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STATUTORY DEED

This instrument was prepared by
✓ Steven R. Sears, attorney
655 Main Street, BX Four
Montevallo, AL 35115+0004
telephone: 665-1211
without benefit of title evidence.

Please send tax notices to:

Montevallo Water and Sewer Board
613 Valley Street
Montevallo, AL 35115

State of Alabama)
County of Shelby)

Know all men by these presents, that in consideration of the performance of the mutual promises and undertakings in an indenture executed by both parties in February 2006, to the undersigned grantor in hand paid by the grantee herein, the receipt whereof is acknowledged, the **CITY OF MONTEVALLO**, of 545 Main Street, Montevallo, AL 35115, an Alabama Municipal Corporation, does grant, bargain, sell, and convey unto the Montevallo Water and Sewer Board, an Alabama Utility Corporation, of 613 Valley Street, Montevallo, AL 35115 (herein referred to as grantee, whether one or more) the following described real estate situated in Shelby County, Alabama, to-wit:

EASEMENTS AND EQUIPMENT

All grantor's interest in easements for water and sewer service and facilities wherever situated, including valves, pipes, fixtures, equipment, and associated materials, including without limitation an easement along all city streets and the following:

That easement from Laura Lyman Woods, Nina Lyman Cowles, *et al* over property in §§28 and 29 of Twp 22S, R3W, consisting of the W part of a lot on Valley Street at Shoal Creek, executed 12 January 1952 and recorded at deed book 154, page 433 of the Shelby County Probate Records.

That easement from the AME Church of Montevallo, over a 10 x 147.7 foot strip along Selma Road from the AME Church to the E line of Valley street, executed 20 June 1952 and recorded 13 November 1952 at deed book 156, pages 371-2 of the Shelby County Probate records.

That Easement from J P and Maggie Lou Kelly over a 10x45.6 foot strip from Main

Street to Little Spring, executed 04 November 1952 and recorded at deed book 156, page 378 of the Shelby County Probate Records.

That Easement from Gracie Conwell over a 10 foot wide strip running from 12.3 feet from the W end of valley Street to the University of Montevallo property line, executed 05 November 1953, and recorded 13 November 1952 at deed book 156, pages 369-70 of the Shelby County Probate Records.

That Easement from Arthur M and Ruth I Fraser across Lot 7, Block 6, Arden Subdivision, executed 14 July 1961 and recorded 23 Oct 1963 and deed book 227, pages 287-8 of the Shelby County Probate Records.

That Easement from Charles J and Caroline Peters Gray consisting of a 6 foot strip along the E margin of Lot 18, Hubbard & Givhan's Subdivision #2, executed 23 April 1965 and recorded 03 June 1965 at deed book 235, page 838 of the Shelby County Probate Records.

That Easement from Ralph W and Marcia M Sears consisting of a 6 foot strip along the S line of Lot 22, Hubbard & Givhan's Subdivision #2, executed 23 April 1965 and recorded 02 June 1965 at deed book 235, page 829 of the Shelby County Probate Records.

That Easement from James R and Susan A Wilkinson consisting of a 6 foot strip along the W side of Lot 19, Hubbard & Givhan's Subdivision #2, executed 05 May 1965 and recorded 03 June 1965 at deed book 235, page 830 of the Shelby County Probate Records.

That Easement from Borinquen Farm, Inc, by Sergio Davila, President, consisting of a 10 foot wide strip in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of §21, and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of §22, Twp 22S, R3W, executed 30 November 1965 and recorded 14 February 1966 at deed book 240, page 661 of the Shelby County Probate Records.

That Easement from Billy Joe and Minnie Faye Lovelady consisting of an 8 foot strip across lots 9 and 10, block 2, Arden Subdivision, executed 26 December 1967 and recorded at deed book 251, page 332 of the Shelby County Probate Records.

That Easement form Gussie Mae Seagles consisting of a strip approximately 10 feet wide by 100 feet long in §2, on Shelby County Highway 10, executed 24 August 1972 and recorded 06 September 1972 at deed book 276, page 150 of the Shelby County Probate Records.

That Easement from W B Murray and wife Lela Murray consisting of a 25 foot wide strip extending 797.4 feet S from Alabama Highway 25, executed 03 September 1981 and recorded 05 October 1981 at book 335, pages 344-5 of the Shelby County Alabama Probate Records.

A water and sewer easement across and along Mitchell Street, as described in an easement executed by Herman V and Willie Mae Vest in an instrument executed

22 July 1985, and recorded 30 July 1985 at real book 28, pages 494-7 of the Shelby County Probate Records.

That Easement from W L Lawler, Jr, Glen H Yancey, et al executed in 1988 and recorded on 15 July 1988 at book 194, pages 536-40 of the Shelby County Alabama Probate Records.

That Easement from Martha Billingsley executed 09 July 1991 and recorded 10 July 1991 at book 352, page 880 of the Shelby County Alabama Probate Records.

That Easement from Bobbie Ann Agee Ross executed 09 July 1991 and recorded 10 July 1991 at book 352, page 881 of the Shelby County Alabama Probate Records.

That Easement from Larnetta Graham Smelley McGinnis executed 09 July 1991 and recorded 10 July 1991 at book 352, page 882 of the Shelby County Alabama Probate Records.

That Easement from Sherman Holland executed 18 July 1991 and recorded 24 July 1991 at book 355, page 240 of the Shelby County Alabama Probate Records.

That Easement from the University of Montevallo dated 14 November 1991.

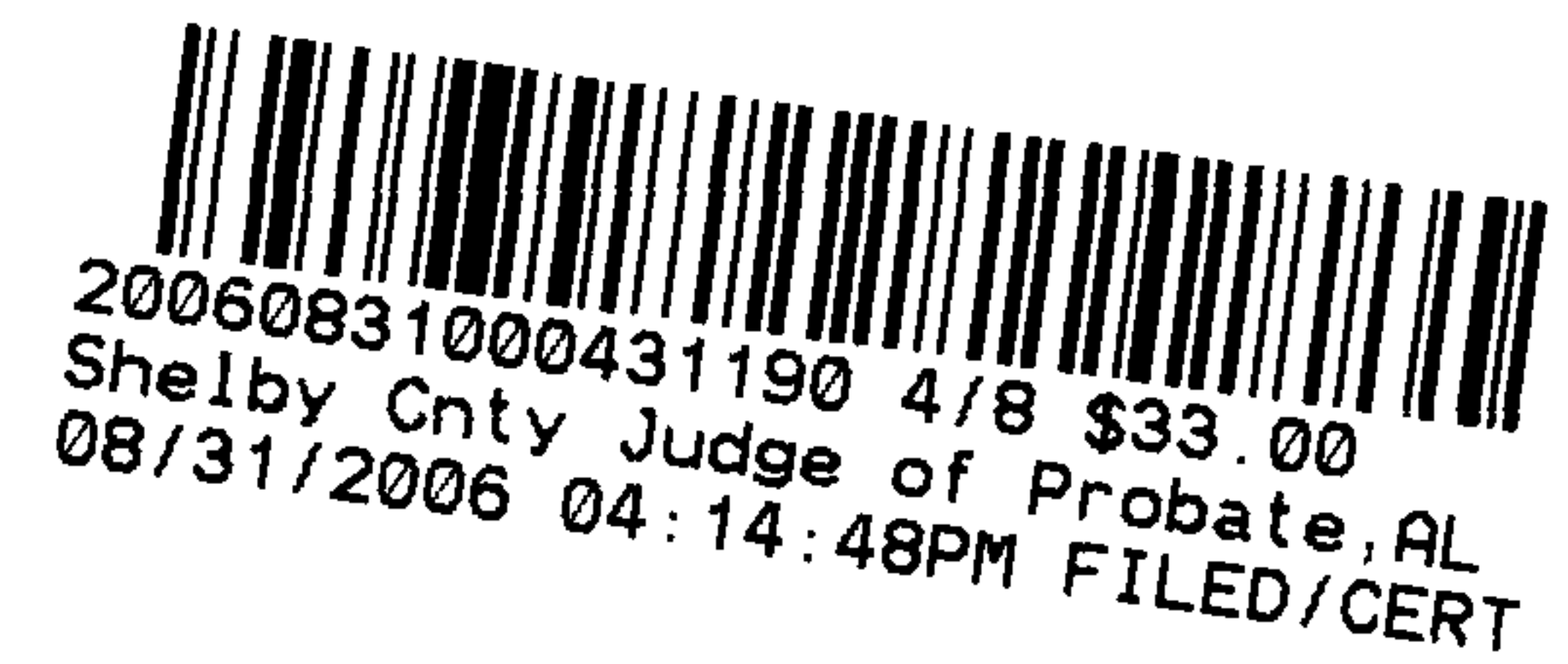
That Easement from Foster and Ellis Grey Dove dated 20 August 1992 and recorded 23 September 1992 at instrument #1992:20991 in the Shelby county Alabama Probate Records.

SEWER PLANT

Begin at the SE corner of §29 and run W 465 feet; thence run NE 637.18 feet to the N line of the §; thence run E 240 feet; thence run SW 203 feet; thence run E 170 feet; thence run S 370 feet to the point of beginning. Contains ± 4.42 acres, and assigned ad valorem tax parcel ID# 27 09 29 1 001 01. Source of title: an instrument dated June 1961 recorded at deed book 219, page 851; and an instrument dated April 1961, recorded at deed book 219, page 849 of the Shelby County Alabama Probate Records.

A portion of the former Acker estate, excepting therefrom any portion occupied by the city shop complex which is bounded by a chain link fence approximately 350 feet W of Selma Road, described as: Commence at the NW corner of §28, and run S 270 feet to the point of beginning: Thence run along Shoal Creek southeasterly 380 feet; thence run S 240; thence run W 330; thence run N 340 feet to the point of beginning, containing 2.188 acres, and assigned ad valorem property tax parcel ID#27 08 28 2 201 09. Source of title: instruments dated October 1977 and recorded at book 313, page 655 of the Shelby County Alabama Probate Records, and dated June 19, 1984 recorded at book 356, page 686 of the Shelby County

Alabama Probate Records.



Begin at the N line of §4, Twp 24N, R12E 320 feet W from the W line of Alabama Highway 119 (Selma Road): Thence run S 117.86 feet; thence run W 155 feet; thence run S 28 feet; thence run W 352 feet; thence run SW 575 feet thence run N 650 feet to said N line of §4, thence run E 693 feet to the point of beginning, containing 2.9 acres and assigned ad valorem tax parcel ID#36 2 04 1 001 003. As more particularly described in the source of title instrument recorded at deed book 219, page 853.

Excepting therefrom any portion occupied by the city shop complex which is bounded by a chain link fence approximately 350 feet W of Selma Road, Begin at the N line of §4, Twp 24N, R12E and the W line of Alabama Highway 119 (Selma Road) and run 590 feet; thence run NW 322 feet; thence run N 53 feet to said N line of §4; thence run E 320 feet to the point of beginning, less property acquired by the Alabama Department of Transportation in right of way map project BR458(6). Containing .327 acres, and assigned ad valorem tax parcel ID# 36 2 04 1 001 002. More particularly described in an instrument recorded at deed book 313, page 655.

INDUSTRIAL PARK TOWER

Commence at the NE corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of §27, Twp 22S, R3W and run E along said § line 299 feet to the point of beginning: Thence continue along said §line E 250 feet; thence run SW 250 feet; thence run NW 228.56 feet to the pont of beginning, containing .584 acres and assigned ad valorem tax parcel ID#27 8 27 0 001 002 004. More particularly described in the source of title instrument number 2002:00009601000000, recorded 26 February 2002 in the Shelby County Alabama Probate Office.

OVERLAND ROAD TOWER

Commence at the NE corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Twp 22S, R3W, and run SE 366.95 feet; thence run SW 1693.87 feet; thence run SE 86.63 feet to the E right of way of Overland Road; thence run SE along said right of way 236.8 feet to the Point of Beginning: Thence continue SE along the right of way of Overland Road 339.46 feet; thence run NW 121.84 feet; thence run SW 261.72 feet to the point of beginning., containing .68 acres and assigned ad valorem tax ID#27 5 22

0 001 001 070. More particularly described in the source of title instrument #1992:0002660500000, recorded 22 October 1992 in the Shelby County Alabama Probate Office.

FILTER PLANT

In the original plat of Montevallo begin at the SW corner of §21, Twp 22S, R3W; run thence N along the W line of said §21, 150 feet; thence run SE to the NW right of way of Valley Street; thence SW along said NW right of way of Valley Street to the point of beginning, consisting of less than one acre, and assigned ad valorem tax ID#27 5 21 3 303 011. More particularly described in documents recorded at deed book 292, page 391, real book 116, page 779, and real book 193, page 644 of the Shelby County Alabama Probate Records.

DRY VALLEY TOWER

Begin on the NE right of way boundary of Alabama Hwy 155 and run 341.2 feet NW to the S line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, §7, Twp 24N, R13E; thence run NW on said right of way 58.48 feet; thence run NE 135.45 feet; thence run SE 266.14 feet; thence run NW 142 feet; thence run W 88.55 feet; thence run SW 55.48 feet to the point of beginning, consisting of less than one acre, and assigned ad valorem tax ID#35 3 07 0 001 022. More particularly described in an instrument executed on 26 April 1972 by R E and Viva Marie Reid, and recorded on 14 July 1972 at deed book 275, page 208 of the Shelby County Alabama Probate Records.

CORVETTE WAY WELL

Begin at the intersection of the S right of way of Overland Road and the S right of Way of Comanche Road; thence run S along Comanche Road 260 feet to the point of beginning: Thence continue S 40 feet; thence run W 60 feet; thence run N 40 feet; thence run E 60 feet to the point of beginning, all located in §21, Twp 22S, R3W, and assigned ad valorem tax parcel ID#27 05 21 1 004 24. Source of title: an instrument dated May 1972 and recorded at deed book 274, page 668 of the Shelby County Alabama Probate Records.

LITTLE SPRINGS

From a point of beginning at the NE corner of §29, run 140 feet S; thence run W

along Shoal Creek 110 feet to the E right of way of Valley Street; thence run NE 160 feet to the point of beginning. Contains .16 acre, and is assigned ad valorem property tax ID# 27 09 29 1 001 1.001. Source of title: an instrument executed 19 June 1984 and recorded at book 356, page 686 of the Shelby County Alabama Probate Records.

PEA RIDGE TOWER

Begin at the NE corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of §2, Twp 22S, R4W and run thence S along the E $\frac{1}{4}$ $\frac{1}{4}$ line 100 feet; thence run S 89°35'W 100 feet; thence run N 100 feet to the N $\frac{1}{4}$ $\frac{1}{4}$ § line; thence run N 89°35'E 100 feet to the point of beginning, excluding mineral and mining rights. Contains .222 acres, and is assigned ad valorem property tax ID# 26 1 02 001 069. More particularly described in an instrument executed by Kimberly Clark Corporation 17 August 1972 and recorded 06 September 1972 at deed book 276, pages 152-3 of the Shelby County Alabama Probate Records.

A right of way easement for access from Jenny Kish over a 10x90 foot lot on County Highway 10 W of Aldrich executed 10 August 1972 and recorded on 06 September 1972 at deed book 276, page 151 of the Shelby County Probate Records.

KING STREET TOWER

Begin at the NE corner of lot 4 of N Highlands subdivision and run W 90 feet; thence run S 80 feet; thence run E to the W right of way of King Street; thence NE along said King Street right of way to the point of beginning. Contains $\pm 7200 \text{ ft}^2$ and is assigned ad valorem property tax ID# 27 5 21 2 001 021. More particularly described in an instrument recorded at deed book 220, page 864 of the Shelby County Alabama Probate Records.

HIGHWAY 25 PUMP STATION

Begin at the intersection of the E right of way of Hicks Street and the S right of way of Alabama Highway 25 and run NE 45 feet; thence run E 70 feet; thence run S 50 feet to the point of beginning: Thence run S 19 feet; thence run W 25 feet; thence run N 19 feet; thence run E 25 feet to the point of beginning, containing .01 acre and assigned ad valorem tax parcel ID#36 2 03 1 002 015 001. More particularly described in an instrument recorded at deed book 161, page 242 of the Shelby County Alabama Probate records.

MMS WELL

The N 100 feet of the following lot: Begin at the NE corner of Lot 1, Block L, according to a survey of South Montevallo drawn by E E Todd, CE, on 09 February 1900 and recorded in Map book 3, page 41 of the Shelby County Probate records; and thence run W 44.31 feet; thence run S 300.27 feet; thence run E 57.47 feet to the W margin of Waller Street; thence run N 300 feet to the point of beginning. Assigned ad valorem parcel ID#36 2 04 1 001 078. In addition, and as part of this parcel, the right of way of the former Waller Street from its intersection with Bowie Street and extending S 100 feet, as this portion of the said Waller has previously been vacated by the city as no longer being needed for use as a street, said previous street vacation being hereby ratified.

No part of the property conveyed herein forms any part of the homestead of any grantor. The grantor is not entitled to homestead rights under Alabama Law.

To have and to hold to the said grantee, its heirs and assigns forever.

THE CITY OF MONTEVALLO hereby retains an easement over the conveyed property for the purpose of installing a cable television system, fibre optic system, for utilities, or for other public purposes, et cetera, provided the exercise of this easement is preceded by the express agreement of, and does not interfere with nor is inconsistent with the use of the property by the said Montevallo Water and Sewer Board. The future use by the city shall not be inconsistent with the use by the grantee (utility board) for sewer and water lines and/or mains.

THE CITY OF MONTEVALLO, does for itself and for its successors and assigns covenant with the said grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall warrant and defend the same to the said grantee, its successors and assigns forever, against the lawful claims of all persons.

In witness whereof, the **CITY OF MONTEVALLO**, by its Mayor Sharon Anderson, has set its hand and seal, this 29th August 2006.

Witness:

Carey Thompson

Sharon Anderson (Seal)
CITY OF MONTEVALLO
BY SHARON ANDERSON, MAYOR

State of Alabama)
County of Shelby)

I, the undersigned notary public for the State of Alabama at Large, hereby certify that Sharon Anderson, whose name as mayor of the CITY OF MONTEVALLO is signed to the foregoing conveyance, and who is (made) known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she, in such capacity and with full authority so to do, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29 August 2006.

Carey Thompson
Notary public

MY COMMISSION EXPIRES NOV. 13, 2007


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Shelby Cnty Judge of Probate, AL
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