

478  
PRELIMINARY ACQUISITION NOTICE

Date May 23, 1989  
Name Ralph Watson  
Address P.O. Box 15  
Helena AL 35080

(PARCEL 02)  
TAX MAP 58-13-02-10-4  
SECTION 10  
T 20 S R 3 W  
STARKY ST.  
Shelby County  
(Helena, AL.)

Dear Sir:

The purpose of this letter is to formally notify you that the City of Helena is interested in acquiring a permanent easement and/or a temporary easement on a portion of your property described above. The City is interested in acquiring this easement so that a sanitary sewer system can be constructed to serve this neighborhood. A legal description of the easements to be acquired is attached.

Within a few days, Mr. Gary Carter or another representative of the City will be contacting you to advise you in more detail of the nature of the project. We have enclosed for your information a copy of the booklet "When a Public Agency Acquires Your Property" which helps explain the acquisition procedures.

Please note that this notice is PRELIMINARY IN NATURE AND IS NOT A NOTICE TO VACATE THE PROPERTY. It does not establish eligibility for relocation payments or other relocation assistance.

If you wish, you may donate the easement to the City. This will be discussed in more detail with you by a representative of the City. If you have any questions prior to being contacted again by the City, please call Mr. Gary Carter, at Helena City Hall. The phone number is (205) 663-2161.

Sincerely,

CITY OF HELENA

*Sonny Penhale* /s/

Sonny Penhale  
Mayor

Enclosed: "When A Public Agency Acquires Your Property"

Received BY:

*Ralph E. Watson*

WAIVER OF RIGHTS AND BENEFITS OF THE UNIFORM  
RELOCATION ASSISTANCE AND REAL PROPERTY  
ACQUISITION POLICIES ACT OF 1970 (42 U.S.C. 4601)

WHEREAS, the City of Helena, Alabama, has received Community Development funds from the Alabama Department of Economic and Community Affairs, and;

WHEREAS, one of the conditions imposed upon the use of such funds is compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601), hereafter referred to as the Uniform Act, and the regulations at 24 CFR Part 42, as revised February 27, 1986, and;

WHEREAS, the Uniform Act requires that real property shall be appraised before the initiation of negotiations, and;

WHEREAS, the Uniform Act requires that the City of Helena establish an amount it believes to be just compensation for the property to be acquired before the initiation of negotiations, and;

WHEREAS, as to the property specifically described as follows:

(Describe Property)

NOW, THEREFORE, let it be known that by signature hereon, I freely and without duress waive any and all rights and benefits accruing to me under the Uniform Act. Specifically, I have been advised by the City of Helena of my right to an appraisal and the payment of just compensation for the property to be acquired as described herein if I elect not to execute this waiver.

Ralph E. Nahon  
Signature of Owner

Ang E. Carter  
Acquiring Official

STATE OF ALABAMA

SHELBY COUNTY

Ralph Watson

P.O. BOX 15  
HELENA, AL. 35080

PARCEL 02

TAX MAP 58-13-02-10-4

T20 S R3W SECTION 10

STARKY ST.

Shelby County  
(Helena, AL)

THIS INDENTURE made and entered into on this the 25<sup>th</sup>  
day of July, 19 89, by and between CITY OF HELENA, ALABAMA

hereinafter called Grantors; and the

hereinafter called the Grantee;

Ralph Watson  
City of Helena

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 THE CITY OF HELENA, ALABAMA service area, SHELBY County, Alabama; that it has been found necessary to cross certain lands owned by the Grantors for the purpose of installing all necessary UTILITIES, and other such integral parts of the UTILITY SYSTEM;

WHEREAS, it has been found advantageous and to the best interest of Grantors and Grantee that an easement for such UTILITY be conveyed to the THE CITY OF HELENA, ALABAMA

THEREFORE, in consideration of the sum of \$1.00 and the mutual benefits accruing to the Grantors and to the CITY OF HELENA, SHELBY County, Alabama, the Grantors have this day bargained and conveyed and by these presents do hereby grant and convey unto the CITY OF HELENA, 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 UTILITIES, 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 UTILITIES.

LEGAL DESCRIPTION

A Parcel of land being more particularly described as follows:

A 20.0' wide temporary construction easement lying adjacent and parallel to the EASTSIDE OF boundary line of Parcel STARKY ST., Block \_\_\_\_\_, as shown on Shelby County Tax Map No. 58-13-02-10-4, and a ~~10.0'~~ 7.205' R3W wide permanent easement lying ~~5.0'~~ either side of the installed Sanitary Sewer line. *AEC GEN*

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TO HAVE AND TO HOLD the above described right, privilege, and easements unto the CITY OF HELENA, ALABAMA 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, *J* Ralph E. Watson

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

Gary E. Carter  
(Witness)

Ralph E. Watson (SEAL)

(Witness)

(SEAL)

(Witness)

(SEAL)

(Witness)

(SEAL)

(Witness)

(SEAL)

(Witness)

(SEAL)

STATE OF ALABAMA

X

SHELBY COUNTY

X

X

I, the undersigned Notary Public, in and for said County in said State, hereby certify that Gary E. CARTER & Ralph E. WATSON

whose names are signed to the foregoing Easement and who are known to me, acknowledged before me on this day, that being informed of the contents of this Easement, AND executed the same voluntarily on the day the same bears date.

GIVEN under my hand this the 25<sup>th</sup> day of July, 1989.

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

90 DEC 10 PM 12:19

JUDGE OF PROBATE

(SEAL)

William J. Periphery  
NOTARY PUBLIC

My Commission Expires  
3/20/93

1. Deed Tax	\$	
2. Mig. Tax	\$	
3. Recording Fee	\$	12.50
4. Indexing Fee	\$	3.75
5. No Tax Fee	\$	
6. Certified Fee	\$	1.00
Total	\$	16.50