

*This instrument prepared by:
John E. Hagefstration, Jr.
Bradley Arant Rose & White LLP
2001 Park Place, Suite 1400
Birmingham, Alabama 35203-2736*

STATE OF ALABAMA)
 :
SHELBY COUNTY)

Inst # 1999-37530

09/08/1999-37530
07:14 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
004 CRH 16.00

**CORRECTIVE
SEWER LINE EASEMENT**

THIS CORRECTIVE SEWER LINE EASEMENT is entered into by and between **THE BARBER COMPANIES, INC.**, an Alabama corporation ("Grantor") and **GREENSPRINGS ASSOCIATES, INC.**, an Alabama corporation ("Grantee") as of the 30th day of July, 1999.

WITNESSETH:

WHEREAS, BIRMINGHAM REALTY COMPANY, an Alabama corporation ("Birmingham Realty") granted to Grantee an easement for an underground sanitary sewer line under and through real estate situated in Shelby County, Alabama, as evidenced by that certain Sewer Line Easement dated February 3, 1999, and recorded as Instrument #1999-04999 in the Office of the Judge of Probate of Shelby County, Alabama (the "Easement"); and

WHEREAS, Birmingham Realty conveyed the real property which is subject to the Easement to Grantor by Statutory Warranty Deed dated February 3, 1999, and recorded as Instrument #1999-05124 in said Probate Office; and

WHEREAS, it has been determined that there was an error in the legal description of the Easement; and

WHEREAS, Grantor and Grantee are desirous of correcting said error;

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants and conditions hereinafter contained, Ten Dollars (\$10.00), and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee agree that the Easement is hereby amended as follows:

1. The legal description of the Easement as set out in Exhibit A thereto is hereby deleted in its entirety and the legal description attached hereto as Exhibit A is substituted in lieu thereof.
2. Except as modified by this instrument, the terms and provisions of the Easement shall remain in full force and effect.

IN WITNESS WHEREOF, Grantor and Grantee have executed this instrument on or as of the date first above written.

THE BARBER COMPANIES, INC.

By: B. Austin Cunningham
Its: President

GREENSPRINGS ASSOCIATES, INC.

By: E. Maunoir
Its: Vice-President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that B. Austin CUNNINGHAM, whose name as PRESIDENT of The Barber Companies, Inc., an Alabama corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 2nd day of AUG, 1999.

Edith A. Day

Notary Public

[NOTARIAL SEAL]

My commission expires: 3/25/2003

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that E. J. MARINO, JR., whose name as VICE PRESIDENT of Greensprings Associates, Inc., an Alabama corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 24 day of AUG, 1999.

Cynthia A. P. R.

Notary Public

[NOTARIAL SEAL]

My commission expires: 3/29/2000

WALTER SCHOEL ENGINEERING COMPANY, INC.

CONSULTING ENGINEERS

1001 22ND STREET SOUTH

BIRMINGHAM, ALABAMA 35205

PHONE (205) 323-6166

FAX (205) 328-2252

LEGAL DESCRIPTION OF EASEMENT

An Easement for construction, maintenance, repair or any related activities for a sanitary sewer service line situated in the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama, being 10 feet in width, lying 5 feet on each side of the following described centerline:

Commence at the Southwest corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama and run in a Northerly direction along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 1048.33 feet to a point; thence $66^{\circ}52'40''$ to the right in a Northeasterly direction a distance of 210.13 feet to a point; thence $16^{\circ}06'07''$ to the right in a Northeasterly direction a distance of 109.35 feet to a point; thence $18^{\circ}54'05''$ to the left in a Northeasterly direction a distance of 117.46 feet to a point; thence $67^{\circ}45'50''$ to the right in a Southeasterly direction a distance of 20.00 feet to a point; thence $90^{\circ}00'$ to the left in a Northeasterly direction a distance of 568.78 feet to a point on the Southerly right-of-way line of U.S. Highway #280; thence $90^{\circ}26'05''$ to the right in a Southeasterly direction a distance of 38.32 feet along said right-of-way line to a point; thence $90^{\circ}00'$ to the left in a Northeasterly direction a distance of 210.00 feet along said right-of-way line to a point; thence $24^{\circ}53'$ to the right in a Northeasterly direction a distance of 151.47 feet along said right-of-way line to a point; thence continue along the last described course and along the Southerly right-of-way line of U.S. Highway #280 a distance of 44.48 feet to a point; thence $13^{\circ}57'46''$ to the right in a Northeasterly direction along said right-of-way line a distance of 268.33 feet to a point; thence $140^{\circ}55'02''$ to the right (leaving said right-of-way line) in a Southwesterly direction a distance of 259.74 feet to a point; thence $38^{\circ}41'58''$ to the right in a Southwesterly direction a distance of 47.91 feet to the POINT OF BEGINNING; thence $90^{\circ}00'$ to the left in a Southeasterly direction a distance of 7.00 feet to a point; thence $90^{\circ}00'$ to the left in a Northeasterly direction a distance of 134.15 feet to a point; thence $90^{\circ}00'$ to the left in a Northwesterly direction a distance of 73.52 feet to a point; thence $51^{\circ}18'04''$ to the right in a Northeasterly direction a distance of 130.31 feet to a point; thence $43^{\circ}34'10''$ to the right in a Northeasterly direction a distance of 42.72 feet to a point on sanitary sewer main line S-1, 34.7 feet South of manhole 0+00 as shown on plan of Chelsea Corners Sanitary Sewer Line S-1 prepared by Walter Schoel Engineering Company; thence 90° to the left in a Northwesterly direction along said sanitary sewer main a distance of 18.00 feet to a point on the South right-of-way line of U.S. Highway No. 280, said point being the end of the centerline of said easement (less and except any portion lying within Parcel III as shown on Boundary Survey of acreage in Section 27, Township 19 South, Range 1 West, prepared by Walter Schoel Engineering Company, Inc., dated August 17, 1998).

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June 30, 1999

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