

NO FAX COPIES ACCEPTED

PROJECT NAME:

Lennox

20040602000293610 Pg 1/4 20.00
Shelby Cnty Judge of Probate, AL
06/02/2004 13:07:00 FILED/CERTIFIED

#700

RIGHT OF WAY DEED

STATE OF ALABAMA)

JEFFERSON COUNTY)

Prepared by:

Name: Danny C. Lockhart

Co. Name: Danny C. Lockhart, PC

Address: 1129 Forestdale Blvd
Birmingham, Al. 35214

2 0 0 4 0 7 / 8 7 3 7

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of ONE & 00/100 Dollars (\$ 1.00) cash in hand paid by Jefferson County, the receipt whereof is hereby acknowledged, we, the undersigned, do hereby grant, bargain, sell and convey unto the said Jefferson County, its successors and assigns, a right-of-way and easement for sanitary sewer purposes, including the installation and maintenance of sewer pipelines, underground and on the surface, and underground and surface support facilities, including stations, access points, stubouts and manholes, said right-of-way and easement being located in Jefferson County and described as follows:

For legal description see Attachment A attached hereto and made a part hereof.

For the consideration aforesaid, the undersigned do grant, bargain, sell and convey unto said County the 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 of ingress to and egress from said strip and the right to cut and keep clear all trees, undergrowth and other obstructions 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, and the right to prohibit the construction or maintenance of any improvement or obstruction (except fencing) or the placement of spoil or fill dirt or heavy equipment or heavy objects on, over, across or upon said area herein conveyed without the written permission from Jefferson County.

In consideration of the benefit to the property of the undersigned by reason of the construction of said sewer facility, the undersigned hereby release Jefferson County, the State of Alabama, and/or the United States of America, and/or any of their agents, from all damages present or prospective to the property of the undersigned arising or resulting from the construction, maintenance and repair of said improvement, and the undersigned do hereby admit and acknowledge that said sewer facility, if and when constructed, will be a benefit to the property of the undersigned.

The undersigned covenant with said Jefferson County that the undersigned are seized in fee-simple of said premises and have a good right to sell and convey the same and that the same are free from all encumbrances, and the undersigned will warrant and defend the title to the aforegranted strip of ground from and against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, all on this 23 day of April, 2004.

John Posey (SEAL)

____ (SEAL)

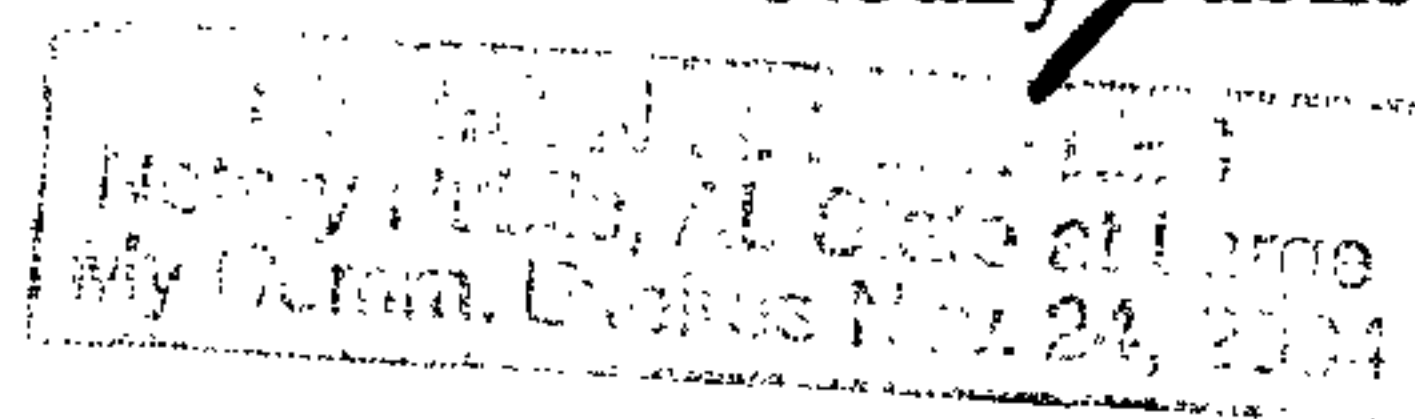
____ (SEAL)

The State of Alabama
Jefferson County

I, the undersigned authority, in and for said County, in said State, hereby certify that _____
John Posey _____ Whose name is _____ signed to the foregoing
conveyance, and who is _____ known to me, acknowledged before me on this day that, being informed of the
contents of the conveyance, he _____ executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 23rd day of April, 20 04.

Marvin A. Peoples
Notary Public



The State of Alabama
Jefferson County

I, the undersigned authority, in and for said County, in said State, hereby certify that _____
_____ Whose name _____ signed to the foregoing
conveyance, and who _____ known to me, acknowledged before me on this day that, being informed of the
contents of the conveyance, _____ executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this _____ day of _____, 20 ____.

Notary Public

The State of Alabama
Jefferson County

I, the undersigned authority, in and for said County, in said State, hereby certify that _____
_____ Whose name as President of the _____
_____ a corporation is signed to the foregoing conveyance, and who is known to me, acknowledge
before me on this day that, being informed of the contents of the conveyance, he, as such officer, and with full authority, executed
the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this _____ day of _____, 20 ____.

Notary Public

LEGAL DESCRIPTIONS OF CERTAIN TWENTY FOOT WIDE (20.0') SANITARY SEWER RIGHT OF WAYS IN JEFFERSON AND SHELBY COUNTIES, ALABAMA, EACH DESCRIBED ALONG THE CENTERLINE OF SAID TWENTY FOOT WIDE (20.0') RIGHT OF WAY AND RIGHT OF WAY LINE BEING TEN FOOT (10.0') ON EACH SIDE OF SAID CENTERLINE, EACH RIGHT OF WAY DESCRIBED SEPERATELY AS FOLLOWS:

SANITARY SEWER RIGHT OF WAY LINE NO. 2

**STATE OF ALABAMA
COUNTY OF JEFFERSON**

commence at the northwest corner of section 17, township 19 south, range 2 west, jefferson county, alabama and run thence easterly along the north line of said section 17 a distance of 23.54' to a point; thence turn left 69°19'21" and run northeasterly a distance of 223.65' to the point of beginning of a 20 foot sanitary sewer right of way lying 10 feet on each side of, parrallel to and abutting the following described centerline; thence turn 180 ° 00' 00" to the right and run southwesterly along said centerline of said twenty foot wide right of way a distance of 282.65' to a point 10' beyond the center of a manhole; thence turn 72°12'48" left and run southeasterly along same said centerline of same said sanitary sewer right of way a distance of 93.31' to the center of a manhole; thence run turn 0°29'04" left and run southeasterly along same said centerline of same said sanitary sewer right of way a distance of 75.37' to the center of a manhole; thence turn 0°42'16" left and run southeasterly along same said centerline of same said Sanitary Sewer right of way a distance of 98.49' to the center of a manhole; Thence turn 12°20'37" right and run southeasterly along same said centerline of same said Sanitary Sewer right of way and distance of 126.08' to the center of a manhole; Thence turn 88°09'22" left and run northeasterly along same said centerline of same said Sanitary Sewer right of way a distance of 289.71" to the center of a manhole; Thence turn 93°24'26" right and run southeasterly along same said centerline of same said Sanitary Sewer right of way a distance of 123.87' to the center of a manhole; Thence turn 4°44'07" right and run southeasterly along the same said centerline of same said Sanitary Sewer right of way a distance of 28.65' to the end of this right of way.

SANITARY SEWER RIGHT OF WAY LINE NO. -6

**STATE OF ALABAMA
COUNTY OF SHELBY**

Commence at the northwest corner of Section 17, Township 19 south, Range 2 west, Jefferson County, Alabama and run thence Easterly along the north line of said Section 17 a distance of 23.54' to a point; Thence turn right 110°40'39" and run southwesterly a distance of 59.00' to the center of a manhole; Thence turn 72°12'48" left and run southeasterly a distance of 93.31' to the center of a manhole; Thence run turn 0°29'04" left and run a distance of 75.37' to the center of a manhole; Thence turn 0°42'16" left and run southeasterly a distance of 98.49' to the center of a manhole; Thence turn 12°20'37" right and run southeasterly a distance of 126.08' to the center of a manhole and the point of beginning of a 20 foot sanitary sewer right of way lying 10 feet on each side of, parrallel to and abutting the following described centerline; Thence turn 90°56'45" right and run southwesterly a distance of 269.04' to the end of this right of way.

SANITARY SEWER RIGHT OF WAY LINE NO. -7

**STATE OF ALABAMA
COUNTY OF SHELBY**

Commence at the northwest corner of Section 17, Township 19 south, Range 2 west, Jefferson County, Alabama and run thence Easterly along the north line of said Section 17 a distance of 23.54' to a point; Thence turn right 110°40'39" and run southwesterly a distance of 59.00' to the center of a manhole; Thence turn 72°12'48" left and run a distance of 93.31' to the center of a manhole; Thence run turn 0°29'04" left and run a distance of 75.37' to the center of a manhole and the point of beginning of a 20 foot sanitary sewer right of way lying 10 feet on each side of, parrallel to and abutting the following described centerline; Thence turn 75°51'42" left and run northeasterly a distance of 221.56' to the center of a manhole; Thence turn 51°22'13" left and run northeasterly a distance of 166.61' to the end of said Right of way.

SANITARY SEWER RIGHT OF WAY LINE NO. -8

**STATE OF ALABAMA
COUNTY OF SHELBY**

Commence at the northwest corner of Section 17, Township 19 south, Range 2 west, Jefferson County, Alabama and run thence Easterly along the north line of said Section 17 a distance of 23.54' to a point; Thence turn right 110°40'39" and run southwesterly a distance of 59.00' to the center of a manhole; Thence turn 72°12'48" left and run southeasterly a distance of 93.31' to the center of a manhole and the point of beginning of a 20 foot sanitary sewer right of way lying 10 feet on each side of, parrallel to and abutting the following described; Thence turn 98°52'24" right and run southwesterly a distance of 123.60' to the center of a manhole; thence turn 82°34'40" right and run northwesterly a distance of 113.24'; thence turn 58°13'19" right and run northerly a distance of 75.17' to the end of said right of way.

SANITARY SEWER RIGHT OF WAY LINE NO. -S-10

**STATE OF ALABAMA
COUNTY OF SHELBY**

Commence at the northwest corner of Section 17, Township 19 south, Range 2 west, Jefferson County, Alabama and run thence Easterly along the north line of said Section 17 a distance of 23.54' to a point; Thence turn right 110°40'39" and run southwesterly a distance of 59.00' to the center of a manhole; Thence turn 72°12'48" left and run southeasterly a distance of 93.31' to the center of a manhole; Thence run turn 0°29'04" left and run a distance of 75.37' to the center of a manhole; thence turn 0 42'16" left and run southeasterly a distance of 90.49' to the point of beginning of of a 20 foot sanitary sewer right of way lying 10 feet on each side of, parrallel to and abutting the following described; Thence turn 108 54'27" right and run southwesterly a distance of 238.36' to the end of said right of way.

STATE OF ALABAMA-JEFFERSON COUNTY
I hereby certify that no mortgage tax or deed tax has
been collected on this instrument.

Michael F. Bolin
Judge of Probate

"No Tax Collected"

State of Alabama - Jefferson County
I certify this instrument filed on:

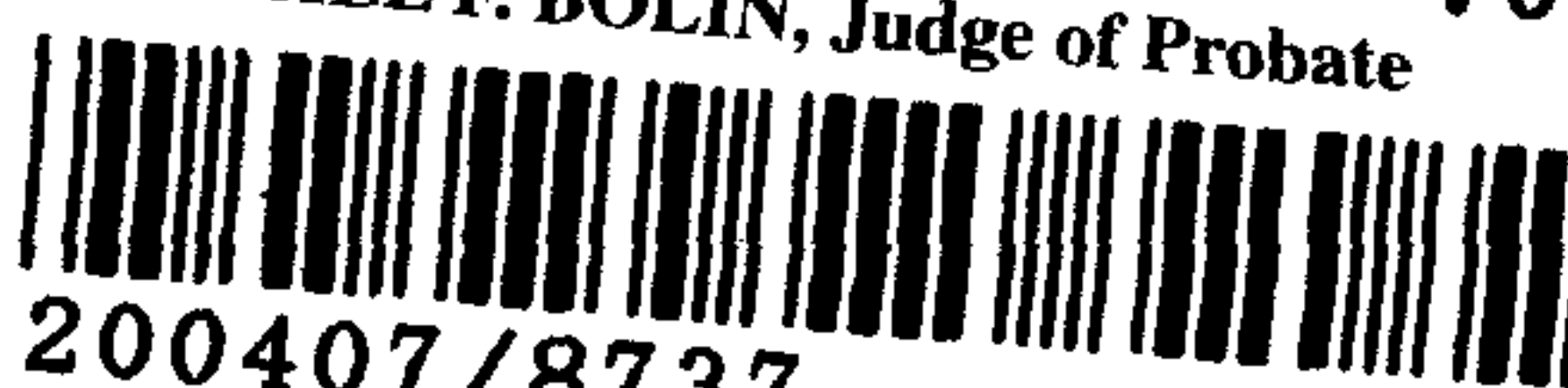
2004 JUN 02 A.M. 09:17

Recorded and \$

and \$

\$

MICHAEL F. BOLIN, Judge of Probate



200407/8737

Mtg. Tax

Deed Tax and Fee Amt.

Total \$.00