

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

Inst # 1994-05304

02/16/1994-05304
03:43 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD

EASEMENT

November THIS INDENTURE made and entered into on this the 9th day of November, 1993, by and between EUGENE M. McLAIN, and his wife, GERALDINE P. McLAIN, hereinafter called Grantors; and the City of Pelham, Alabama, 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 limits of the City of Pelham, Shelby County, Alabama; that it has been found necessary to cross certain lands owned by the Grantors for the purpose of installing all necessary sewer and water mains, and other such integral parts of water systems and sewage systems;

WHEREAS, it has been found advantageous and to the best interest of Grantors and Grantee that an easement for such water and sewer mains be conveyed to the City of Pelham, Alabama.

THEREFORE, in consideration of the sum of One and No/100 Dollars (\$1.00), and the mutual benefits accruing to the Grantors and to the City of Pelham, Shelby County, Alabama, the Grantors have this day bargained and conveyed and by these presents do hereby grant and convey unto the City of Pelham, Shelby County, Alabama, the following right, privilege and easement, in, to, along, over, through, under, and across the hereinafter described lands:

A tract of land situated in Section 24, Township 20 South, Range 3 West, Shelby County, Alabama and more particularly described as follows:

Commence at the Northwest corner of the Northeast 1/4 of Section 24;

Thence run in a Southerly direction along the West line of said 1/4 section, a distance of 566 feet to the Point of Beginning in the center of Coates Branch;

Thence continue in a Southerly direction along said West line a distance of 115 feet;

Thence an angle let of 90 degrees, 54 minutes, 52 seconds and run in an Easterly direction along the South line of the Gene McLain Property a distance of 41.68 feet;

Thence an angle right of 104 degrees, 05 minutes, 12 seconds and run in a Southwesterly direction a distance 362.79 feet to the beginning of a curve to the right, said curve having a radius of 289.62 feet and subtending a central angle of 21 degrees, 24 minutes;

Thence run in a Southwesterly direction along the arc of said curve a distance 108.17 feet;

Thence on tangent to curve, continue in a Southwesterly direction a distance of 346.91 feet to the beginning of a curve to the right, said curve having a radius of 327.26 feet and subtending a central angle of 18 degrees, 48 minutes;

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Thence run in a Southwesterly direction along the arc of said curve a distance of 107.38 feet;

Thence on tangent to curve continue in a Southwesterly direction a distance of 426.81 feet to the beginning of a curve to the left, said curve having a radius of 126.96 feet and subtending a central angle of 31 degrees, 23 minutes, 16 seconds;

Thence run in a Southwesterly direction along the arc of said curve a distance of 69.55 feet to a point on the Northeasterly right-of-way line of Shelby County Highway No. 52;

Thence right and run in a Northwesterly direction along said right-of-way line a distance of 240 feet, more or less, to the center of Coates Branch;

Thence run in a Northeasterly direction along the center-line of and meanderings of Coates Branch as shown by traverse on Exhibit "A" a distance of 2097 feet, more or less, to the Point of Beginning. Tract contains 4.38 Acres.

IT IS AGREED by and between the Grantors and Grantee that Grantors grant to the City of Pelham a temporary easement fifty (50) feet in width, this dimension being 25 feet to each side of the center line of the proposed water or sewer line and a thirty (30) foot wide permanent easement, this dimension being fifteen (15) feet on each side of the proposed water or sewer line, as constructed and/or shown on the plans entitled _____.

NOTWITHSTANDING the foregoing, the Grantor reserves the right to construct a road over the said easement to access Grantor's property.

TO HAVE AND TO HOLD the above described right, privilege and easements unto the City of Pelham and to its assigns, together with the right of entry and re-entry from time to time as occasion may require for the purpose of exercising its said right, privileges and easements, hereinabove described.

IN WITNESS WHEREOF, we, EUGENE M. McLAIN and GERALDINE P. McLAIN have hereunto set our hands and seals on this the day and year first above written.

Sharon Dillon
Witness
Sharon Dillon
Witness

Eugene M. McLain
Eugene M. McLain
Geraldine P. McLain
Geraldine P. McLain

STATE OF ALABAMA)
)
COUNTY OF MADISON)

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I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that EUGENE M. McLAIN and GERALDINE P. McLAIN, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that being informed of the contents of the conveyance, executed the same voluntarily.

Given under my hand and seal this the 9th day of November, 1993.

Robert W. John
NOTARY PUBLIC
MY COMMISSION EXPIRES 7/14/97