

PERMANENT EASEMENT DEED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid by Shelby County, the receipt whereof is hereby acknowledged, we, the undersigned, do hereby grant, bargain, and convey unto the Shelby County Commission (Grantee), its successors and assigns a permanent easement and right of ingress and egress to and from, also over and across a strip of land for the purpose of constructing, operating, maintaining and repairing a sanitary sewer lift station and force main with appurtenances and the right to install and maintain other utilities at the sole discretion of the Grantee. Said strip of land being located within the property of the undersigned Greystone Park Repair LLC as described in ~~deed~~ ^{map} book 30 _{MOF} page 48, in the office of the Judge of Probate, Shelby County, Alabama said strip being more particularly described as follows and as shown on Exhibit "A" attached hereto.

FORCE MAIN EASEMENT

A parcel of land situated in the NW ¼ of the SE ¼ of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama, being described along the centerline of an existing sanitary sewer force main, and being more particularly described as follows:

Commence at the Northwest corner of the SE ¼ of the NE ¼ of Section 5, Township 19 South, Range 1 West, and run South along the West line of said SE¼-NE¼ section and along the West line of the NE ¼ of the SE ¼ of said Section 5 for a distance of 1985.64 feet to a point; thence turn a deflection angle of 89°02'23" to the right and run in a Westerly direction a distance of 724.82 feet to a point, said point being on the Easterly right-of-way of U.S. Hwy. 280; thence turn a deflection angle of 96°03'33" to the left and run in a Southerly direction a distance of 64.65 feet to the POINT OF BEGINNING of the center of a 20 foot wide easement; thence turn a deflection angle of 93°48'04" to the left and run in an Easterly direction a distance of 114.71 feet to a point; thence turn a deflection angle of 13°05'23" to the right and run in an Easterly direction a distance of 124.25 feet to a point; thence turn a deflection angle of 04°53'17" to the left and run in an Easterly direction a distance of 219.02 feet to a point; thence turn a deflection angle of 03°50'27" to the left and run in an Easterly direction a distance of 119.77 feet to a point; thence turn a deflection angle of 43°14'02" to the right and run in a Southeasterly direction a distance of 69.52 feet to a point; thence turn a deflection angle of 34°37'49" to the right and run in a Southeasterly direction a distance of 56.70 feet to a point; thence turn a deflection angle of 09°20'16" to the left and run in a Southeasterly direction a distance of 146.02 feet to the end of said easement.

LIFT STATION EASEMENT

A parcel of land situated in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 19 South, Range 1 West, and run South along the West line of said SE $\frac{1}{4}$ -NE $\frac{1}{4}$ section and along the West line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 5 for a distance of 1985.64 feet to a point; thence turn a deflection angle of 89°02'23" to the right and run in a Westerly direction a distance of 724.82 feet to a point, said point being on the Easterly right-of-way of U.S. Hwy. 280; thence turn a deflection angle of 96°03'33" to the left and run in a Southerly direction a distance of 59.20 feet to the POINT OF BEGINNING; thence turn a deflection angle of 75°53'57" to the left and run in an Easterly direction a distance of 15.47 feet to a point; thence turn an interior angle of 104°06'03" and run to the right in a Southerly direction a distance of 16.87 feet to a point; thence turn an interior angle of 90°00'00" and run to the right in a Westerly direction a distance of 15.00 feet to a point on said right-of-way of U.S. Hwy. 280; thence turn an interior angle of 90°00'00" and run to the right in a Northerly direction, along said right-of-way, a distance of 20.62 feet to the point of beginning. Said parcel containing 281 square feet, more or less.

The Grantee shall have an exclusive right and privilege of a perpetual use of said lands for such public purpose, together with all rights and privileges necessary or convenient for the full use and enjoyment thereof, including the right to cut and keep clear all trees, undergrowth and other obstructions from said strip and on the lands of the undersigned adjacent to said strip when deemed reasonably necessary for the avoidance of danger in and about said public use of said strip.

The Grantee shall have free access, ingress and egress to and from said land over and across adjacent lands of Grantor(s) for the purposes herein mentioned, and the Grantor(s) shall erect no structures, place no fill dirt or other surface materials, excavate or remove any part of the surface soil or surface materials, or in any way alter the ground elevation or surface on the portion of the land above described within the width of said easement, or do any act or thing which would in any way interfere with, damage, place at risk or pose future risk or possible risk to the mains, pipes, or appurtenances installed or to be installed within the width of said easement or interfere with the right of the Grantee to enter upon said land at any time for the purposes heretofore expressed and to have immediate access to all mains, pipes, and appurtenances.

The Grantee shall also have the right to temporarily place dirt and materials on adjacent lands of the Grantor(s) for the purposes heretofore expressed. Any and all areas

disturbed by the Grantor within the property of the Grantee will be put back to match adjacent natural ground and a suitable grass mixture for the season shall be applied.

Grantee agrees to leave the property substantially as found upon commencement of construction on said easement but is not required to improve said property beyond its original state and condition, subject to grassing and grading as described herein. Grantor(s) covenant that they have good and merchantable title to said property and good right to convey this easement.

In consideration of the benefit of the property of the undersigned by reason of the construction of said improvement, the undersigned hereby release Shelby County, Alabama, from all damages present or prospective to the property of the undersigned arising or resulting from the construction, maintenance and repair of said premises and repair of said water line and the undersigned do hereby admit and acknowledge that said improvement, if and when constructed, will be a benefit to the property of the undersigned.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, all on this 15th day of October, 2002.

By: Greystone Park Retail LLC
By: [Signature]

WITNESSES:

[Signature]

BRUCE L. GORDON

Rosemary A. Gilmore

ROSEMARY A GILMORE

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that **Michael Fuller**, whose name as **Managing Member of Taylor Properties, LLC**, an Alabama limited liability company, 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 the foregoing, he, in said capacity and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 15th day of October, 2002.

[Signature]
NOTARY PUBLIC
My Commission Expires: 6-8-2004

[SEAL]

EXHIBIT "A"

Greystone Park
20 Ft. wide Easement for
Sanitary Sewer Force Main
Through Apartment property

20021101000539840 Pg 4/4 .00
Shelby Cnty Judge of Probate, AL
11/01/2002 09:09:00 FILED/CERTIFIED

STATE OF ALABAMA
SHELBY COUNTY

A parcel of land situated in the NE ¼ of the SE ¼ of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama, being described along the centerline of an existing sanitary sewer force main, and being more particularly described as follows:

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