## BOOK 321 PAGE 394

## PRELIMINARY ACQUISITION NOTICE

Date 4-6-87

Name LEE & Lillit MYREE
Address pu Box 756

Columbiana . 194 3505/

yas

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: Mifidel Salve for the Mighel

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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.

Maydah Marce for Ms Myzel Signature of Owner

Acquiring Official

**800K** 

STATE OF ALABAMA

PARCEL # 18 Block C LOT 15

x LILIES & LEE MYREE

· PO Box 756

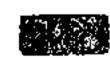
SHELBY COUNTY ColumbiaNA, AL 35051 THIS INDENTURE 'made and entered into on this the \_\_\_\_\_\_ \_\_, 19 89, by and between \_\_CITY OF HELENA. ALA hereinafter called Grantors; and the hereinafter called the Grantee;

## WITNESSETH:

WHEREAS, it has been found to provide the necessary utilities to certain areas lying within the THE CITY OF HELENA, ALABAMA County, Alabama; that it has been found service area, SHELBY necessary to cross certain lands owned by the Grantors for the purpose of \_\_\_\_, and other such integral installing all necessary ... UTILITIES parts of the UTILITY SYSTEM WHEREAS, it has been found advantageous and to the best interest UTILITY of Grantors and Grantee that an easement for such \_\_\_\_ 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 County, Alabama, the SHELBY Crantors have this day bargained and conveyed and by these presents do hereby SHELBY grant and convey unto the \_\_\_CITY OF HELENA 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 \_\_\_\_\_ 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





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 18, 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).

321 PME 39 **B00K** 

> TO HAVE AND TO HOLD the above described right, privilege, and \_\_ and to its assigns, City of Welena 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, Sillie S. Munee

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

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