

AGREEMENT

WHEREAS, the City of Calera sold in error to purchaser Clayton Burton an area of approximately 12,000 square feet (as shown on Exhibit "A" attached hereto) that overlaps with a deed to the Dargin Cemetery property; and

WHEREAS, both seller and purchaser want to correct said error.

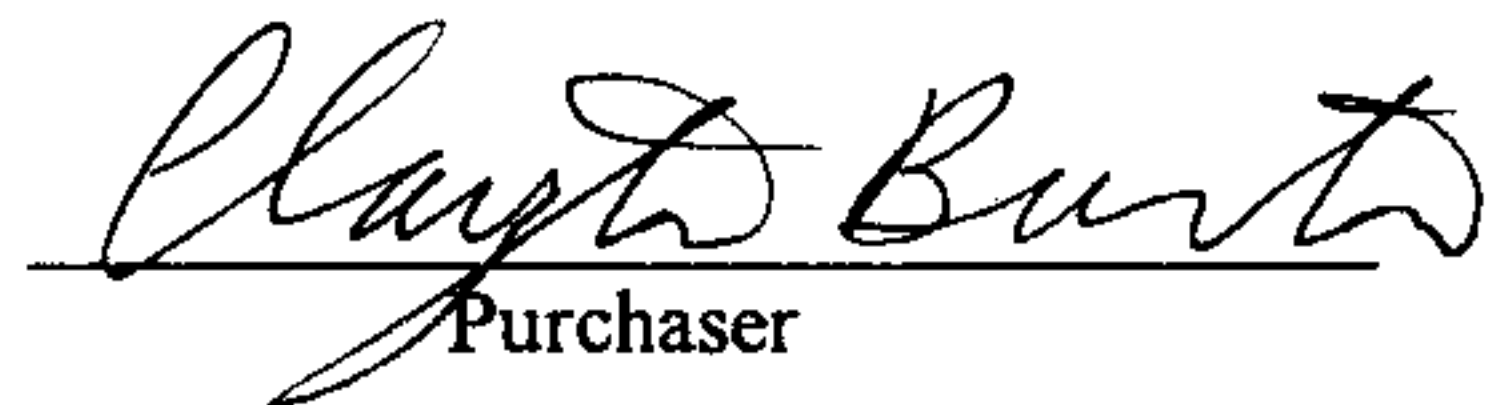
THEREFORE, by agreement of both parties:

- 1) The seller shall reduce the existing 30' utility easement to a 15' easement along the northern border of the property (beside Bill's Restaurant) and purchaser agrees to allow for an additional 15' utility easement to be extended across the property to link with Hwy 22 (see Exhibits "B" and "BB" attached hereto)
- 2) The seller shall refund purchaser for the area sold in error based on the original \$35,000 per acre cost and determined by the size in a survey to be performed by Carr Engineering.
- 3) The seller shall pay any and all costs necessary to correct the error including resurveying, rerecording, etc. if necessary.

Agreed to by both seller and purchaser this same day as signed below.


Seller

Mayor George Roy
City of Calera

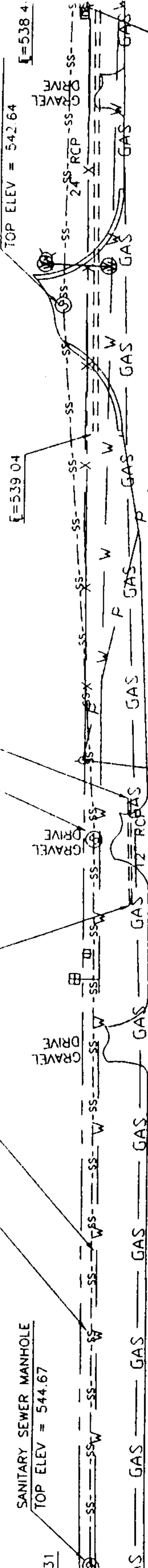

Purchaser

Clayton Burton
Burton's Campers

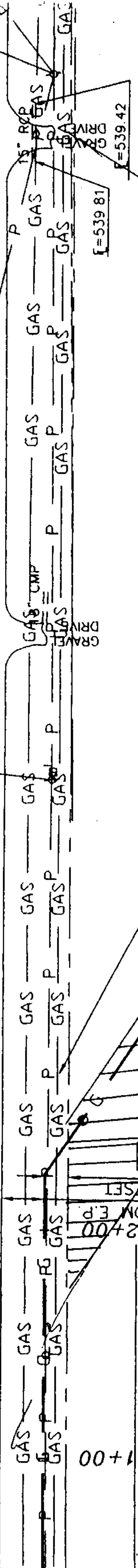
Inst # 2000-23816

07/17/2000-23816
09:10 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 CJ1 16.00

SANITARY SEWER MANHOLE
TOP ELEV = 544.67



SHELBY COUNTY ROAD No. 22



AREA IN ERROR

APPROXIMATE LOCATION OF
EXISTING 3" Ø GAS LINE.
APPROXIMATE LOCATION OF
EXISTING 6" Ø GAS LINE.

PROPOSED 6" Ø STEEL
GAS MAIN.
CONNECT TO EXISTING
6" Ø STUB OUT.

APPROXIMATE LOCATION OF
EXISTING 4" Ø GAS LINE.

APPROXIMATE LOCATION OF
EXISTING 2" Ø GAS LINE.

CONCRETE
MONUMENT
FOUND

CONCRETE
MONUMENT
FOUND

PROPOSED 45' BEND

30' UTILITY EASEMENT

5' OFFSET

EXHIBIT "A"

CB

AN EASEMENT
FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE
OF UTILITY AND STORM DRAINAGE
BY THE CITY OF CALERA, ALABAMA

This EASEMENT, executed this _____ day of _____, 1999, for the construction, operation, and maintenance of a utilities and storm drainage with appurtenances, by The City of Calera, hereinafter called the City, across the property of the LANDOWNER, Burton Campers whose deed is recorded in the public records of Shelby County, Alabama and which property is located in Section 33, Township 21 S, Range 2 W, in SHELBY County, Alabama, as shown on the attached sketch, is granted by the LANDOWNER to the CITY for valuable considerations, the receipt and sufficiency of which are acknowledged by the LANDOWNER, for himself, and his heirs, executors, successors, and assigns. The easement is described below:

A 15 foot permanent easement having its northern boundary along and adjacent to the North property line and runs from U. S. 31's West Right-of-Way line West to Shelby County Road 22's South Right-of-Way line. The purpose of the easement shall be to allow the City's Contractor and employees and agents of the City to construct the gas main. The construction shall be with due regard to the property of the LANDOWNER. Clearing of trees, shrubs, and other growth is permitted within the construction easement. Debris will be removed from the property, and clean up accomplished. The permanent easement, to go with land, to allow the City, its employees and agents to operate repair and maintain the utilities and storm drainage, 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 gas main, with the obligation to leave the LANDOWNER's property in good repair after completion of any repair to the utilities and storm drainage.

LOCATED AS SHOWN ON THE ATTACHED SKETCH

Executed the date shown above in four copies.

LANDOWNER: Burton Campers

WITNESS:

By: Clayton Burton

By: Jim Strickland

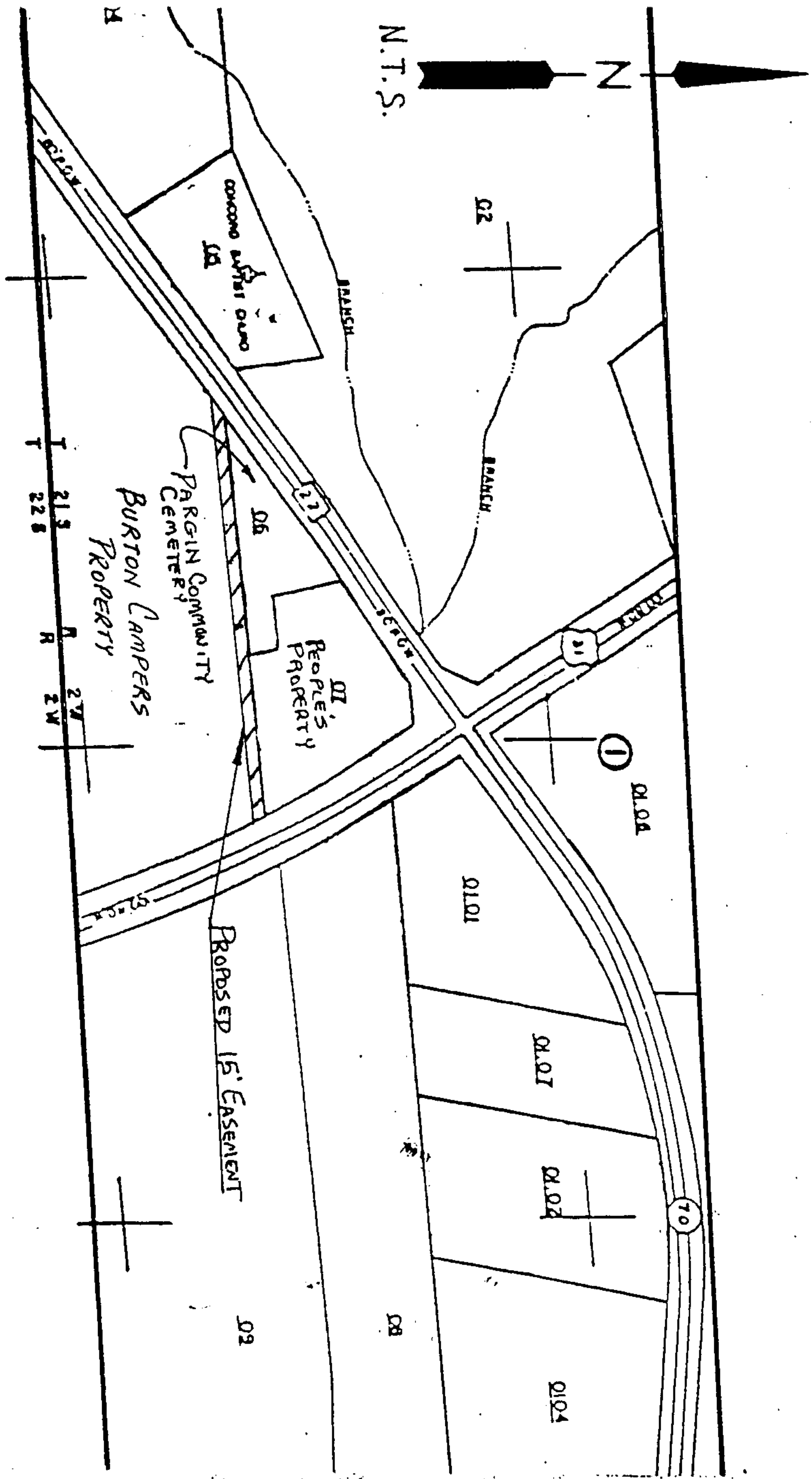
For The City of Calera:

WITNESS:

By: George W. Roy

By: Linda Street

Recorded the _____ day of _____, 1999 in Deed
Book _____ Page _____, of public records of
Shelby County, Alabama.



SP

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