

4317
STATE OF ALABAMA)
SHELBY COUNTY)

THIS INDENTURE made and entered into on this the 12th day of March, 1991, by and between AMSOUTH BANK as trustee u/w/o F. G. Koenig and Myra K. Lewis, Individually, hereinafter called Grantors; and the City of Columbiana hereinafter called the Grantee;

W I T N E S S E T H:

WHEREAS, it has been found to provide water service to certain areas lying within the City of Columbiana service area, Shelby County, Alabama; that it has been found necessary to cross certain lands owned by the Grantors for the purpose of installing water lines, and other such integral parts of the water service utility;

WHEREAS, it has been found advantageous and to the best interest of Grantors and Grantee that an easement for such water service utility be conveyed to the City of Columbiana.

350 PAGE 717
BOOK THEREFORE, in consideration of the sum of \$ 500.00 and the mutual benefits accruing to the Grantors and to the City of Columbiana, Shelby County, Alabama, the Grantors have this day bargained and conveyed and by these presents do hereby grant and convey unto the City of Columbiana, 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 a waterline 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 waterline.

A 10' wide permanent easement lying within Parcel 25, Shelby County, Alabama the North line of which is described as follows: Commence at the intersection of the Southwest Right of Way Line of Depot Street with the Northwest Right of Way Line of Norfolk Southern Railroad; thence run Southwesterly

Water Work Board
20. 945-
Columbiana, Al.

along said Northwest Railroad Right of Way a distance of 580' more or less to the point of beginning at the Northwest Corner of the Railroad Right of Way; thence run westerly on a curve arcing to the right (as shown on attached drawing) a distance of 70' more or less to the point of ending on An Alabama Power Company Easement.

Parcel 25 is shown on Shelby County, Alabama Tax Map No. 58-21-0726-2-001.

TO HAVE AND TO HOLD the above described right, privilege, and easement unto the City of Columbiana 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 right, privilege and easement, hereinabove described.

This instrument is executed without warranty or representation of any kind on part of AmSouth Bank N.A. as Trustee u/w/o F. G. Koenig express or implied, except that there are no liens or encumbrances outstanding against the premises conveyed which were created or suffered by the undersigned and not specifically excepted herein.

This instrument is executed by AmSouth Bank N.A. as Trustee u/w/o F. G. Koenig solely in the representative capacity named herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of the undersigned in its individual or corporate capacity, and AmSouth Bank N.A. as Trustee u/w/o F. G. Koenig expressly limits its liability hereunder to the property now or hereafter held by it in the representative capacity named.

IN WITNESS WHEREOF, AMSOUTH BANK, National Association, as Trustee under the will of F. G. Koenig, Myra K. Lewis, Individually, have caused these presents to be executed in their names and on their behalf and in their capacities, as aforesaid on this 12th day of March, 1991.

BOOK 350 PAGE 718

ATTEST:

Frank Harris
Dave Subbs

AmSouth Bank N.A. as Trustee
U/W/O F. G. Koenig

Thomas W. Paul (SEAL)
ITS: Vice President

Myra K. Lewis (SEAL)
Myra K. Lewis, Individually

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Thomas W. Paul and Frank Harris whose names as Vice President and Senior Forester and Property Management Officer of AmSouth Bank N.A. as Trustee are signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of said conveyance, they as such officers and with full authority as Trustee, executed the same voluntarily for and as the act of said association, acting in its capacity as trustee on the day the same bears date.

BOOK 350 PAGE 719

Given under my hand and official seal this 18th day of March, 1991.

Sherry H. Loggins
NOTARY PUBLIC
MY COMMISSION EXPIRES 12-9-93

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned Notary Public, in and for said County in said State, hereby certify that Myra K. Lewis, Individually, whose names are signed to the foregoing Easement and who are known to me, acknowledged before me 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 8 day of March, 1991.

(SEAL)

1. Bond Fee	
2. My Fee	7.50
3. Advertising Fee	3.00
4. Commission Fee	1.00
5. No Tax Fee	
6. Preparation Fee	
Total	11.50

Angela L. Williams
NOTARY PUBLIC

My Commission Expires Sept. 23, 1992.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
91 JUN 28 AM 10:58
JUDGE OF PROBATE