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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.

X  
\_\_\_\_\_  
Signature of Owner

Ray E. Carter  
\_\_\_\_\_  
Acquiring Official

PRELIMINARY ACQUISITION NOTICE

Date Jan. 12, 1989

Name Luvert Garrett  
Address 909 45 Ave. West  
Birmingham AL 35204

PARCELL # 19 BLK. C  
LOT 14

(CUNNINGHAM DR.)

TAX MAP # 58-13-05-15-1

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) 663-2151.

Sincerely,

CITY OF HELENA

  
Sonny Penhale  
Mayor

Enclosed: "When A Public Agency Acquires Your Property"

Received BY: \_\_\_\_\_

PARCEL # 19 Block C  
LOT 14

STATE OF ALABAMA

SHELBY COUNTY

X  
X  
X

ELIZA WILLIAMS / LUVERT GARRETT  
909 4TH AVE. WEST  
BIRMINGHAM, AL 35204

THIS INDENTURE made and entered into on this the fifth  
day of January, 19 89, by and between CITY OF HELENA, ALABAMA  
Luvert Garrett  
hereinafter called Grantors; and the Luvert Garrett  
hereinafter called the Grantee; City of Helena

WITNESSETH:

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 \_\_\_\_\_  
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.

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DESCRIPTION:

A PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A utility easement located in Sec. 15, Township 20 South, Range 3 West,  
and being on Parcel 19, Block C, Shelby County Tax Map 58-13-05-15-1.

Said easement shall be a 10.0' wide permanent easement and a 20.0' wide  
temporary construction easement running parallel to and along the West line of  
of said Parcels and the East R.O.W. of Cunningham Street (Washington Street).

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TO HAVE AND TO HOLD the above described right, privilege, and  
easements unto the City of Helena 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, Wm. Everett Barrett

have hereunto set <sup>my</sup> ~~our~~ hands and seal on this the day and year first above  
written.

(Witness)

(Witness)

(Witness)

(Witness)

(Witness)

(Witness)

Luvent Gantett (SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF ALABAMA

Jefferson COUNTY

X  
X  
X

I, the undersigned Notary Public, in and for said County in said State, hereby certify that Luvent Gantett

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, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand this the 5th day of January,

19 89.

Carlton Marsh

NOTARY PUBLIC

My Commission Expires 18 Aug 90

(SEAL)

UTILITY SEWER  
D 10 FT EASEMENT

10 AC±

1. Dead Tax	15.00
2. Mig. Tax	3.00
3. Recording Fee	1.00
4. Indexing Fee	0.00
5. Notary	0.00
6. C.	0.00
<b>Total</b>	<b>19.00</b>

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

90 DEC 10 PM 12:19

CLERK OF PROBATE

