

STATE OF ALABAMA)

SHELBY COUNTY)

331

WAIVER OF RIGHTS IN
PORTION OF EASEMENT

In consideration of \$10.00 and other valuable considerations paid to The Water Works and Sewer Board of the City of Birmingham, a public corporation organized under and by virtue of the laws of the State of Alabama, (hereinafter called Board) by Crow Wood Springs Associates, Ltd., a Georgia limited partnership, the receipt and sufficiency of which the Board hereby acknowledges, the Board does hereby waive and release all of its right, title and interest in and to the following described portion of the ten-foot-wide underground utility easement situated over and across Lot 1-A according to the map of Cahaba River Park First Addition as recorded in the office of the Judge of Probate of Shelby County, Alabama in Map Book 8, page 62:

the portion of said ten-foot-wide underground utility easement which is located five feet on each side of the following described centerline:

Commence at the point of intersection of the Northerly line of said Lot 1-A and the Southwesterly right-of-way line of Old U.S. Highway 280, said right-of-way line being shown on the aforementioned map as being 40 feet Southwesterly and parallel to the centerline of said Highway; thence from said point of commencement, run Westerly 205.00 feet along

James L. Fletcher
604 830110

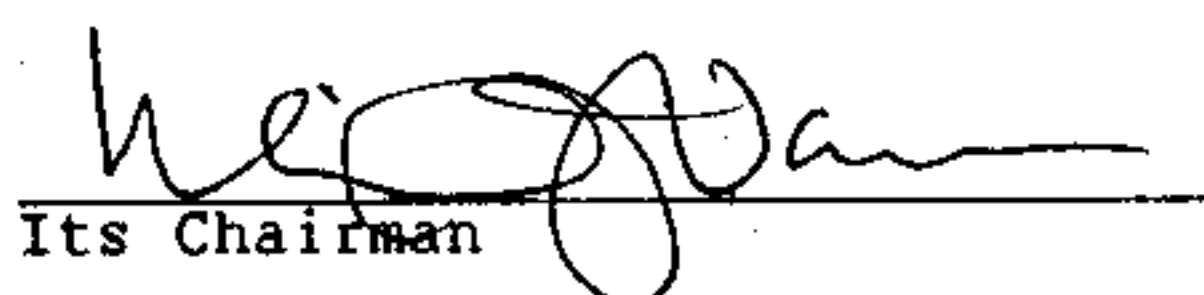
said Northerly line of Lot 1-A to a point;
thence turn 81°30'38" left and run Southerly
25.00 feet to the point of beginning; thence
continue along the last stated course a
distance of 32.00 feet to a point; thence
turn 16°28'54" right and run Southwesterly
695.50 feet to a point; thence turn 11°45'58"
left and run Southwesterly 18.00 feet to the
point of ending of said centerline.

In witness whereof, The Water Works and Sewer Board of
the City of Birmingham has caused this instrument to be
executed by its duly authorized corporate officer on this
29th day of ~~May~~^{June}, 1988.

ATTEST:

THE WATER WORKS AND SEWER BOARD
OF THE CITY OF BIRMINGHAM


Its Assistant Secretary


Its Chairman

STATE OF ALABAMA

JEFFERSON COUNTY

I, Barth B. Shelby, a Notary Public in and
for said County in said State, hereby certify that David J.
Vann, whose name as Chairman of The Water Works and Sewer
Board of the City of Birmingham, a public 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 said 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 and official seal this the 29th day of ~~May~~, 1988.

Stanley B. Shelby
Notary Public

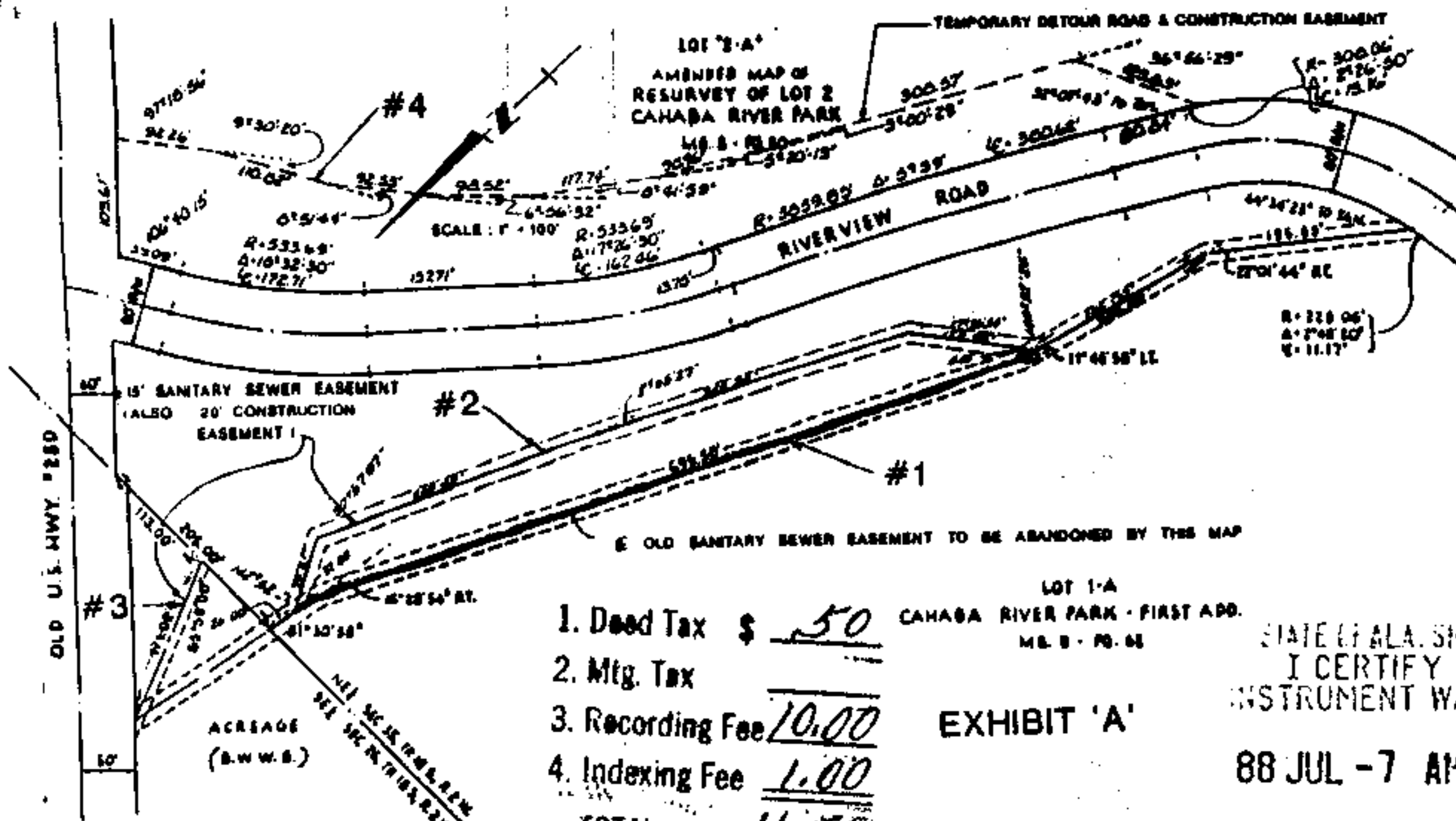
AFFIX SEAL

My commission expires: April 12, 1991.

This instrument prepared by:

Frank C. Galloway, Jr.
1900 First National Building
Birmingham, Alabama 35203

BOOK 192 PAGE 983



1. Deed Tax \$ 50
 2. Mtg. Tax
 3. Recording Fee 10.00
 4. Indexing Fee 1.00
TOTAL 11.50

LOT 1-A
 CAHABA RIVER PARK - FIRST ADD.
 M.B. 8 - PG. 61

EXHIBIT 'A'

STATE OF ALABAMA
 I CERTIFY THIS INSTRUMENT WAS FILED
 88 JUL -7 AM 10:43
 Thomas G. Shandling, Jr.
 JUDGE OF PROBATE

A 20.0 foot wide construction easement and a 15.0 foot wide permanent underground utility easement situated over and across Lot 1-A, according to the map of Cahaba River Park First Addition as recorded in Map Book 8, Page 62 in the office of the Judge of Probate, Shelby County, Alabama, said easement being 10 feet and 7.5 feet respectively each side of a centerline more particularly described as follows:

Commence at the point of intersection of the northerly line of said Lot 1-A and the Southwesterly right-of-way line of Old U.S. Highway 280, said right-of-way line being shown on the aforementioned map as being 60 feet Southwesterly and parallel to the centerline of said highway; thence easterly along the north line of said Lot 1-A a distance of 205.00 feet to a point; thence turning an angle of $81^{\circ}30'38''$ to the left in a Southwesterly direction a distance of 75.00 feet to the point of beginning; thence turning an angle of $17^{\circ}07'39''$ to the left in a Southwesterly direction a distance of 75.51 feet to a point; thence turning an angle of $50^{\circ}57'07''$ to the right in a Southwesterly direction a distance of 257.41 feet to a point; thence turning an angle of $10^{\circ}55'27''$ to the right in a Southwesterly direction a distance of 126.34 feet to a point; thence turning an angle of $17^{\circ}25'34''$ to the right in a Southwesterly direction a distance of 125.95 feet to the point of ending.

This easement labeled #2 on Exhibit A.

EASEMENT TO BE VACATED

This is to vacate a 10.0 foot wide permanent underground utility easement situated over and across Lot 1-A, according to the map of Cahaba River Park First Addition as recorded in Map Book 8, Page 62 in the office of the Judge of Probate, Shelby County, Alabama, said easement being 5 feet each side of a centerline more particularly described as follows:

Commence at the point of intersection of the northerly line of said Lot 1-A and the Southwesterly right-of-way line of Old U.S. Highway 280, said right-of-way line being shown on the aforementioned map as being 60 feet Southwesterly and parallel to the centerline of said highway; thence easterly along the north line of said Lot 1-A a distance of 205.00 feet to a point; thence turning an angle of $81^{\circ}30'38''$ to the left and run Southwesterly 75.00 feet to the point of beginning; thence continue along the last stated course a distance of 32.00 feet to a point; thence turn $16^{\circ}28'54''$ right and run Southwesterly 495.50 feet to a point; thence turn $11^{\circ}45'58''$ left and run Southwesterly 18.00 feet to the point of ending.

This easement labeled #1 on Exhibit A.

EASEMENT ACROSS BIRMINGHAM LATEX LUMBS PROPERTY

A 20.0 foot wide construction easement and a 15.0 foot wide permanent underground utility easement situated over and across a lot belonging to the Birmingham Latex Lums Board adjacent to Lot 1-A, Cahaba River Park First Addition, said easement being 10 feet and 7.5 feet respectively each side of a centerline more particularly described as follows:

Commence at the point of intersection of the northerly line of said Lot 1-A and the Southwesterly right-of-way line of Old U. S. Highway 280; thence easterly along said northerly line a distance of 113.00 feet to the point of beginning; thence turning an angle of $45^{\circ}59'00''$ to the right in a Northwesterly direction a distance of 171.02 feet to a point on the Southwesterly right-of-way line of said highway, said point being the end point.

This easement labeled #3 on Exhibit A.

TEMPORARY DETOUR ROAD & CONSTRUCTION EASEMENT

A temporary detour road and construction easement of varying width over and across Lot 2-A according to the Amended Map of a Resurvey of Lot 2 Cahaba River Park as recorded in Map Book 8, Page 58 in the office of the Judge of Probate, Shelby County, Alabama. Said easement being bounded by the Southwesterly right-of-way line of Old U. S. Highway 280, the Southwesterly right-of-way line of Riverview Road and the following described line:

Commence at the Northwest corner of said Lot 2-A, said corner also being the intersection point of the Southwesterly right-of-way line of Riverview Road and the Southwesterly right-of-way line of Old U. S. Highway 280; thence run Southwesterly along the Southwesterly right-of-way line of Old U. S. Highway 280 for a distance of 105.61 feet to a point, said point being the point of beginning of the line herein described; thence turn an angle of $97^{\circ}18'56''$ to the right and run Southwesterly for a distance of 32.24 feet to a point; thence turn an angle of $1^{\circ}30'28''$ to the right and run Southwesterly for a distance of 110.81 feet to a point; thence turn an angle of $8^{\circ}51'41''$ to the left and run Southwesterly for a distance of 92.51 feet to a point; thence turn an angle of $5^{\circ}56'32''$ to the left and run Southwesterly for a distance of 98.32 feet to a point; thence turn an angle of $8^{\circ}41'59''$ to the left and run Southwesterly for a distance of 117.74 feet to a point; thence turn an angle of $1^{\circ}20'13''$ to the left and run Southwesterly for a distance of 98.94 feet to a point; thence turn an angle of $3^{\circ}00'29''$ and run Southwesterly for a distance of 302.57 feet to a point; thence turn an angle of $34^{\circ}56'29''$ to the right and run Southwesterly for a distance of 123.41 feet to a point on the Southwesterly right-of-way line of Riverview Road, said point being the point of ending of the herein described line.

This easement is labeled #4 on Exhibit A and contains 83,388.09000 square feet.

