

This Instrument Prepared By:  
Walter D. Fisher, Jr.  
Kennedy Covington Lobdell & Hickman, L.L.P.  
Suite 4200, NationsBank Corporate Center  
100 North Tryon Street  
Charlotte, North Carolina 28202-4006

**QUITCLAIM DEED**

STATE OF ALABAMA

COUNTY OF SHELBY

04/04/1995-08589  
01:08 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MCD 16.50

Inst # 1995-08589

**THIS QUITCLAIM DEED** (this "Deed"), made on the 30 day of March, 1995, between **THE WATER WORKS AND SEWER BOARD OF THE CITY OF BIRMINGHAM** ("Grantor"), an Alabama public corporation, and **AMSOUTH BANK OF ALABAMA, AS ANCILLARY TRUSTEE FOR NATIONSBANK, N.A. (CAROLINAS), AS TRUSTEE FOR THE PUBLIC EMPLOYEES RETIREMENT SYSTEM OF OHIO** ("Grantee") (the words "Grantor" and "Grantee" include their respective heirs, successors and assigns).

WITNESSETH that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of which are hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM to Grantee all right, title and interest of Grantor in and to that certain real property located in Shelby County, Alabama, which real property is more particularly described on Exhibit A and Exhibit A-1 attached hereto and incorporated herein by reference, including, without limitation, all rights of Grantor in and to the real property described on Exhibit A and Exhibit A-1 pursuant to that certain Permanent Right-of-Way Easement for Sanitary Sewer Pipelines dated July 17, 1990, and recorded in Book 301 at Page 623 in the Probate Office of Shelby County, Alabama (the "Recording Office"), and that certain Limited Warranty Deed and Bill of Sale dated July 17, 1990, and recorded in Book 301 at Page 619 in the Recording Office.

Grantor also acknowledges and agrees that all rights of Grantor under and pursuant to that certain Temporary Construction Easement recorded in Book 301 at Page 630 in the Recording Office (the "Temporary Easement") have terminated and expired by the terms of the Temporary Easement and that Grantor has no continuing or residual rights thereunder.

TO HAVE AND TO HOLD the above-described property to Grantee, so that neither Grantor, nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to such property, or any rights thereof.

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed by its duly authorized and incumbent officers as of the day and year first above written.

THE WATER WORKS AND SEWER BOARD OF  
THE CITY OF BIRMINGHAM

ATTEST:

Anthony J. Barnes  
Secretary-Treasurer

By: Horace W. Tank  
Chairman/President

Calvin Butler

P.O. Box C 110  
Birmingham, AL 35283

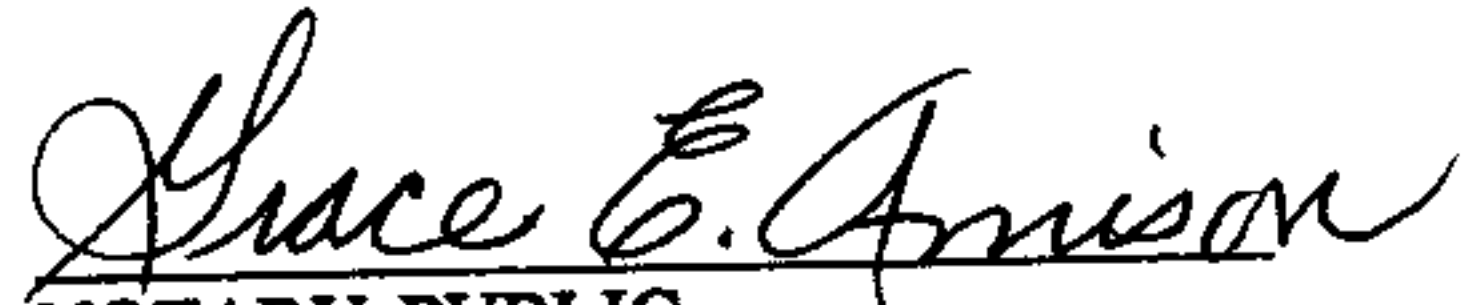
245805.2

STATE OF ALABAMA

COUNTY OF Jefferson

I, Grace E. Amison, a Notary Public in and for said County in said State, hereby certify that Horace W. Parker, whose name as Chairman/President of The Water Works and Sewer Board of the City of Birmingham, an Alabama public corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, he, as such officer, and with full authority, executed the same voluntarily for and as the act of The Water Works and Sewer Board of the City of Birmingham, on the day the same bears date.

Given under my hand and official seal this the 30 day of March,  
1995.

  
NOTARY PUBLIC

My Commission Expires:

MY COMMISSION EXPIRES MAY 31, 1998

[NOTARIAL SEAL]

Exhibit A

A quit claim to an easement for construction and maintenance of underground Sanitary Sewer Pipelines and above ground appurtenances situated in the Northwest 1/4 of Southeast 1/4 of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

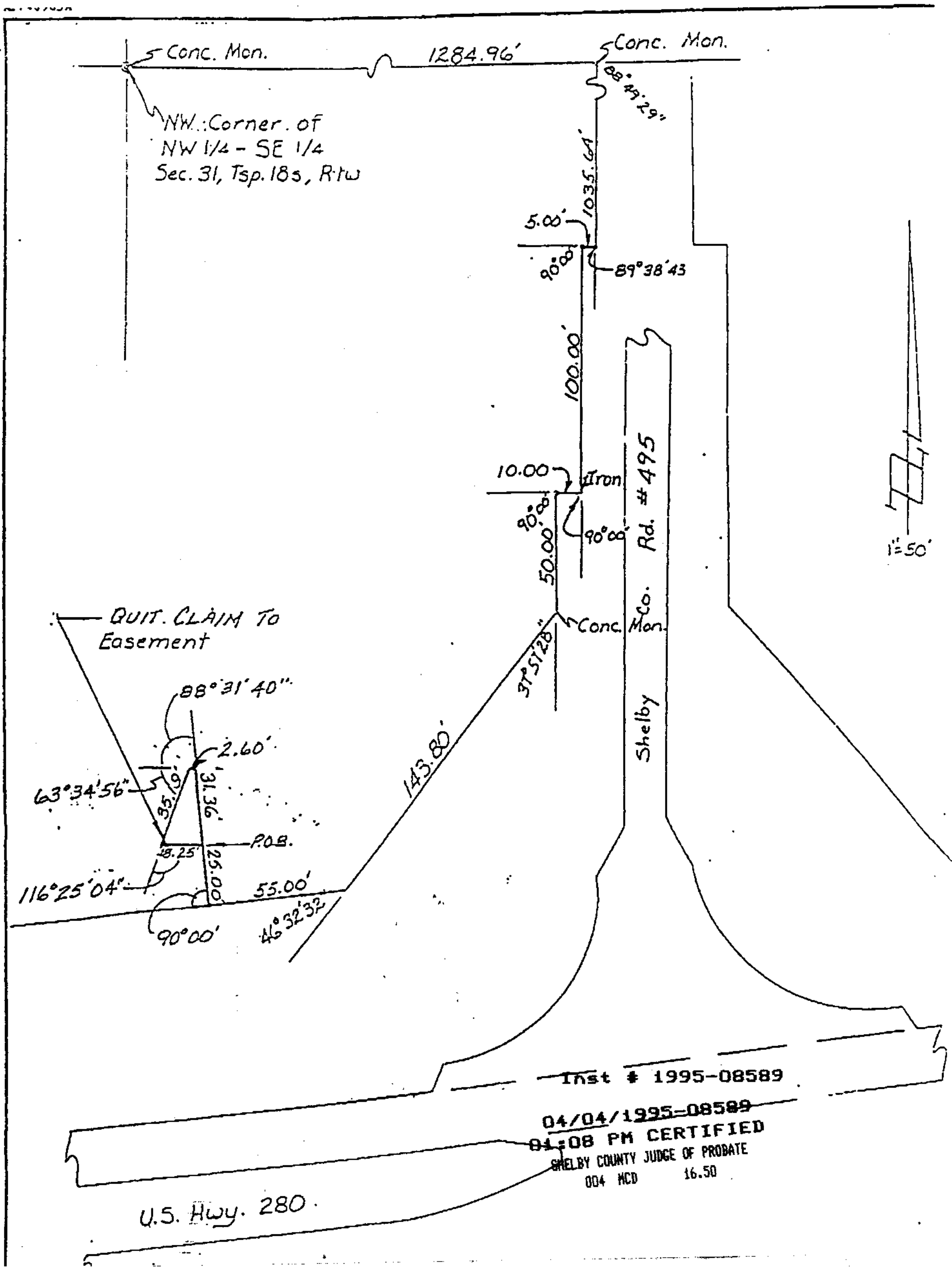
Commence at the Northwest corner of said 1/4-1/4 section, at a concrete monument, and run easterly 1284.96 feet along the northerly line of said 1/4-1/4 section to a concrete monument on the westerly right-of-way line of Shelby County Road No. 459; thence turn 88°49'29" right and run southerly 1035.64 feet along said right-of-way line to an iron pin; thence turn 89°38'43" right and run westerly 5.00 feet along said westerly right-of-way line to an iron pin; thence turn 90°00' left and run southerly 100.00 feet along said westerly right-of-way line to an iron pin; thence turn 90°00' right and run westerly 10.00 feet along said westerly right-of-way line to an iron pin; thence turn 90°00' left and run southerly 50.00 feet along said westerly right-of-way line to a concrete monument; thence turn 37°57'28" right and run southwesterly 143.80 feet along said westerly right-of-way line to a concrete monument, said monument being the point of intersection of said westerly right-of-way line and the northerly right-of-way line of U. S. Highway No. 280; thence turn 46°32'32" right and run westerly 55.00 feet along said northerly right-of-way line to a point, thence turn 90°00'00" right and run North 25.00 feet to a point, said point being the Point of Beginning of the Easement herein described.

Thence, from said Point of Beginning, continue 31.36 feet along last described course to a point; thence turn 88°31'40" left and run westerly 2.60 feet to a point; thence turn 63°34'56" left and run southwesterly 35.19 feet to a point; thence turn 116°25'04" <sup>\*\*</sup> and run East 18.25 feet to the Point of Beginning.

<sup>\*\*</sup>left

Said easement contains 326.85 square feet or 0.0075 acres, more or less, as shown on the sketch attached hereto as Exhibit A-1 and incorporated herein by reference.

Exhibit A-1



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U.S. Hwy. 280.