTY

EASEMENT

629

THIS INDENTURE made and entered into on this the 12th day of August, 1981, by and between Stephen & Phyllis Charlton, hereinafter called Grantors; and the City of Pelham, Alabama, hereinafter called the Grantee;

W I T N E S S E T H:

WHEREAS, it has been found to provide the necessary utilities to certain areas lying within the city limits of the City of Pelham, Shelby County, Alabama; that it has been found necessary to cross certain lands owned by the Grantors for the purpose of installing all necessary sewer and water mains, and other such integral parts of water systems and sewage systems;

WHEREAS, it has been found advantageous and to the best interest of Grantors and Grantee that an easement for such water and sewer mains be conveyed to the City of Pelham, Alabama.

THEREFORE, in consideration of the sum of \$1.00 (one dollar)

and the mutual benefits accruing to the Grantors and to the City of Pelham, Shelby County, Alabama, the Grantors have this day bargained and conveyed and by these presents do hereby grant and convey unto the City of Pelham, Shelby County, Alabama, the following right, privilege and easement, in, to, along, over, through, under and across the hereinafter described lands:

The right and privilege to construct, erect, install, operate and maintain sewage and water mains, on, upon, along, over, through, under and across the hereinafter described lands;

The right, privilege and easement to cut, trim and remove any brush, trees, or other obstructions upon the hereinafter described lands, together with the right of ingress and egress to and from, over and above the hereinafter described lands, for the purpose of the installation and upkeep of the sewage and water system.

(DESCRIPTION)

Part of the West $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama, lying between the right-of-way of the Atlantic Coast Line Railroad and the Louisville and Nashville Railroad being more particularly described as follows:

From a point in the west half of NW $\frac{1}{4}$ being 1,220.3 feet south of and 303.2 feet east of the northwest corner of said section run thence south $70^{\circ}48'$ west for a distance of 177.2 feet, more or less, to the east right-of-way line of the Louisville and Nashville Railroad; run thence south $17^{\circ}59'$ east along the east right-of-way line of said Louisville and Nashville Railroad Company for a distance of 100.00 feet; run thence south $12^{\circ}57'$ east along the east right-of-way line of said Louisville and Nashville Railroad for a distance of 106.00 feet, more or less, to an existing iron pin, thence continue along said east right-of-way line for a distance of 50.00 feet to a point approximately 0.8 feet north of an existing chain link fence being point "A", thence turn an angle to the left of $92^{\circ}58'$, more or less, and run in an easterly direction along a line 0.8 foot north of and parallel to an existing chain link fence and its extension thereof for a distance of 287 feet, more or less, to a point of intersection with the west right-of-way line of the Atlantic Coast Line Railroad being the point of beginning, thence turn an angle to the right of 180° and run west along last mentioned course for a distance of 287 feet, more or less, to aforementioned point "A", thence turn an angle to the right and run in a northerly direction along the east right-of-way line of the Louisville and Nashville Railroad for a distance of 50.00 feet to an existing iron pin, thence north $12^{\circ}57'$ west along the east right-of-way line of said Louisville and Nashville Railroad for a distance of 106.00 feet, thence North $17^{\circ}59'$ ^{west} along said east right-of-way line for a distance of 142.57 feet, thence turn an angle to the right and run in an easterly direction for a distance of 178 feet, more or less, to a point on the west right-of-way line of Atlantic Coast Line Railroad that is 299.74 feet from the point of beginning, thence turn an angle to the right and run in a southeasterly direction along the west right-of-way line of Atlantic Coast Line Railroad for a distance of 299.74 feet to the point of beginning, containing 1.5 acres, more or less.

IT IS AGREED by and between the Grantors and Grantee that Grantors grant to the City of Pelham a temporary easement forty (40) feet in width, this dimension being 20 feet to the side of the center line of the proposed water or sewer line and a twenty foot wide permanent easement, this dimension being ten feet on either side of the proposed water or sewer line, as constructed and/or shown on the plans entitled Proposed Sanitary Sewer Facilities City of Pelham, Alabama, May, 1981.

TO HAVE AND TO HOLD the above described right, privilege, and easements unto the City of Pelham and to its assigns, together with the right of entry and reentry from time to time as occasion may require for the purpose of exercising its said rights, privileges and easements, hereinabove described.

IN WITNESS WHEREOF, we, Stephen and Phyllis
Charlton

have hereunto set our hands and seals on this the day and year first above written.

W. Paul Guyer
(Witness)

W. Paul Guyer
(Witness)

(Witness)

(Witness)

(Witness)

(Witness)

Stephen Charlton (SEAL)

Phyllis Charlton (SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1982 JAN 27 PM 2:56

James A. Sanderson, Jr.
JUDGE OF PROBATE

Rec'd 4.50
Jud 1.00
\$ 5.50