


STATE OF ALABAMA     )  
                                     :  
COUNTY OF SHELBY     )

  
20031024000713290 Pg 1/4 20.00  
Shelby Cnty Judge of Probate, AL  
10/24/2003 15:00:00 FILED/CERTIFIED

### SEWER & UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, **MULTI-VEST, INC.**, an Alabama corporation, and **WERTH REALTY, INC.**, an Alabama corporation, a joint venture, (herein known as "Grantor"), for and in consideration of the sum of Ten & 00/100 Dollars (\$10.00) to us in hand paid by **COMMUNITY ENVIRONMENTAL SYSTEMS, INC.** (herein known as "Grantee") the receipt whereof is acknowledged, do hereby bargain, grant, sell, and convey unto said Grantee, its successors or assigns, an easement to install, maintain, operate, remove, replace and utilize all utilities and the necessary components therefor, including but not limited to, a sewer main, line, lateral or other components within and all other necessary activities, over and across of the following described real property to wit:

Commencing at the Northwest Corner of Section 20, Township 19 South, Range 2 West; Thence South 88° 38' 14" East a distance of 122.50 feet to a point; Thence South 17° 01' 24" East a distance of 136.27 feet to the Point of Beginning; Thence South 87° 00' 36" East a distance of 321.18 feet to a point; Thence South 28° 55' 57" East a distance of 295.67 feet to a point; Thence North 61° 04' 03" East a distance of 159.89 feet to a point; Thence North 28° 55' 57" West a distance of 10.00 feet to a point; Thence South 61° 04' 03" West a distance of 149.89 feet to a point; Thence North 28° 55' 57" West a distance of 291.22 feet to a point; Thence North 87° 00' 36" West a distance of 330.37 feet to a point; Thence South 17° 01' 24" East a distance of 10.64 feet to the Point of Beginning.

This conveyance is subject to all mortgages, previous conveyances, easements, covenants, restrictions and reservations of record.

And, as shall be reasonable and necessary to install, maintain, operate, remove, replace and utilize all utilities, including but not limited to, a sewer main line or lateral the Grantor further grants bargains and sells Grantee rights of ingress and egress over along and across the above described and rights to excavate within the above described easement.

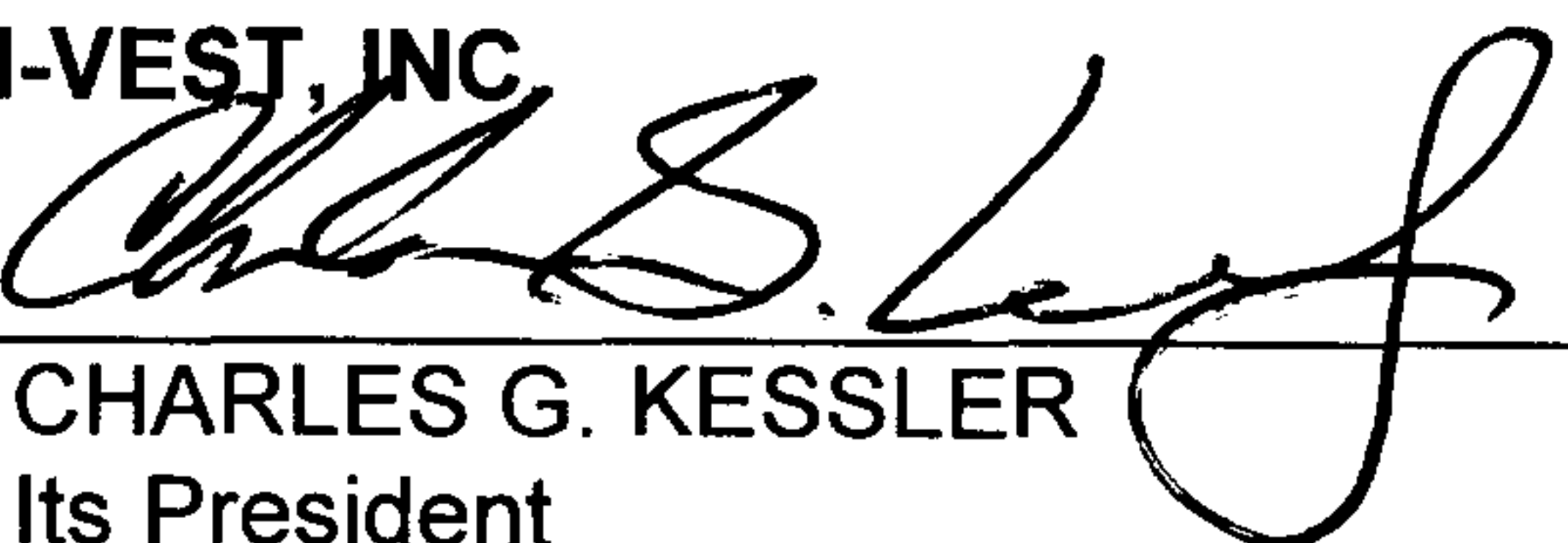
And, together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right to maintain, to cut and keep clear all vegetation growing on or above said easement and to keep clean other obstructions that may restrict the quiet enjoyment of said easement.

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


And we do for ourselves and for our successors and assigns covenant with the said Grantee, its successors and assigns, that we are lawfully seized in Fee Simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have good right to sell and convey the same as aforesaid; that we will and our successors and assigns shall warrant and defend the same to said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have set our hands and seals this the 22 day of October, 2003.

**GRANTORS:**  
**MULTI-VEST, INC.**

By:   
CHARLES G. KESSLER  
Its President

**WERTH REALTY, INC.**


By:   
ROBERT C. BARNETT  
Its President

#### ACKNOWLEDGMENT

STATE OF ALABAMA     )  
~~SHELBY~~ COUNTY     )  
Jefferson

Before me, Trudy Ann Harris, a Notary Public for said County, in said State, hereby certify that **Charles G. Kessler, Jr.**, whose name is signed to the foregoing as President of **MULTI-VEST, INC.**, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance he voluntarily executed same on this the day the same bears date.

Given under my hand and official seal this 23<sup>rd</sup> day of October, 2003.

  
NOTARY PUBLIC  
My Commission Expires 12-28-2003

STATE OF ALABAMA )

~~SHELBY~~ COUNTY )  
*Jefferson*

Before me, Judy Lystlund, a Notary Public for said County, in said State, hereby certify that **Robert C. Barnett**, whose name is signed to the foregoing as President of **WERTH REALTY, INC.**, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance he voluntarily executed same on this the day the same bears date.

Given under my hand and official seal this 22<sup>nd</sup> day of October 2003, 2003.

*Judy Lystlund*

NOTARY PUBLIC

My Commission Expires

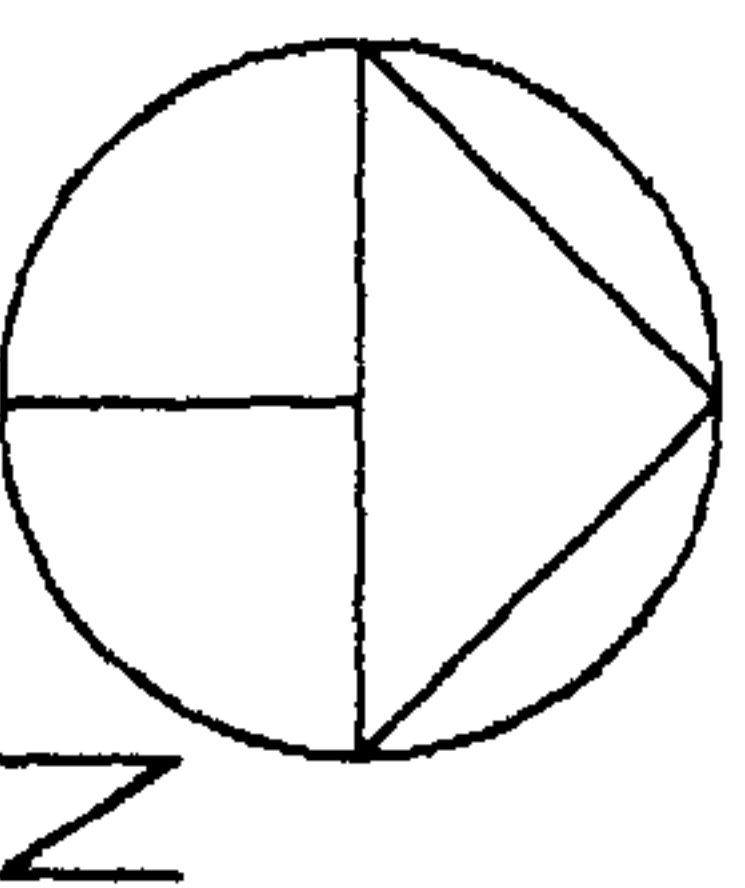
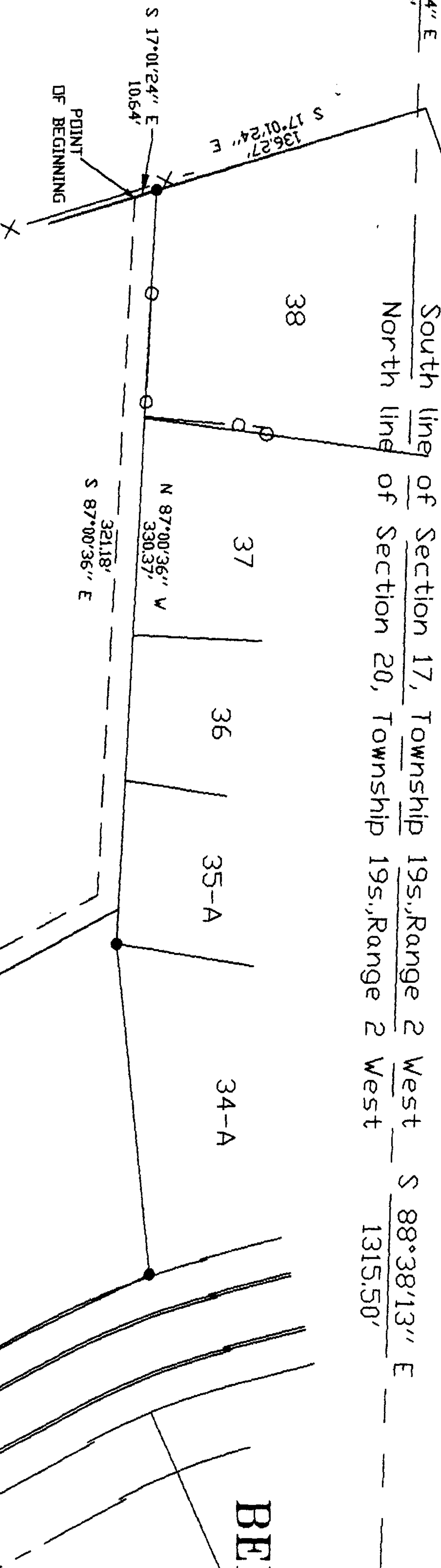
MY COMMISSION EXPIRES  
OCT 7, 2008





S 88°38'14" E  
122.50'

South line of Section 17, Township 19S, Range 2 West S 88°38'13" E  
North line of Section 20, Township 19S, Range 2 West 1315.50'



1"=60'

STATE OF ALABAMA  
SHELBY CDUNITY

10 foot Sanitary Sewer Easement

Commencing at the Northwest Corner of Section 20, Township 19 south, Range 2 West, Thence S 88°38'14" E a distance of 122.50' to a point Thence S 17°01'24" E a distance of 136.27' to the Point of Beginning; Continuing at the Point of Beginning Thence S 87°00'36" E a distance of 321.18' to a point; Thence S 28°55'57" E a distance of 295.67' to a point; Thence N 61°04'03" E a distance of 159.89' to a point; Thence N 28°55'57" W a distance of 10.00' to a point; Thence S 61°04'03" W a distance of 149.89' to a point; Thence S 28°55'57" W a distance of 291.22' to a point; Thence N 87°00'36" W a distance of 330.37' to a point; Thence S 17°01'24" E a distance of 10.64' to the Point of Beginning  
Containing 7741.04 square feet or 0.1777 acres more or less.