

# RIGHT-OF-WAY DEED FOR PUBLIC ROAD

STATE OF ALABAMA  
COUNTY OF SHELBY

Nell D. Waite, Executrix of the

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned, Last Will and Testament of Robert S. Waite, deceased, and as Trustee. of the County and State aforesaid, in and for the consideration of ONE

THOUSAND THREE HUNDRED EIGHTY DOLLARS AND 00/100 (\$1,380.00) in hand paid by Shelby County the receipt whereof is hereby acknowledged and for the further consideration of the benefit accruing to us and to the public from the construction or improvement of a public road through our lands, in Shelby County, do hereby give, grant, bargain, sell and convey unto Shelby County, its successors or assigns, a Right-of-Way hereinafter described, over and across our said lands in Shelby County, Alabama, for a public road; said Right-of-Way herein conveyed being more particularly described as follows, to-wit:

Right-of-Way thirty (30) feet wide on the East side of the centerline described on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "A" is signed by Grantor(s) herein for the purpose of identification.

The Right-of-Way herein granted shall pertain only to that portion of property on Exhibit "A" which is owned by the undersigned Grantor(s) or in which the undersigned Grantor(s) have an interest and as shown on the Right-of-Way map of Project No. SCP 58-241-95 as retained in the office of the County Engineer of Shelby County. The portion of property to serve as Right-of-Way is located in Parcel No. 1.0, in the NW 1/4 of Section 14, Township 22-S, Range 1 West of Shelby County, Alabama, and contains approximately 0.46 acres.

TO HAVE AND TO HOLD to the said Grantee, its successors, and assigns forever.

And we do for ourselves and for our heirs, executors, and administrators covenant with the said Grantees, their successors, and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we, our heirs, executors, and administrators shall warrant and defend the same to the said Grantees, their successors, and assigns forever, against the lawful claims of all persons.

To Have and To Hold by Shelby County, or its Assigns, and for and in consideration of the benefit to our property by reason of the construction or improvement of said road, we hereby release the County aforesaid, and all of its employees and officers, and the State of Alabama and all its employees and officers from all consequential damages, present or prospective, to our property, arising out of the construction, improvement, maintenance or repair of said road, and that said road is a benefit to our property is hereby admitted and acknowledged. All agreements, covering the moving, relocating and/or changing of the building and/or structures located wholly or partially on the above described Right-of-Way shall be in writing and approved by the Alabama Department of Transportation before same shall be valid and binding on the said Alabama Department of Transportation. The grantor hereby grants permission with right of ingress and egress to grantor's adjoining property at any time during construction period of project for purpose of moving grantor's buildings and/or structures from the above described Right-of-Way.

In witness whereof, we have hereunto set our hands and seal this the 4th day of December March, 19 97 98

Bonita Y. Waindover  
WITNESS

THE ESTATE OF ROBERT S. WAITE, DECEASED

BY: Nell D. Waite

NAME: Nell D. Waite

TITLE: Executrix of the Last Will and Testament of Robert S. Waite, deceased, and as Trustee

SHELBY FARMS, L.L.C.

By Jerome A. Bender, Managing Member

Nell D. Waite  
Nell D. Waite, Member and  
Executrix of the Robert S. Waite  
Estate

04/08/1998-12484  
09:08 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 REC .08

W. E. F. H.

Inst. # 1998-12484

# ACKNOWLEDGMENT FOR ESTATE

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned authority ~~whose name is~~ a Notary Public in and for said County, in said State hereby certify that Nell D. Waite, Executrix of the Last Will and Testament of Robert S. Waite, deceased, and as Trustee of THE ESTATE OF ROBERT S. WAITE, DECEASED, is duly signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she, as said officer and will full authority, executed the same voluntarily for and as the act of said Estate ~~executed the same~~ ~~voluntarily~~ on the day the same bears date.

Given under my hand this 4th day of March 1998 ~~1997~~ ~~December~~ ~~1997~~.

Bonita Y. Davison

Notary Public

My Commission Expires 9-21-2000

EXHIBIT "A" - EGG & BUTTER ROAD  
PROJECT NO. SCP 59-241-95  
CENTERLINE DESCRIPTION

The following description represents the centerline of Project No. SCP 59-241-95 which begins and ends at points on the existing centerline of County Road 37, lying in the W $\frac{1}{2}$ , Section 14, NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 14, Section 11, NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 12, W $\frac{1}{2}$  of SW $\frac{1}{4}$  Section 1, and SW $\frac{1}{4}$  of NW $\frac{1}{4}$  Section 1, Township 22 South, Range 1 West, Shelby County, Alabama. The alignment map for said project is on file at the Shelby County Highway Department in Columbiana, Alabama. Said centerline is more particularly described as follows:

STATION 91+29.66 TO STATION 132+84.09

Commence at the SE corner of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 14, Township 22 South, Range 1 West, Shelby County, Alabama, said point being the point of commencement; thence run North 2 deg. 30 min. 47 sec. West along the East line of said quarter-quarter for a distance of 627.64 feet to an iron rod; thence run South 86 deg. 35 min. 18 sec. West for a distance of 382.38 feet to an iron rod, said rod being the point of beginning; thence continue South 86 deg. 35 min. 18 sec. West for a distance of 26.41 feet to a point; thence run North 19 deg. 30 min. 07 sec. West for a distance of 190.38 feet to a point; thence run North 9 deg. 55 min. 14 sec. West for a distance of 191.00 feet to a point; thence run North 1 deg. 58 min. 38 sec. West for a distance of 308.21 feet to a point located on the North line of said quarter-quarter; thence run North 85 deg. 55 min. 55 sec. East along said line for a distance of 31.21 feet to an iron rod located on the East right-of-way margin of Egg and Butter Road; thence run South 9 deg. 07 min. 16 sec. East along said right-of-way for a distance of 35.90 feet to an iron rod; thence continue South 3 deg. 39 min. 01 sec. East along said right-of-way for a chord distance of 155.03 feet to an iron rod; thence continue South 4 deg. 37 min. 49 sec. East along said right-of-way for a chord distance of 194.90 feet to an iron rod; thence continue South 11 deg. 03 min. 33 sec. East along said right-of-way for a distance of 184.37 feet to an iron rod; thence continue South 17 deg. 35 min. 57 sec. East along said right-of-way for a chord distance of 112.39 feet to an iron rod; thence continue South 24 deg. 08 min. 01 sec. East along said right-of-way for a distance of 4.13 feet to the point of beginning. Said parcel lying in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 14, Township 22 South, Range 1 West, Shelby County, Alabama and contains 0.6 acres, more or less.

Acknowledged and Witnessed on this the 4 day of March, 1998, by the Undersigned:

WITNESS:

Bonita Y. Davidson

SIGNED:

Nell D. Waite  
Nell D. Waite, Member and  
Executrix of the Robert S.  
Waite Estate

Inst # 1998-12484

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