


STATE OF ALABAMA

SHELBY COUNTY

  
20030710000436350 Pg 1/4 .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") the following described real property (the "Property") situated in Shelby County, Alabama, together with the sewer pump station and other equipment and appurtenances situated thereon:

**A parcel of land situated in the Southwest quarter of the Northwest quarter of Section 14, Township 18 South, Range 1 West, Jefferson County, Alabama, being more particularly described as follows:**

**Commence at the Southeast corner of the Southwest quarter of the Northwest quarter of said Section 14; thence run in a Westerly direction along the South line of said quarter-quarter section for a distance of 883.11 feet to a point; thence turn an angle to the right of 85 degrees, 54 minutes, 04 seconds and run in a Northwesterly direction for a distance of 5.46 feet to the point of beginning, said point of beginning also being on the Northerly right-of-way line of proposed Legacy Drive; thence continue along last stated course for a distance of 57.54 feet to a point; thence turn an angle to the left of 87 degrees, 29 minutes, 16 seconds and run in a Southwesterly direction for a distance of 61.52 feet to a point; thence turn an angle to the left of 90 degrees, 19 minutes, 43 seconds and run in a Southeasterly direction for a distance of 50.92 feet to a point on a curve to the right, having a central angle of 05 degrees, 08 minutes, 07 seconds and a radius of 715.33 feet, said point also being on the Northerly right-of-way line of said Legacy Drive; thence turn an angle to the left of 83 degrees, 47 minutes, 15 seconds to the chord of said curve and run along the arc of said curve in a Southeasterly direction for a distance of 64.11 feet to the point of beginning; said parcel of land containing 3,359 square feet, more or less.**

**(Also known as Shelby County Lift Station Number 54)**

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. 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;

3. 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;

4. 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

5. Developer does further agree that for a period of one (1) year beginning from the date executed by the County official hereof, Developer will be responsible and liable for any and all expenses for maintenance and repairs to the pump, pumping station, facilities, or appurtenances above described and shall promptly and immediately upon receipt of an invoice from Shelby County reimburse Shelby County for any and all reasonable expenses incurred by Shelby County for maintenance and/or repairs thereto. It is understood and agreed by Developer that any necessary maintenance and repairs during said period of one (1) year shall be performed by Shelby County, its agents, servants, employees, or contractors at Developer's expense.

Dated this 15<sup>th</sup> 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 15<sup>th</sup> day of October, 2002.

Rebecca D. Stephens  
Notary Public  
My Commission Expires: April 10, 2006

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 ~~October~~ <sup>July 2003</sup>, 2002. *CM*

ATTEST:

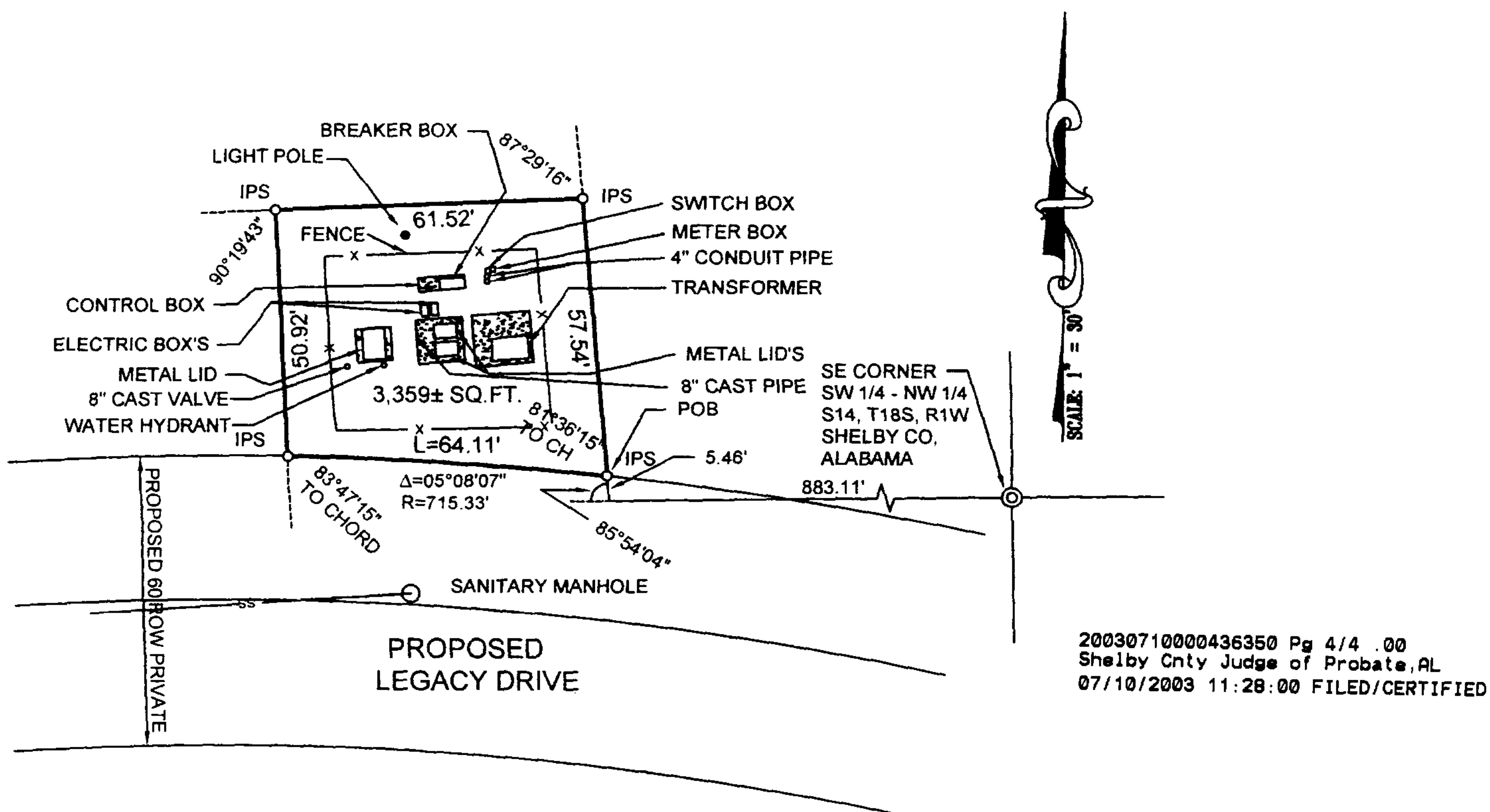
*Shelby County*

SHELBY COUNTY, ALABAMA

By: *Charles M. Lay Jr*  
Its: \_\_\_\_\_

By: *Charles M. Lay Jr*  
Its: Utility Engineer *Mancy*





**SKETCH TO ACCOMPANY A LEGAL DESCRIPTION**  
THIS IS NOT A SURVEY

PREPARED BY:  
SURVEYING SOLUTIONS, INC.  
2233 CAHABA VALLEY DRIVE  
BIRMINGHAM, AL 35242  
TEL: (205) 991-8965

**LEGAL DESCRIPTION**

A parcel of land situated in the Southwest quarter of the Northwest quarter of Section 14, Township 18 South, Range 1 West, Jefferson County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of the Southwest quarter of the Northwest quarter of said Section 14; thence run in a Westerly direction along the South line of said quarter-quarter section for a distance of 883.11 feet to a point; thence turn an angle to the right of 85 degrees, 54 minutes, 04 seconds and run in a Northwesterly direction for a distance of 5.46 feet to the point of beginning, said point of beginning also being on the Northerly right-of-way line of proposed Legacy Drive; thence continue along last stated course for a distance of 57.54 feet to a point; thence turn an angle to the left of 87 degrees, 29 minutes, 16 seconds and run in a Southwesterly direction for a distance of 61.52 feet to a point; thence turn an angle to the left of 90 degrees, 19 minutes, 43 seconds and run in a Southeasterly direction for a distance of 50.92 feet to a point on a curve to the right, having a central angle of 05 degrees, 08 minutes, 07 seconds and a radius of 715.33 feet, said point also being on the Northerly right-of-way line of said Legacy Drive; thence turn an angle to the left of 83 degrees, 47 minutes, 15 seconds to the chord of said curve and run along the arc of said curve in a Southeasterly direction for a distance of 64.11 feet to the point of beginning; said parcel of land containing 3,359 square feet, more or less.

I, Carl Daniel Moore, a registered Land Surveyor, certify that the above legal description and sketch, meet or exceed the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama.

*Carl Daniel Moore*  
Carl Daniel Moore, Reg. L.S. # 12159

*06-27-03*  
Date of Signature