

This instrument was prepared by
William R. Justice
P.O. Box 1144
Columbiana, AL 35151

Grantee's Address:
P.O. Box 277
Alabaster, AL 35007

STATE OF ALABAMA
COUNTY OF SHELBY

SANITARY SEWER EASEMENT

This indenture, made and entered into on this 2 day of January, 1996, ~~December, 1995~~, by and between Paul A. Stewart and wife, Peggy J. Stewart, hereinafter called Grantors, and the City of Alabaster, Alabama, a municipal corporation, hereinafter called the Grantee:

Whereas, it has been found that to provide the necessary sanitary sewer services to certain areas lying within the city limits of the City of Alabaster, 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 mains, lines, and associated and necessary equipment and other facilities; and

Whereas, it is found advantageous and to the best interest of the Grantors and the Grantee that an easement for such sewer mains and facilities be conveyed to the Grantee;

Now, therefore, in consideration of the sum of One and no/100 Dollars (\$1.00) and the right to Grantors or their grantees, successors, and/or assigns to tap on to the sewer system for service to one residence at 140 Big Oak Drive, Maylene, AL 35114, without the necessity of payment of a tap-on fee or other connection charge, and in further consideration of the mutual benefits accruing to the Grantors and to the Grantee, the Grantors have this date bargained and conveyed and by these presents do hereby grant and convey unto the Grantee the following right, privilege, and easement in, to, along, over, through and across the hereinafter described land:

The right and privilege to construct, erect, install, operate and maintain sanitary and storm sewer mains, lines, and associated and necessary equipment and other facilities on, upon, along, over, through and across the hereinafter described land; and

The right, privilege and easement to cut, trim, and remove any brush, trees, or other obstructions upon the hereinafter described land, together with the right of ingress and egress to and from, over and above the hereinafter described land, for the purpose of keeping the same clear of all trees, timber, brush, undergrowth, or any other objectionable obstructions:

A permanent easement that is twenty (20) feet in width and a temporary easement that is forty (40) feet in width (for the construction phase of the project), the centerline of which is described as follows: Commence at the northwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, Township 21 South, Range 3 West, Shelby County, Alabama, said point also being the northwest corner of Lot 40, Windy Oaks, an unrecorded subdivision, and run thence North 89° 47' 11" East along said $\frac{1}{4}$ - $\frac{1}{4}$ property line a distance of 630.34 feet to a point on the centerline of proposed easement and the point of beginning of the easement being described; thence run South 7° 47' 30" East a distance of 8.23 feet to a point on the easterly property line of same Lot 40 and the end of easement for this property. Easement encompasses a small triangular piece of the Northeast corner of Lot 40, Windy Oaks.

To Have and to Hold the above described rights, privileges, and easements unto the City of Alabaster, Alabama, a municipal corporation, Grantee, and to its successors and assigns, forever, together with the right of entry and re-entry from time to time, as occasion may require, for the purpose of exercising the said rights, privileges and easements hereinabove described.

In Witness Whereof, we, Paul A. Stewart and wife, Peggy J. Stewart, have hereunto set our hands and seals on the day and year first above written.

Paul A. Stewart
Paul A. Stewart

Peggy J. Stewart
Peggy J. Stewart

STATE OF ALABAMA
COUNTY OF SHELBY

James W. Howard
City of Alabaster - WWTP SUPT.

I, the undersigned authority, a notary public in and for said County, in said State, hereby certify that Paul A. Stewart and wife, Peggy J. Stewart, 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, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2 day of January, 1996.

Gaynell Stokes Still
Notary Public

Comm. expires 2/07/96

Inst # 1996-34765
10/17/1996-34765
12:49 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
JDI MCD 9.00

Inst # 1996-34765