

## EASEMENT

This instrument was prepared by ✓ Steven R. Sears, attorney, 655 Main Street, BX Four, Montevallo, AL 35115+0004, without benefit of title evidence.

I, Foster Dove, for good and valuable consideration, receipt of which is acknowledged, and the prospective benefits to be derived by reason of the locating, establishing, constructing, and maintaining a certain drain as hereinafter described, do hereby convey and release to the Montevallo Water and Sewer Board, an easement and right of way for a certain sanitary sewer drain, over and across lands owned by me and situated in §20, Twp 22S, R3W, Shelby County, AL more particularly described as follows: City shall repair all damage and provide a tap for a residence on the property.

Inst # 1997-24568

### PART I

A temporary construction easement 10 feet each side of the centerline for construction of the sanitary sewer as described below, to allow the City of Montevallo's Contractor and employees and agents of the Montevallo Water and Sewer Board to construct the sewer. The construction shall be with due regard for the property of the grantor. Clearing of trees, shrubs, and other growth is permitted within the construction easement. Debris will be removed from the property, and clean up accomplished. This easement is granted for the duration of the sewer construction contract, and shall end when that contract is closed.

### PART II

A permanent easement for a sanitary sewer line, its maintenance, and drainage, 5 feet each side of the centerline of the sewer, to touch, concern, and go with the land, to allow the Montevallo Water and Sewer Board, its employees and agents, to operate, repair, and maintain the sanitary sewer, including the right of access by the city, its employees and agents or officials, and necessary related equipment. Included is the right to uncover the sewer line, with the obligation to leave the grantors' property in good repair after completion of any repair to the sewer.

The centerline of the above two-part easement is more particularly described as follows: A line across the property of Mr Foster Dove parallel to and ten feet N of the N right of way of Shelby County Highway 10.

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10:44 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 SNA 11.00

The right of way hereby conveyed and released is for the purpose of locating, establishing, constructing, and maintaining over and across the above-described land a sanitary sewer drain.

We also grant and convey to the Montevallo Water and Sewer Board a right of entry upon, passage over, and deposit or removal of excavated earth and storage of material and equipment on such area as may be necessary or useful for the maintenance, cleaning out, and repair of such drain or to handle surface water runoff.

In witness whereof, I have hereunto set my hand and seal this 18 day of July 1997.

Witness:

Ellis H. Dove

Foster Dove (Seal)  
Foster Dove

State of Alabama)  
County of Shelby)

I, the undersigned notary public for the State of Alabama at Large, hereby certify that Foster Dove, whose name is signed to the foregoing easement, and who is (made) known to me, acknowledged before me on this day, that, being informed of the contents of the easement, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this          July 1997.

James I. Anderson  
Notary public

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