

This instrument was prepared by:
WALLACE, ELLIS, FOWLER & HEAD
P. O. Box 587
Columbiana, AL 35051

WARRANTY DEED OF EASEMENT

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One and no/100 Dollar (\$1.00) and other good and valuable consideration to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I or we, **County Board of Education of Shelby County, Alabama** (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto **City of Pelham, Alabama** (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

A permanent and perpetual easement for the design, installation, construction, and maintenance of a radio and communications tower and associated antennae to be located on the hereinafter described property situated in Shelby County, Alabama, to-wit:

A Parcel of land being a portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 11, Township 20 South, Range 3 West of the Huntsville Principal Meridian, Shelby County, Alabama, being more particularly described as follows: Commence at the Southwest corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 11, run thence along the west boundary line of said $\frac{1}{4}$ - $\frac{1}{4}$ section N 00° 00' 00" E (Assumed Bearing) for a distance of 123.87 feet, to the Southwest corner of the Shelby Baptist Church Survey, as shown on the map or plat thereof recorded in Map Book 8, Page 148 in the Office of the Judge of Probate, Shelby County, Alabama; thence along the south boundary line of said Shelby Baptist Church Survey, S 88° 42' 44" E for a distance of 291.87 feet; thence leaving said south boundary line N 00° 00' 00" E for a distance of 1564.03 feet, to a $\frac{1}{2}$ " rebar set in the asphalt pavement with a yellow plastic cap stamped "PLS • 16680" (hereinafter simply referred to as "rebar set") and the Point of Beginning of the Parcel herein described; thence N 25° 44' 10" E for a distance of 70.65 feet, to a rebar set in the asphalt pavement; thence S 62° 48' 43" E for a distance of 42.72 feet, to a rebar set; thence S 18° 29' 04" E for a distance of 70.04 feet, to a rebar set next to a large rock; thence N 76° 12' 36" W for a distance of 93.58 feet, to the Point of Beginning. Described Parcel contains 0.098 acres (4,279 square feet), more or less.

Grantee shall have the right to fence, enclose, and lock any portion of the above property which it deems advisable and necessary. It is understood and agreed that the Grantor and Grantee shall each have the common use of the remaining parking spaces which are located on the western portion of said property at the current time and which are not enclosed within the aforesaid fence.

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

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

IN WITNESS WHEREOF, I (we) have hereunto set my hand(s) and seal(s), this 25
day of ~~January~~, 2003.
February

County Board of Education of Shelby County, Alabama

By: *Evan K. Major* (SEAL)
Evan Major, Superintendent of Education

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Evan Major, whose name as Superintendent of Education of the County Board of Education of Shelby County, Alabama, 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 such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said County Board of Education of Shelby County, Alabama.

Given under my hand and official seal, this the 25 day of ^{*February*}~~January~~, 2003.

Sharon A. Taylor
Notary Public