

STATE OF ALABAMA}

COUNTY OF SHELBY}

DEED AND BILL OF SALE

KNOW ALL MEN BY THERE PRESENTS:

That in consideration of ten dollars and other good and valuable consideration paid by The Water Works and Sewer Board of the City of Birmingham, a public corporation, (the "Board") to Highland Lakes Development, Ltd., an Alabama Limited Partnership ("Highland Lakes"), Highland Lakes Development, Ltd., does by these presents grant, bargain, sell, assign, transfer and convey to the Board and its successors and assigns, all right, title and interest in and to all of the sanitary sewer trunklines, pipelines, force mains, gravity flow mains, sewer laterals, lift stations, pumping stations and related appurtenances, appliances, fixtures and equipment (the "Property") which are now located on or under the surface of that certain real property situated in Shelby County, Alabama which is described on Exhibit A attached hereto and incorporated herein by this reference.

Highland Lakes does, for itself and its successors and assigns, hereby covenant with the Board and its successors and assigns that it is lawfully seized in fee simple and/or has good and marketable title in and to the Property; that the Property is free from all encumbrances; that it has a good right to sell, assign, transfer and convey the Property as aforesaid; and that Highland Lakes and its successors and assigns shall warrant and defend the same to the Board, and its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Highland Lakes Development, Ltd. has caused this instrument to be duly executed on this 20th day of September, 1997.

Highland Lakes Development, Ltd.
an Alabama Limited Partnership
by: Eddleman Properties, Inc.
its General Partner

ATTEST:

By: _____
Its: _____

By: *Raymond D. Eddleman*
Its: PRESIDENT

Inst # 1997-34748

10/27/1997-34748
09:29 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.50

Amr/Ed/vr2/BILLOPSALE.161

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Inst # 1997-34748

STATE OF ALABAMA }
Jefferson COUNTY }

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of Eddleman Properties, Inc., an Alabama corporation, which is the General Partner of Highland Lakes Development, Ltd., an Alabama Limited Partnership, is signed to the foregoing Easement, and who is known to me, acknowledged before me on this day that being informed of the contents of said Easement, he as such officer, and with full authority, executed the same voluntarily for and as the act of said Corporation acting in its capacity as general partner of said limited partnership.

Given under my hand and official seal this the 30th day of September, 1997.


Notary Public

My commission expires: 5-29-99

This instrument prepared by:

Clayton T. Sweeney, Attorney at Law
2700 Highway 280 East, Suite 290E
Birmingham, AL 35223

EXHIBIT "A"

A utility easement for a sanitary sewer force main situated in the SW ¼ of the SE ¼ of Section 8, Township 18 South, Range 1 West, Shelby County, Alabama, and also situated in Lots 161 through 163 Highland Lakes 1st Sector as recorded in Map Book 18, on Page 37 C, in the Office of the Judge of Probate, Shelby County, Alabama, being more particularly described as follows: . . .

Commence at the Southwest corner of said Lot 163, thence run in a easterly direction along the South line of said Lot 163 and also along the South line of said ¼ - ¼ section for a distance of 18.26 feet to the point of beginning; thence continue along last stated course for a distance of 22.52 feet to a point; thence turn an angle to the left of 90°05'47" and run in a northwesterly direction for a distance of 80.00 feet to a point; thence turn an angle to the left of 15°29'11" and run in a northwesterly direction for a distance of 52.27 feet to a point; thence turn an angle to the left of 32°56'51" and run in a northwesterly direction for a distance of 72.87 feet to a point; thence turn an angle to the right of 22°30'14" and run in a northwesterly direction for a distance of 108.08 feet to a point; thence turn an angle to the left of 53°39'55" and run in a northwesterly direction for a distance of 149.44 feet to a point; thence turn an angle to the right of 10°03'03" and run in a northwesterly direction for a distance of 50.68 feet to a point on the Northwest line of said Lot 161; thence turn an angle to the left of 88°40'45" and run in a southwesterly direction along the Northwest line of said Lot 161 for a distance of 12.50 feet to the Southwest corner of said Lot 161; thence turn an angle to the left of 2°12'29" and run in a southwesterly direction along the Northwest line of said Lot 162 for a distance of 12.50 feet to a point; thence turn an angle to the left of 85°09'32" and run in a southeasterly direction for a distance of 45.00 feet to a point; thence turn an angle to the left of 13°27'54" and run in a southeasterly direction for a distance of 134.30 feet to a point; thence turn an angle to the right of 44°49'21" and run in a southeasterly direction for a distance of 114.79 feet to a point; thence turn an angle to the left of 17°51'41" and run in a southeasterly direction for a distance of 63.33 feet to a point; thence turn an angle to the right of 47°43'09" and run in a southeasterly direction for a distance of 119.64 feet to the point of beginning.

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