

STATE OF ALABAMA
SHELBY COUNTY

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THIS INDENTURE made and entered into on this the 2nd
day of June, 1995, by and between
(13) BILLIE ED & MARIE SMITHERMAN RT. 2 BOX 2287
DANIELSVILLE, GA 30633

hereinafter called Grantors; and the City of Alabaster, 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 of Alabaster
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 pipelines, and other such integral
parts of the sanitary sewer system;

WHEREAS, it has been found advantageous and to the best interest
of Grantors and Grantee that an easement for such sanitary sewer be
conveyed to the City of Alabaster

THEREFORE, in consideration of the sum of \$1.00
and the mutual benefits accruing to the Grantors and to the City of
Alabaster, Shelby County, Alabama, the
Grantors have this day bargained and conveyed and by these presents do hereby
grant and convey unto the City of Alabaster, 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 sanitary sewer system, 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
sanitary sewer system.

10/17/1996-34804
01:36 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 16.50

Inst # 1996-34804

(DESCRIPTION)

PARCEL NO. 13

BLOCK NO. 1

SHELBY COUNTY TAX MAP NO. 58-23-05-15

A 20' WIDE PERMANENT SANITARY SEWER EASEMENT TRAVERSING THE ABOVE SAID PARCEL OF LAND, LYING 10' EACH SIDE OF THE CENTERLINE OF THE SANITARY SEWER LINE AS CONSTRUCTED, LOCATION AS SHOWN ON ATTACHED COPY OF A PORTION OF SHELBY COUNTY, ALABAMA TAX MAP NO. 58-23-05-15, SAID COPY OF A PORTION OF TAX MAP NO. 58-23-05-15 HEREBY BEING MADE A PART OF THIS LEGAL DOCUMENT.

ALSO A 40' WIDE TEMPORARY CONSTRUCTION EASEMENT LYING 20' EACH SIDE OF THE ABOVE DESCRIBED PERMANENT SANITARY SEWER EASEMENT.

THE ABOVE DESCRIBED TEMPORARY CONSTRUCTION EASEMENT SHALL NOT ENCROACH WITHIN 5' OF ANY EXISTING STRUCTURE AND SHALL REVERT TO THE OWNER OF THE PARCEL OF LAND UPON COMPLETION OF CONSTRUCTION AND ACCEPTANCE OF THE SANITARY SEWER LINE BY THE CITY OF ALABASTER.

TO HAVE AND TO HOLD the above described right, privilege, and easements unto the City of Alabaster, 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, Billy Ed. Smithman

Mare Smithman

have hereunto set our hands and seals on this the day and year first above written.

Wynne W. Oaro
(Witness)

(Witness)

(Witness)

(Witness)

(Witness)

(Witness)

Billie Ed Smithman (SEAL)

Marie Smithman (SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

STATE OF ALABAMA
SHELBY COUNTY

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I, the undersigned Notary Public, in and for said County in said State, hereby certify that Billie Ed and Marie Smithman

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, June 2, 1945 executed the same voluntarily on the day the same bears date.

GIVEN under my hand this the 2nd day of June, 1945.

Mary W. Gary
NOTARY PUBLIC

Notary Public, Jackson County, Ga.
My Commission Expires April 4, 1999

(SEAL)

