


**DEED CONVEYANCE OF SEWER SYSTEM  
BENT RIVE COVE**

  
20050406000159700 1/4 \$220.00  
Shelby Cnty Judge of Probate, AL  
04/06/2005 12:50:04PM FILED/CERT

THIS AGREEMENT, made this date last set forth below, by and between **MULTI-VEST, INC.**, organized and existing under and by virtue of the laws of the State of Alabama (herein referred to as "Grantor") and **COMMUNITY ENVIRONMENTAL SYSTEMS, INC.**, AN Onsite Wastewater Manag3ement Entity organized and existing under and by virtue of the laws of the State of Alabama, (herein referred to as "Grantee").

**RECITALS**

THAT WHEREAS, Grantor is the developer and owner of record of BENT RIVE COVE, a residential subdivision in the County of Shelby, State of Alabama, which is being improved and developed by the construction of an infrastructure and dwellings thereon; and,

WHEREAS, Grantor is the owner of certain real property being more particularly described in **EXHIBIT "A"** attached hereto and made a part hereof, upon which there is located a sanitary sewage wastewater treatment facility, together with sanitary sewage wastewater collection lines, pumps, filters, tanks, laterals and rights in easements and right-of-ways, (herein individually and collectively referred to as the "Sewer System"), for the purpose of supplying adequate sewer service to all properties connected to or to be connected to the Sewer System; and,

WHEREAS, it is the intention and purpose of the Grantor that such Utility System shall be used and operated to provide adequate disposal of sewage for each of the properties connected thereto, regardless of the ownership of the individual properties, and properly maintain the Sewer System to assure the continuance of the operation and maintenance of said system for the benefit of the present and future owners of properties connected thereto.

**WITNESSETH**

NOW THEREFORE, for and in consideration of the assumption and undertakings of the Grantee to provide and assure the maintenance and operation of the Sewer System as aforesaid and conveyance as "A Contribution in Aid of Construction" pursuant to 25 U.S.C. 118(c) and the Internal Revenue Service Regulations promulgated thereunder of the entire Sewer System by Grantor to Grantee at the actual cost to Grantor of \$200,000.00, receipt and sufficiency of which is acknowledged by Grantee, the Grantor does by these



presents grant, bargain, sell and convey unto the grantee all its rights, interest and title to:

- (A.) The real property more particularly described as set forth in EXHIBIT "A".
- (B.) All its rights, title and interest in the Sewer System personal property comprising the components thereof, including but not limited to, all sewage wastewater service lines, manholes, valves, pumps, pumping stations, controls, filters and the sewage wastewater treatment facility or facilities, whether primary, secondary or discharge lines to final disposal, disposal discharge, drip field, lagoon, or other disposal components of final disposal; whether heretofore constructed or to be constructed, including all easements incident to the ownership and operation of said Sewer System Further,

Grantor hereby warrants that there are no existing judgments, encumbrances, liens, or other indebtedness to the title of the Sewer System conveyed hereunder.

Grantor further warrants that said judgments, encumbrances, liens or indebtedness (if any) have been subordinated to this conveyance and are subject to this indenture.

This conveyance is for the benefit of the present and future owners of all and of each of the properties now or hereafter connected to the said utility system, as well as the holders of the mortgages covering each of the said properties

This conveyance is subject to any mineral, mining, or oil or gas, rights and titles previously conveyed and of record, if any, and any reservations contained therein, if any.

This conveyance is subject to all easements, covenants and restrictions of record.

TO HAVE AND TO HOLD to said grantee, his, her, its or their heirs and assigns forever.

And Grantor does for itself, its successors and assigns, covenant with the said Grantee, its, successors and assigns, that it is lawfully seized in fee simple of said real property; that they are free from all encumbrances, unless otherwise noted above; that it has good right to sell and convey the same as aforesaid; that it will and its successors and assigns will warrant and defend the same to said Grantee, its successors and assigns forever, against the lawful claims of all persons.



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IN WITNESS WHEREOF, the said Grantor, by its President, who is duly authorized to execute this conveyance, has set its signature and seal, this 13<sup>th</sup> day of August, 2004.

GRANTOR  
MULTI-VEST, INC.

By: [Signature]  
Its: President

ACKNOWLEDGMENT

STATE OF ALABAMA )  
Jefferson COUNTY )


Before me, Donald Nelson Guthrie, a Notary Public for said County, in said State, appeared **CHARLES G. KESSLER, JR.** as President of **MULTI-VEST, INC.**, an Alabama Corporation signed 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 as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my official seal, this the 13<sup>th</sup> day of August, 2004.

[Signature]

NOTARY PUBLIC

My Commission Expires: 11/22/05

  
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# EXHIBIT "A"

## Bent River Phase 4

A part of the Northeast quarter of the Northwest quarter of Section 20, Township 19 South, Range 2 West; and a part of the Southeast quarter of the Southwest quarter of section 17, township 19 South, Range 2 West, Shelby County, Alabama. Being more particularly described as follows; Commence at the Northeast corner of the Northeast quarter of the Northwest quarter of said Section 20, also being the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 17; thence S 88 degrees 38 minutes 14 seconds E along the North line of said quarter-quarter section a distance of 13.05 feet to the Point of Beginning; thence N 08 degrees 31 minutes 60 seconds E a distance of 13.99'; thence S 89 degrees 51 minutes 55 seconds E a distance of 250.51'; thence S 04 degrees 48 minutes 55 seconds W a distance of 152.72'; thence S 85 degrees 48 minutes 51 seconds W a distance of 264.21'; thence N 8 degrees 31 minutes 60 seconds E a distance of 159.99' to the Point of Beginning  
Containing 41485.1280 square feet or 0.9524 acres more or less.



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Shelby County, AL 04/06/2005  
State of Alabama

Deed Tax: \$200.00