


STATE OF ALABAMA

SHELBY COUNTY


20030710000436330 Pg 1/8 .00
Shelby Cnty Judge of Probate,AL
07/10/2003 11:28:00 FILED/CERTIFIED

CONVEYANCE OF SEWER FACILITIES

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of One and No/100 Dollar (\$1.00) in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned, **GREYSTONE DEVELOPMENT COMPANY, LLC**, an Alabama limited liability company (hereinafter "Developer"), does hereby grant, bargain, sell, and convey unto **Shelby County, Alabama**, a political subdivision of the State of Alabama (the "Grantee") that certain real property (the "Property") situated in Shelby County, Alabama, which is more particularly described in Exhibit A attached hereto and incorporated herein by reference, together with the sewer pump station and other equipment and appurtenances situated thereon.

TOGETHER WITH a permanent, perpetual and non-exclusive access easement over, across, through and upon that certain real property (the "Access Easement Property") situated in Shelby County, Alabama which is more particularly described in Exhibit B attached hereto and incorporated herein by reference.

This conveyance is made subject to all easements, restrictions, rights-of-way, reservations and other matters of record.

TO HAVE AND TO HOLD to said Grantee, its successors and assigns, forever; subject, however to the following:

1. The Property shall be used only for the construction, installation, maintenance, operation and replacement from time to time thereon of the following: (a) above and below ground sanitary sewer lift (pump) stations and related equipment, including generators, and (b) underground utility lines, pipes, wiring, conduit, equipment and other apparatus;

2. The Access Easement Property shall be used only for the construction, installation, maintenance, operation and replacement from time to time thereon of (a) underground utility lines, pipes, wiring, conduit, equipment and other apparatus and (b) an above ground paved or graveled driveway providing vehicular access to and from the Property and Legacy Drive, a private roadway;

3. Developer reserves for itself and its successors and assigns a permanent, perpetual and non-exclusive easement over, across, through, under and upon all of the Property for the purposes of constructing, installing, operating, maintaining, repairing and replacing from time to time thereon any of the following: (a) underground utility lines, pipes, wiring, conduit, equipment and other apparatus and (b) above and below ground storm sewers and drains; provided, however, that the exercise of the easement reserved herein by Grantor shall not interfere with or cause damage to any utility lines, pipes, wiring, conduit, equipment or other apparatus, including, without limitation, any sanitary sewer lift (pump) stations and related equipment, including generators, then situated on any portion of the Property and (c) landscaping and maintaining any and all portions of the Property; provided, however, that Developer shall have no obligation to landscape or maintain any portion of the Property;

5. The property located inside the fence and the fence shall at all times be maintained in good condition and repair, including, without limitation, not allowing any trash, garbage or debris to remain on any part of the property located inside the fence. Furthermore, any fences or other above ground improvements must be approved by the Grantor, which approval shall not be unreasonably withheld;

6. Developer does hereby certify and warrant that, to the best of its knowledge, Developer has installed and constructed the above and foregoing lift station, pump station, and/or facilities and improvements in accordance with County specifications. Developer does further

warrant unto Shelby County, its successors and assigns, that Developer is the owner of the Property and the pump station, facilities and appurtenances above described situated on the Property; and

7. Grantor reserves for itself and its successors and assigns a permanent and perpetual right to use and improve the Access Easement Property for any and all lawful purposes and uses, including, without limitation, the right to construct, install, operate, maintain, repair and replace from time to time thereon any of the following: (a) underground utility lines, pipes, wiring, conduit, equipment and other apparatus, (b) above ground storm sewers and drains and (c) landscaping and any other improvements of any nature; provided, however, that any use of or improvements to the Access Easement Property by Grantor shall not materially interfere with Grantee's access to and from or use of the Property.

Dated this 15th day of October, 2002.

Shirley H. Ell.
WITNESS

DEVELOPER:

GREYSTONE DEVELOPMENT COMPANY, LLC, an Alabama limited liability company

By: DANIEL REALTY CORPORATION, an Alabama corporation, Its Manager

By: Allan Worthington
Its: President

STATE OF ALABAMA)
 :
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that Allan Worthington, whose name as President of DANIEL REALTY CORPORATION, an Alabama corporation, as Manager of GREYSTONE DEVELOPMENT COMPANY, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of such corporation in its capacity as Manager as aforesaid.

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

Debbie D. Stephens
Notary Public
My Commission Expires: April 10, 2004

The undersigned, Shelby County, does hereby accept the above and foregoing dedication and conveyance, subject to the terms, conditions, and specifications hereinabove made.

Dated this 9th day of July 2003 Am
~~October, 2002.~~

ATTEST:

Shirley H. Ell.

SHELBY COUNTY, ALABAMA

By: Charles M. Lang Jr.
Its: _____

By: Charles M. Lang Jr.
Its: Utility Engineer Manager

EXHIBIT A

Legal Description of Property

Being a parcel of land situated in the N.E.1/4 of the S.E.1/4 of Section 21, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the S.E.1/4 of Section 21, Township 18 South, Range 1 West, Shelby County, Alabama and run in a Southwesterly direction along the Northwest property line of a parcel of land described in Deed Book 222, Page 701 and a parcel of land described in Instrument #1992-26440, as recorded in the Office of the Judge of Probate of Shelby County, Alabama, said line being the Southeasterly diagonal of the N.W.1/2 of the N.E.1/4 of said S.E.1/4 of Section 21, a distance of 1639.60 feet to the centerline of the Southeast end of Saddle Creek Trail (a 70 foot dedicated public right-of-way); thence 94° 49' 22" to the left in a Southeasterly direction a distance of 224.04 feet to the point of intersection of the centerline of Legacy Drive (a 100 foot dedicated public right-of-way) and the Southwesterly right-of-way line of Saddle Creek Trail (a 60 foot private right-of-way), said point lying on a curve to the right having a radius of 445.42 feet and a central angle of 7° 54' 41"; thence 4° 32' 23" to the right (angle measured to tangent) in a Southeasterly direction along the arc of said curve and the centerline of Legacy Drive a distance of 61.50 feet to a point; thence 90° 00' to the left (angle measured to tangent) in a Northeasterly direction a distance of 50.00 feet to a point on the Northeasterly right-of-way line of Legacy Drive; thence 30° 10' 53" to the right in a Northeasterly direction a distance of 114.36 feet to a point; thence 1° 27' 47" to the right in a Northeasterly direction a distance of 103.00 feet to a point; thence 5° 54' 30" to the left in a Northeasterly direction a distance of 39.20 feet to the POINT OF BEGINNING of the parcel herein described; thence 89° 04' 22" to the left in a Northwesterly direction a distance of 33.58 feet to a point; thence 90° 18' 15" to the right in a Northeasterly direction a distance of 4.87 feet to a point; thence 90° 29' 35" to the left in a Northwesterly direction a distance of 28.27 feet to a point; thence 90° 12' 25" to the right in a Northeasterly direction a distance of 28.12 feet to a point; thence 89° 43' 03" to the right in a Southeasterly direction a distance of 68.40 feet to a point; thence 90° 47' 19" to the right in a Southwesterly direction a distance of 33.22 feet to a point; thence 89° 28' 32" to the right in a Northwesterly direction a distance of 6.28 feet to the POINT OF BEGINNING.

Containing 2119.86 feet or 0.049 acre.

(Also known as Shelby County Lift Station Number 50)

EXHIBIT B

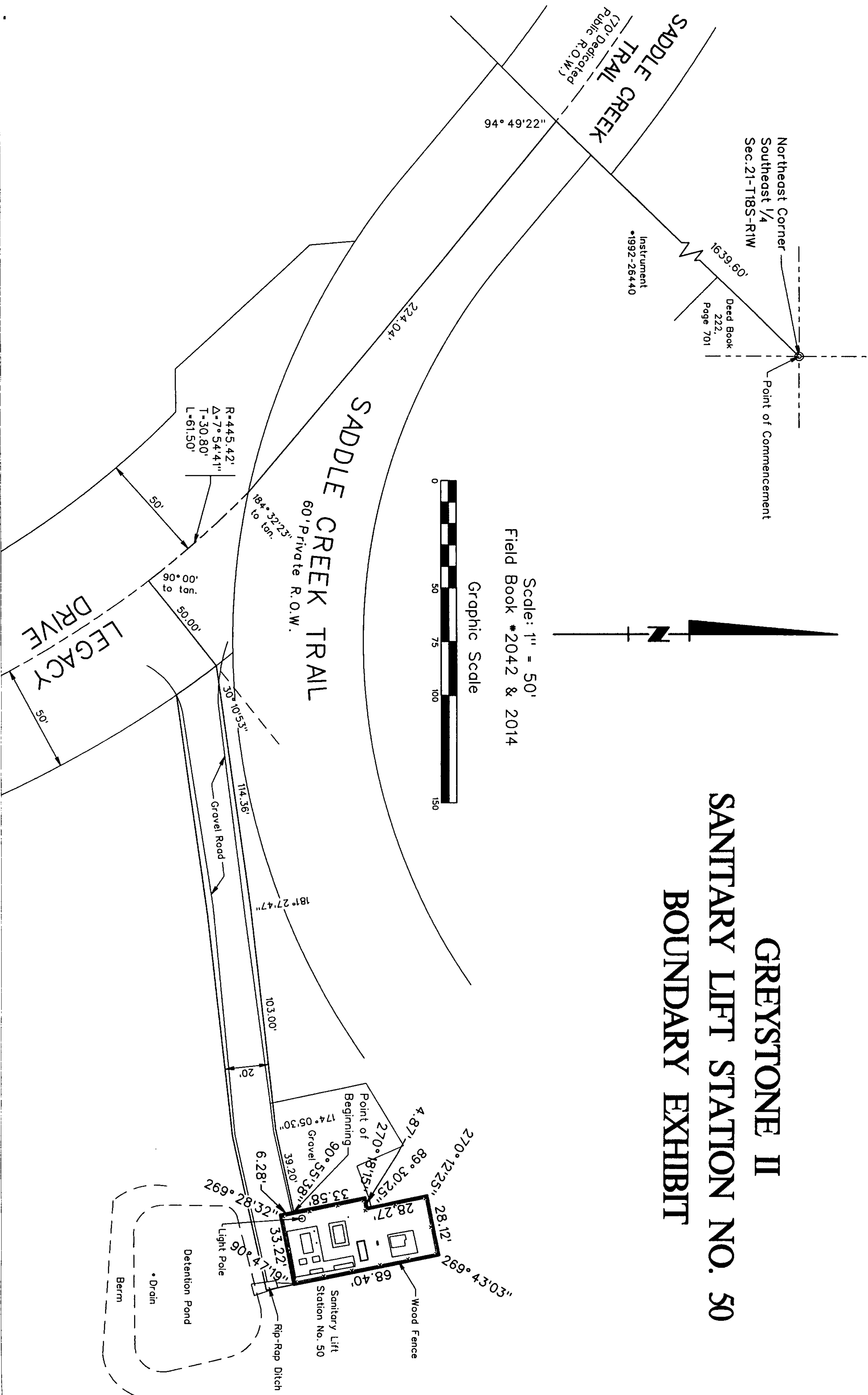
Legal Description of Access Easement Property

Being a parcel of land situated in the N.E.1/4 of the S.E.1/4 of Section 21, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the S.E.1/4 of Section 21, Township 18 South, Range 1 West, Shelby County, Alabama and run in a Southwesterly direction along the Northwest property line of a parcel of land described in Deed Book 222, Page 701 and a parcel of land described in Instrument #1992-26440, as recorded in the Office of the Judge of Probate of Shelby County, Alabama, said line being the Southeasterly diagonal of the N.W.1/2 of the N.E.1/4 of said S.E.1/4 of Section 21, a distance of 1639.60 feet to the centerline of the Southeast end of Saddle Creek Trail (a 70 foot dedicated public right-of-way); thence 94 degrees 49 minutes 22 seconds to the left in a Southeasterly direction a distance of 224.04 feet to the point of intersection of the centerline of Legacy Drive (a 100 foot dedicated public right-of-way) and the Southwesterly right-of-way line of Saddle Creek Trail (a 60 foot private right-of-way), said point lying on a curve to the right having a radius of 445.42 feet and a central angle of 7 degrees 54 minutes 41 seconds; thence 4 degrees 32 minutes 23 seconds to the right (angle measured to tangent) in a Southeasterly direction along the arc of said curve and the centerline of Legacy Drive a distance of 61.50 feet to a point; thence 90 degrees 00 minutes to the left (angle measured to tangent) in a Northeasterly direction a distance of 50.00 feet to a point on the Northeasterly right-of-way line of Legacy Drive, said point being the POINT OF BEGINNING of the parcel herein described; thence 30 degrees 10 minutes 53 seconds to the right in a Northeasterly direction a distance of 114.36 feet to a point; thence 1 degree 27 minutes 47 seconds to the right in a Northeasterly direction a distance of 103.00 feet to a point; thence 5 degrees 54 minutes 30 seconds to the left in a Northeasterly direction a distance of 39.20 feet to a point; thence 90 degrees 55 minutes 38 seconds to the right in a Southeasterly direction a distance of 6.28 feet to a point; thence 89 degrees 28 minutes 32 seconds to the left in a Northeasterly direction a distance of 33.22 feet to a point; thence 89 degrees 12 minutes 41 seconds to the right in a Southeasterly direction a distance of 12.88 feet to a point; thence 89 degrees 20 minutes 13 seconds to the right in a Southwesterly direction a distance of 73.19 feet to a point; thence 5 degrees 54 minutes 30 seconds to the right in a Southwesterly direction a distance of 103.78 feet to a point; thence 1 degree 27 minutes 47 seconds to the left in a Southwesterly direction a distance of 103.08 feet to a point on the Northeasterly right-of-way line of Legacy Drive, said point lying on a curve to the left having a radius of 495.42 feet and a central angle of 2 degrees 38 minutes 29 seconds; thence 62 degrees 27 minutes 36 seconds to the right (angle measured to tangent) in a Northwesterly direction along the arc of said curve and the Northeasterly right-of-way line of Legacy Drive a distance of 22.84 feet to the POINT OF BEGINNING.

Containing 5473.49 square feet or 0.126 acre.

GREYSTONE II
SANITARY LIFT STATION NO. 50
BOUNDARY EXHIBIT



WALTER SCHOEL ENGINEERING COMPANY, INC.

CONSULTING ENGINEERS
1001 22ND STREET SOUTH
BIRMINGHAM, ALABAMA 35205

PHONE (205) 323-6166

FAX (205) 328-2252

WWW.SCHOEL.COM

GREYSTONE II
SANITARY LIFT STATION NO. 50
LIFT STATION BOUNDARY

LEGAL DESCRIPTION

Being a parcel of land situated in the N.E. 1/4 of the S.E. 1/4 of Section 21, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

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August 9, 2002

Northeast Corner
Southeast 1/4
Sec. 21-T18S-R1W

Point of Commencement

Deed Book
222,
Page 701

Instrument
•1992-26440

GREYSTONE II SANITARY LIFT STATION NO. 50 DRIVEWAY EXHIBIT

SADDLE CREEK
TRAIL
(70' Dedicated
Public R.O.W.)

94° 49' 22"

224.04'

SADDLE CREEK TRAIL
60' Private R.O.W.

R=445.42'
Δ=7° 54' 41"
T=30.80'
L=61.50'

Point of
Beginning

50'

R=495.42'
Δ=2° 38' 29"
T=11.42'
L=22.84'

LEGACY
DRIVE

50'

184° 32' 23"
to tan.

181° 27' 47"

103.00'

174° 05' 30"

90° 55' 38"

469° 12' 41"

60' Private R.O.W.

114.36'

103.08'

103.78'

185° 54' 30"

73.19'

12.88'

269° 20' 13"

Wood Fence

Sanitary Lift
Station No. 50

Gravel

39.20'

6.28'

Light Pole

Rip-Rap Ditch

Detention Pond

• Drain

Berm

Scale: 1" = 50'
Field Book #2042 & 2014

Graphic Scale



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GREYSTONE II
SANITARY LIFT STATION NO. 50
DRIVEWAY

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