

2153

STATE OF ALABAMA )  
SHELBY COUNTY )

EASEMENT

This Indenture, made and entered into on this 29<sup>th</sup> day of September, 1988, by and between DANTRACT, INC., an Alabama corporation (hereinafter called the "Grantor"); and SHELBY COUNTY, ALABAMA, a political subdivision of the State of Alabama (hereinafter called the "Grantee");

WITNESSETH:

KNOW ALL MEN BY THESE PRESENTS, that the Grantor, in consideration of the sum of \$10.00 in cash paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Grantor, has this date bargained and conveyed and by these presents does grant, bargain, sell, assign and convey unto the Grantee, a perpetual, non-exclusive right-of-way and easement, sixty feet (60') in width, for the purpose of ingress and egress from Hugh Daniel Drive to the property more particularly described in Exhibit One, said right-of-way and easement being more particularly described as follows:

FOR DESCRIPTION OF THE SIXTY FOOT EASEMENT  
AND RIGHT-OF-WAY HEREIN GRANTED SEE EXHIBIT TWO ATTACHED HERETO.

TO HAVE AND TO HOLD, the above described right of way and easement perpetually unto the Grantee and to its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal on the date first above written.

DANTRACT, INC.

By Charles W. David  
Its President

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STATE OF ALABAMA     )  
                                  :  
SHELBY COUNTY         )

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Charles W. Daniel, whose name as President of DANTRACT, INC., an Alabama 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 within instrument, he, as such officer and with full authority executed the same voluntarily on the day the same bears date for and as the act of said corporation.

GIVEN under my hand and official seal of office, this 29<sup>th</sup> day of September, 1988.

[ NOTARIAL SEAL ]

Brian Hudson  
Notary Public

My Commission Expires: 12-4-90

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**EXHIBIT ONE  
SEWAGE TREATMENT PLANT SITE**

Commence at the Southeast Corner of the Northwest Quarter of the Northeast Quarter of Section 5, Township 19 South, Range 1 West, as per survey by Frank N. Champion (Ala. Reg. No. 6254) Dated March 26, 1987; run thence North 01 degrees 53 minutes 02 seconds East along the East line of said Quarter-Quarter Section for 2 feet more or less to the centerline of a creek being the point of beginning; continue North 01 degrees 53 minutes 02 seconds East along the East line of said Quarter-Quarter Section for 951 feet more or less to a point that is South 01 degrees 52 minutes 18 seconds West and 360.38 feet from the Northeast Corner of the Northwest Quarter of the Northeast Quarter of said Section 5; run thence North 88 degrees 35 minutes 02 seconds West for 474.45 feet; run thence South 26 degrees 16 minutes 28 seconds West for 143.93 feet; run thence South 28 degrees 03 minutes 21 seconds West for 225.67 feet; run thence South 30 degrees 17 minutes 07 seconds West for 230 feet more or less to the center line of the above mentioned creek; run thence in a Southeasterly direction along said creek for 960 feet more or less to the point of beginning. Said land containing 12.2 acres more or less.

Subject to:

- (1) Easement to Thompson Realty Co., Inc. as shown by instrument recorded in Deed Book 301, Page 799 in Probate Office.
- (2) Rights of riparian owners in and to the use of said creek.

**EXHIBIT TWO**  
**A 60' EASEMENT FROM THE TREATMENT PLANT SITE**  
**TO THE CENTERLINE OF HUGH DANIEL DRIVE**

Commence at the Northeast corner of Section 5, Township 19 South, Range 1 West as per survey by Charley P. Foster (Ala. Reg. No. 8157); run thence South 01 degrees 33 minutes 28 seconds West along the East line of said Section 5 for 662.13 feet to an iron pipe; run thence North 89 degrees 25 minutes 47 seconds West for 1334.19 feet to an iron pipe; run thence North 01 degrees 31 minutes 43 seconds East for 298.63 feet; run thence North 88 degrees 35 minutes 02 seconds West for 32.87 feet to the Point of Beginning, being the center line of said 60 foot easement; run thence North 01 degrees 52 minutes 18 seconds East for 223.61 feet; run thence in a Northwesterly direction along a curve to the left having a radius of 200.00 feet for an arc distance of 214.9 feet; run thence North 59 degrees 41 minutes 36 seconds West for 189.02 feet to the point of curvature of a curve; run thence in a Northwesterly direction along a curve to the right having a radius of 759.06 feet for an arc distance of 200.58 feet; run thence North 44 degrees 33 minutes 10 seconds West for 109.94 feet to the center line of an 80 foot right-of-way as recorded in Real Property Book 301, Pages 799-801 of the Shelby County Probate Records, being the point of ending; containing 1.29 Acres.

Subject to:

- (1) Easement to Thompson Realty Co., Inc. as shown by instrument recorded in Deed Book 301, Page 799 in Probate Office.
- (2) Rights of riparian owners in and to the use of said creek.

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STATE OF ALA. SHELBY  
I CERTIFY THIS  
INSTRUMENT WAS FILED

88 SEP 30 PM 12:19

*Thomas A. Shivers, Jr.*  
JUDGE OF PROBATE