

1143

STATE OF ALABAMA)
COUNTY OF SHELBY)

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by CAHABA WATER RENOVATION SYSTEMS, INC., a corporation (hereinafter referred to as "Grantee"), to COLONIAL PROPERTIES, INC., a corporation (hereinafter referred to as "Grantor"), the receipt and sufficiency of which is hereby acknowledged, the said Grantor does by these presents grant and convey unto said Grantee the following easements for underground utility lines, and an underground sanitary sewer lift station and above ground appurtenances, said easements being situated in Shelby County, Alabama, and being described as follows:

EASEMENT "A"

Description of the centerline of a ten foot (10') wide easement for construction and maintenance of utility lines and an underground sanitary sewer lift station and above ground appurtenances, across Lots 2 and 3 in the subdivision known as "Lots 1, 2 and 3 Colonial Properties Subdivision" as recorded in Map Book 8, Page 138 in the Probate Office of Shelby County, Alabama, and situated in the southeast quarter of the northwest quarter and the southwest quarter of the northeast quarter of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the most northerly corner of said Lot 2, said point being on the easterly right-of-way line of East Inverness Parkway, thence run southwesterly and along said easterly right-of-way line for 18.57 feet to the beginning of a curve to the right, said curve having a radius of 542.02 feet; thence continue southwesterly along said right-of-way line and along the arc of said

Balch, Bingham

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curve for 11.16 feet to the point of beginning of said easement center line; thence turn left 82°35'44" from tangent and run southeasterly for 51.50 feet; thence turn left 5°35'30" and continue southeasterly for 201.94 feet; thence turn right 90° and run southwesterly for 13 feet to the end of said easement center line.

EASEMENT "B"

Description of the centerline of a ten foot (10') wide easement for construction and maintenance of utility lines across Lot 3 in the subdivision known as "Lots 1, 2 and 3 Colonial Properties Subdivision" as recorded in Map Book 8, Page 138 in the Probate Office of Shelby County, Alabama, and situated in the southeast quarter of the northwest quarter and the southwest quarter of the northeast quarter of Section 36, Township 18 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Begin at a point that is 10.28 feet northwest of the southernmost corner of Lot 3, said point being on the northeasterly right-of-way line of U.S. Highway 280; thence northeasterly and parallel to the southeast line of Lot 3 for 184.24 feet; thence turn left 12°30' and run northeasterly for 209.0 feet; thence turn left 90° and run northwesterly for 82 feet to the end of said easement center line.

Easements "A" and "B", as described above, are shown on the survey attached hereto as Exhibit "A" and made a part hereof.

FOR THE CONSIDERATION AFORESAID, the Grantor grants and conveys unto the Grantee the right and privilege of perpetual use of the above-described easements for such utility purposes, together with all rights and privileges necessary or convenient for the full use and enjoyment thereof, including, without limitation, the right of ingress to and egress from said easements, and the right to cut and keep clear all trees, undergrowth and other obstructions on said easements when deemed reasonably

necessary for the avoidance of danger, damage or interference in and about said utility use of said easements.

TO HAVE AND TO HOLD the above utility easements unto the said Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed on this the 17th day of Jan, 1986.

ATTEST:

By: [Signature]
Its Agent

INVERNESS FAMILY MEDICAL CENTER PARTNERS, LTD.
MANAGEMENT ASSOCIATION
By: COLONIAL PROPERTIES, INC.
Its GENERAL PARTNER

By: [Signature]
Its Managing General Partner

STATE OF Alabama
COUNTY OF Jefferson

I, Benji H. Inousdale, a Notary Public in and for said County in said State, hereby certify that Thomas N. Lourder, whose name as President of Colonial Properties, Inc., a corporation, 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 14th day of January, 1986

Benji H. Inousdale
Notary Public

NOTARIAL SEAL

My commission expires: 2-11-89

THIS INSTRUMENT PREPARED BY:
Randolph H. Lanier
Balch & Bingham
P. O. Box 306
Birmingham, Alabama 35201

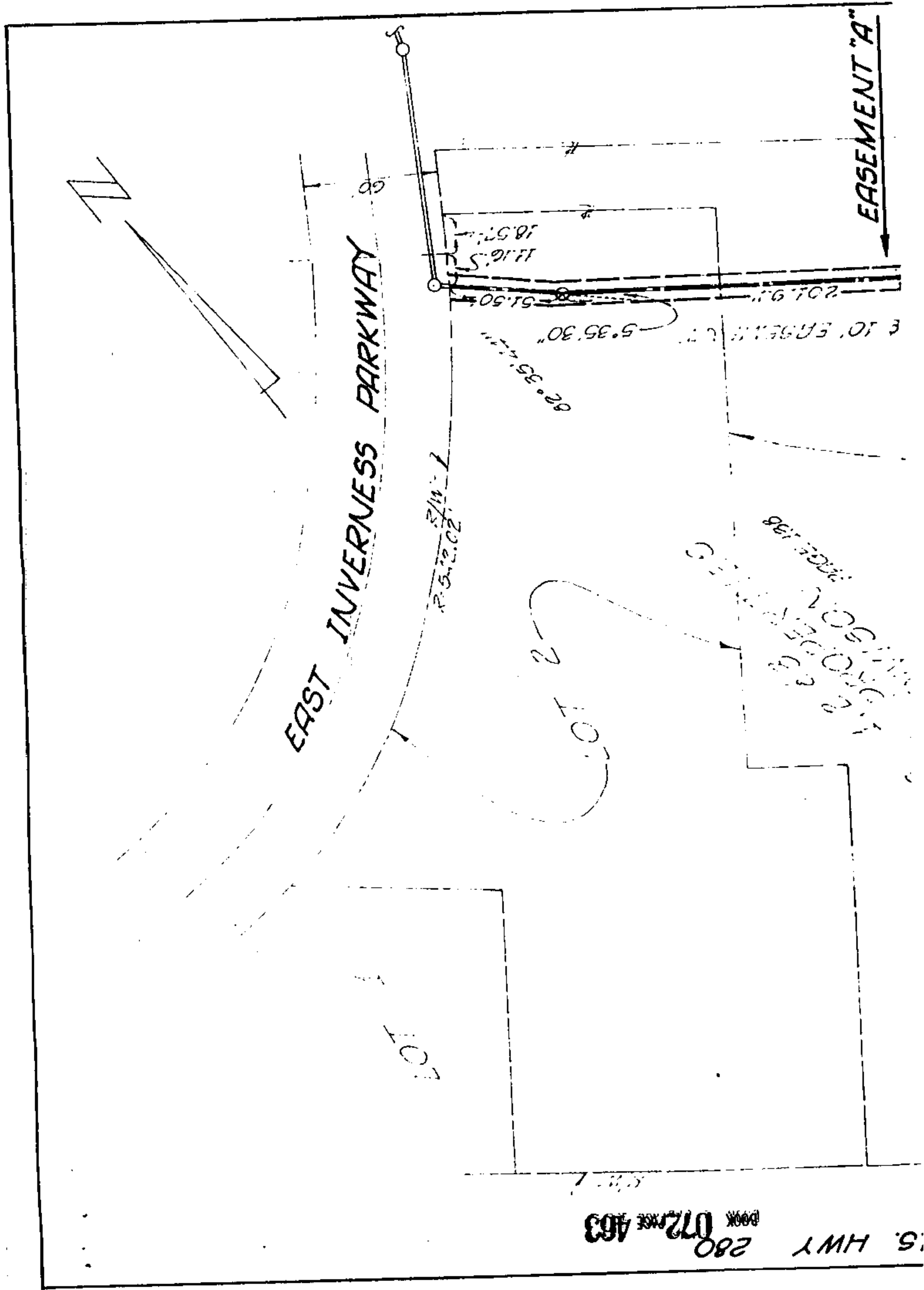


EXHIBIT "A"



EASEMENT "A"

Description of the centerline of a 10 ft. wide easement for san sewer and lift station across lots 2 and 3 in the subdivision known as "Lots 1, 2 and 3 Colonial Properties Subdivision" as recorded in Map Book 8, Page 138 in the office of the Judge of Probate, Shelby Co., Alabama, and situated in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 36, Tp. 18 So., R. 2W, Shelby Co., Alabama, more particularly described as follows:

Commence at the most Northerly corner of said Lot 2, said point being on the Easterly right-of-way line of East Inverness Park-

Description of the centerline of a 10 ft. wide easement for san sewer and lift station across lots 2 and 3 in the subdivision known as "Lots 1, 2 and 3 Colonial Properties Subdivision" as recorded in Map Book 8, Page 138 in the office of the Judge of Probate, Shelby Co., Alabama, and situated in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 36, Tp. 18 So., R. 2W, Shelby Co., Alabama, more particularly described as follows:

Commence at the most Northerly corner of said Lot 2, said point being on the Easterly right-of-way line of East Inverness Parkway, thence run Southwesterly and along said Easterly right-of-way line for 18.57 feet to the beginning of a curve to the right, said curve having a radius of 542.02 feet; thence continue Southwesterly along said right-of-way line and along the arc of said curve for 11.16 feet to the Point of Beginning of said easement center line; thence turn left 82°35'44" from tangent and run Southeasterly for 51.50 feet; thence turn left 5°35'30" and continue Southeasterly for 201.94 feet; thence turn right 90° and run Southwesterly for 13 feet to the end of said easement center line.

Description of the centerline of a 10 ft. wide easement for san sewer across lot 3 in the subdivision known as "Lots 1, 2 and 3 Colonial Properties Subdivision" as recorded in Map Book 8, Page 138 in the office of the Judge of Probate, Shelby Co., Alabama, and situated in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 36, Tp. 18 So., R. 2W, Shelby County, Alabama, more particularly described as follows:

Begin at a point that is 10.28 ft. northwest of the southernmost corner of Lot 3, said point being on the northeasterly right-of-way line of U.S. Hwy 280; thence northeasterly and parallel to the SE line of Lot 3 for 184.24 ft.; thence turn left 12°30' and run northeasterly for 209.0 ft.; thence turn left 90° and run northwesterly for 87 ft. to the end of said easement center line.

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

1986 MAY 19 AM 10:53

Recd TAX. 50
Recd 15:00
Jud 1:00
16.50

Thomas A. Shoups, Jr.
JUDGE OF PROBATE

INVERNESS MEDICAL CENTER LIFT STATION

200 SCOTCH DRIVE BIRMINGHAM, AL. TEL: 991-7766	C.B., INC.	ENGINEERS & SURVEYORS
SCALE: 1"=50'	EAST INVERNESS PARKWAY- COLONIAL PROPERTIES EASEMENT	
DR BY: B.G. CHK BY: FNC	Situated in the E $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, T. 18, R. 2W, E. 1/2 NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, T. 18, R. 2W, SHELBY CO., AL.	
FILE: F3-4		
FIELD BOOK(S): 523		
DATE: 12-9-85	DRAWING NO: 105.01 86966-3	