

500  
PRELIMINARY ACQUISITION NOTICE

Date Feb. 14, 1989

Name Frank or Jerry Kirksey  
Address P.O. Box 442  
Helena, AL 35080

PARCEL # 16

T20S R3W

TAX MAP # 58-13-03-15-1

DATE 2-17-89

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  
Mayor

Enclosed: "When A Public Agency Acquires Your Property"

Received BY: X Franklin Kirksey

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;

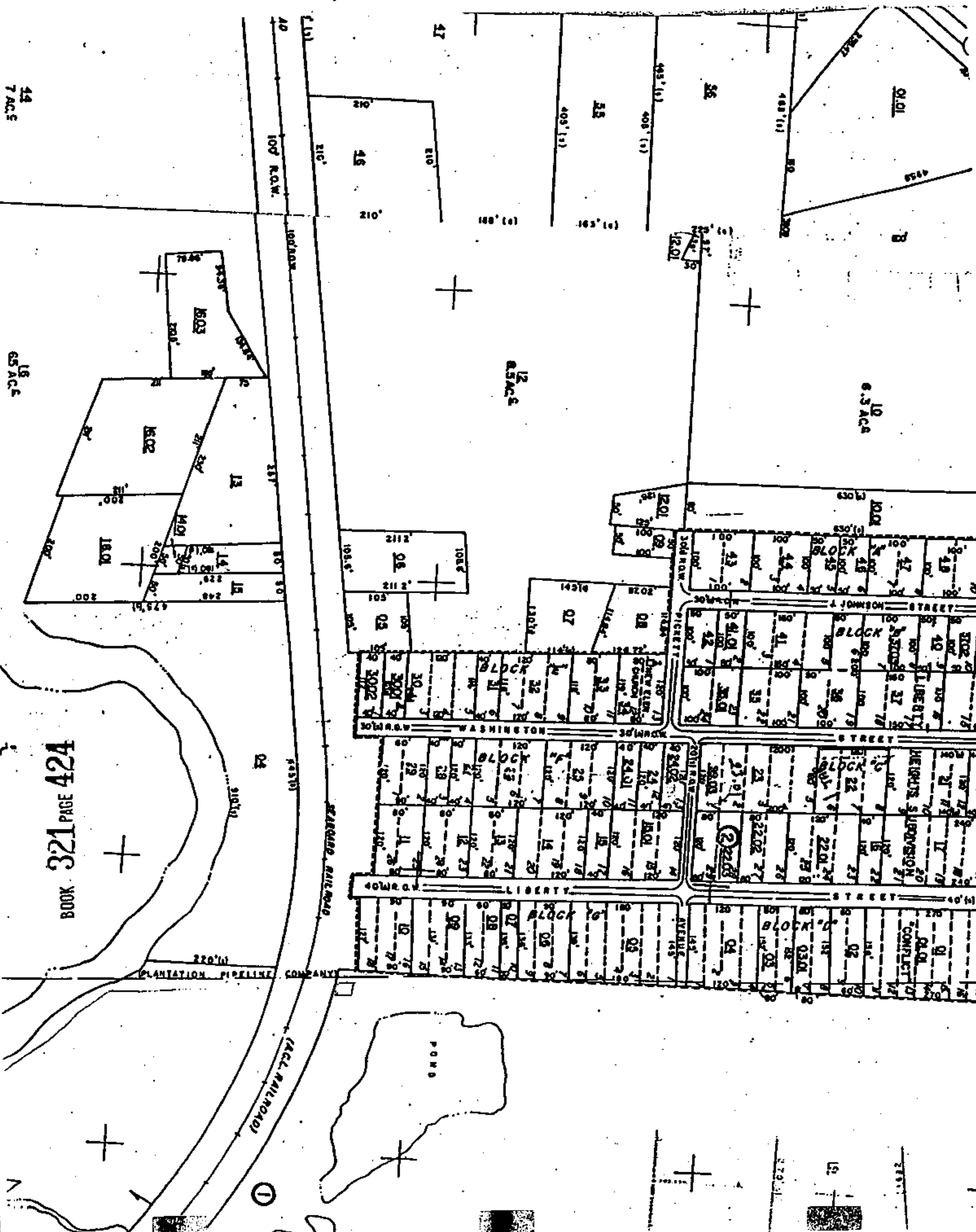
WHEREAS, as to the property specifically described as  
follows:

(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.

Franklin Kirk  
Signature of Owner

Amy E. Carter  
Acquiring Official



44  
7 ACES

18  
65 ACES

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①

STATE OF ALABAMA

SHELBY COUNTY

X  
X  
X

Kirksey

P.O. Box 442

HELENA, AL. 35080

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

T20S R3W

PARCEL # 16 ①

THIS INDENTURE made and entered into on this the 15

day of February, 1989, by and between

Franklin Kirksey

hereinafter called Grantors; and the CITY OF HELENA UTILITY BOARD

hereinafter called the Grantee;

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 CITY OF HELENA UTILITY BOARD 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 UTILITIES;

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

THEREFORE, in consideration of the sum of \$1.00 and the mutual benefits accruing to the Grantors and to the CITY OF HELENA UTILITY BOARD, 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 UTILITY BOARD, 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 10.0' wide utility easement located in Section 15, T. 20 S., R. 3 W. and running along parallel to the north line of Parcel 16 Block 1 as shown on Shelby County Tax Map 58-13-05-15-1. Or lying 5.0' either side of the utility as shown on the Liberty Heights Sewer Extension plans, sheet 2 of 12, dated 7-15-88, or as constructed.

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TO HAVE AND TO HOLD the above described right, privilege, and easements unto the CITY OF HELENA UTILITY BOARD 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, we, Franklin Kibbey

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

Craig Bonnell  
(Witness)

Franklin Kirksey (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 Franklin Kirksey

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 15 day of February,

1989.

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

90 DEC 10 PM 12:40

Thomas W. Thompson, Jr.  
JUDGE OF PROBATE

Francis P. Parris

NOTARY PUBLIC

MY COMMISSION EXPIRES MAY 13, 1992

(SEAL)

1. Deed Tax	\$	
2. " "	\$	
3. " "	\$	15.00
4. " "	\$	3.00
5. " "	\$	
6. " "	\$	1.00
Total	\$	19.00