

480
PRELIMINARY ACQUISITION NOTICE

Date June 1, 1989

Name Emw Enterprises
Address Polham, 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
Mayor

Enclosed: "When A Public Agency Acquires Your Property"

Received BY: 


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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.

John M. Metcal
James W. Wolf
Signature of _____

Ang E. Carter
Acquiring Official

STATE OF ALABAMA

X

SHELBY COUNTY

X

X

THIS INDENTURE made and entered into on this the 1st
 day of June, 19 29, by and between John M. Metrick
John B. Weed, Jr. & Bobby E. Elison
 hereinafter called Grantors; and the CITY OF HELENA, ALABAMA UTILITY BOARD
 hereinafter called the Grantee;

WITNESSETH:

WHEREAS, it has been found to provide the necessary utilities to
 certain areas lying within the CITY OF HELENA, ALABAMA 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 UTILITY;

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, ALABAMA 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,
ALABAMA 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, ALABAMA SHELBY
UTILITY BOARD,
 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.

DESCRIPTION

A parcel of land being more particularly described as follows:

Commence at the NE Corner of the NE 1/4 of Sec. 15, T. 20S., R. 3W. and run S 81° 45' 41" W for a distance of 1925.52' to a point. Thence turn left and run S 56° 51' 40" E for a distance of 284.40' to a point. Thence turn right 84° 0.7' 38" and run 110.0' more or less to a point. Thence turn left 16° 18' 50" and run 343.40' to a point. Thence turn left 20° 50' 18" and run 245.09' to a point. Thence turn right 66° 15' 15" and run to the center of Buck Creek. Said point being the point of beginning. Thence continue along the same course for a distance of 100.0' more or less to the property line at the Helena Waste-water Treatment Plant property.

Said described line being the center line of a 20.0' wide permanent easement lying 10.0' either side of said line, and a 40.0' wide temporary construction easement lying 20.0' either side of said line. Said line being as described or as constructed.

Said permanent easement contains 0.05 acres, more or less, and said temporary construction easement contains 0.10 acres, more or less.

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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, we,

John M. Metrick,
John B. Wood, Jr. & Betty Ellison
have hereunto set our hands and seals on this the day and year first above written.

X Larry E. Carter
(Witness)

X Larry E. Carter
(Witness)

X Larry E. Carter
(Witness)

(Witness)

(Witness)

(Witness)

X John M. Metcreek (SEAL)

X John B. Wood (SEAL)

X Bobby Bellison (SEAL)

(SEAL)

(SEAL)

(SEAL)

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STATE OF ALABAMA

SHELBY COUNTY

X
X
X

I, the undersigned Notary Public, in and for said County in said State, hereby certify that John M. Metcreek, John B. Wood, Jr. & Bobby Bellison

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

GIVEN under my hand this the 1 day of June, 1989.

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

90 DEC 10 PM 12:21

Judge of Probate

Lianne Parish
NOTARY PUBLIC

MY COMMISSION EXPIRES MAY 13, 1992

(SEAL)

12.50
3.00
1.00
16.50

