

PERMANENT EASEMENT DEED

E-4

PID 14 7 26 0 000 004.000

STATE OF ALABAMA)
SHELBY COUNTY)

JAMES MARVIN MCMILLIAN, JR. & LUCILLE FLANAGAN

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of **(\$7,820.00)** cash in hand paid by Shelby County, the receipt whereof is hereby acknowledged, we, the undersigned (Grantors), do hereby grant, bargain, and convey unto the Shelby County (Grantee), its agents, successors, and assigns a permanent easement and right of ingress and egress to and from, also over and across a strip of land for the purpose of constructing, operating, maintaining and repairing water mains, pipes, water meters, with appurtenances and the right to install and maintain other utilities at the sole discretion of the Grantee. Said strip of land being located within the property of the undersigned Grantors as described in **Deed Book 162 Page 423**, in the Office of the Judge of Probate, Shelby County, Alabama said strip being more particularly described as follows:

A 20 foot wide utility easement for a water line lying 10 feet from either side of the centerline of the water pipe as installed in the field which lies in the SE 1/4 of Section 26, Township 20 South, Range 2 West, and is situated in Shelby County, Alabama, being more particularly described as follows:

Commencing from the NE corner of said recorded parcel, proceed in a Southerly direction for 915 feet, more or less, to the point of beginning of the centerline of the following described easement. From the point of beginning, turn right 46°, more or less, and proceed in a Southwesterly direction for 1,798 feet, more or less, generally parallel with the existing pavement of Shelby County Highway 331 and being not more than 30 from the existing edge of pavement of said county highway. Thence turn right 87°, more or less, and proceed in a Southwesterly direction for 50 feet, more or less. Thence turn left 87°, more or less, and proceed in a Southeasterly direction for 164 feet, more or less, ending at the intersection with the South property line of said recorded parcel and less and except that contained in the Right of Way of Shelby County Highway 331. The approximate alignment and orientation of easement is as shown on the attached Exhibit A. Said easement contains 0.92 acres, more or less.

The Grantee shall have 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 to cut and keep clear all trees, undergrowth and other obstructions from said strip and on the lands of the undersigned adjacent to said strip when deemed reasonably necessary for the avoidance of danger in and about said public



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Shelby Cnty Judge of Probate, AL
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use of said strip.

The Grantee shall have free access, ingress and egress to and from said land over and across adjacent lands of Grantor(s) for the purposes herein mentioned, and the Grantor(s) shall erect no structures on the portion of the land above described within the width of said easement, or do any act or thing which would in any way interfere with, damage, place at risk or pose future risk or possible risk to the mains, pipes, or appurtenances installed or to be installed within the width of said easement or interfere with the right of the Grantee to enter upon said land at any time for the purposes heretofore expressed and to have immediate access to all mains, pipes, and appurtenances.

The Grantee shall also have the right to temporarily place dirt and materials on adjacent lands of the Grantor(s) for the purposes heretofore expressed. Any and all disturbed areas within said easement will be put back to match adjacent natural ground and a suitable grass mixture for the season shall be applied.

Grantee agrees to leave the property substantially as found upon commencement of construction on said easement but is not required to improve said property beyond its original state and condition, subject to grassing and grading as described herein. Grantor(s) covenant that they have good and merchantable title to said property and good right to convey this easement.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, all on this 25th day of March, 2008.

By: James M. McMillian Jr.
James Marvin McMillian, Jr.
Authorized Representative

By: Lucille Flanagan
Lucille Flanagan
Authorized Representative

WITNESSES:

Barbara B. Gucine
STATE OF FLORIDA
Volusia COUNTY

James M. McMillian Jr.

I, the undersigned, a Notary Public in and for the said state-at-large, do hereby certify that, James Marvin McMillian, Jr. whose name is signed to the foregoing certificate as Grantor, and who is known to me, acknowledged before me, on this date that after being duly informed of the contents of said certificate, do execute the same voluntarily as such individual with full authority thereof.

Given under my hand and seal this the 25th day of March,
2008.

Barbara W. Greene

Notary Public for the State of FLORIDA

My commission expires _____

STATE OF FLORIDA
Volusia COUNTY

I, the undersigned, a Notary Public in and for the said state-at-large, do hereby certify that,
Lucille Flanagan whose name is signed to the foregoing certificate as Grantor, and who is
known to me, acknowledged before me, on this date that after being duly informed of the
contents of said certificate, do execute the same voluntarily as such individual with full
authority thereof.

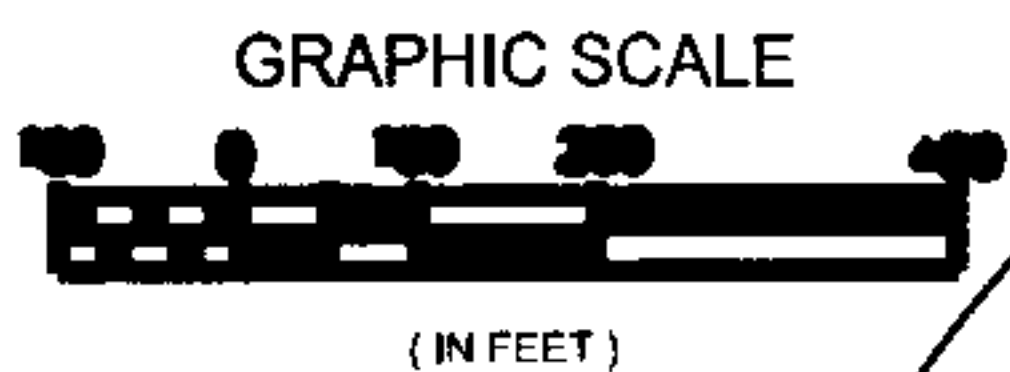
Given under my hand and seal this the 25th day of March,
2008.

Barbara W. Greene

Notary Public for the State of FL.

My commission expires _____

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- LEGEND
- PROPERTY LINE
 - PROPOSED EASEMENT
 - EXISTING APCO EASEMENT
 - APCO OVERHEAD POWER

E-4

14 7 26 0 000 004.000
MCMILLIAN JAMES MARVIN JR &
FLANAGAN LUCILLE
5057 MEADOW BROOK RD
BIRMINGHAM AL 35242

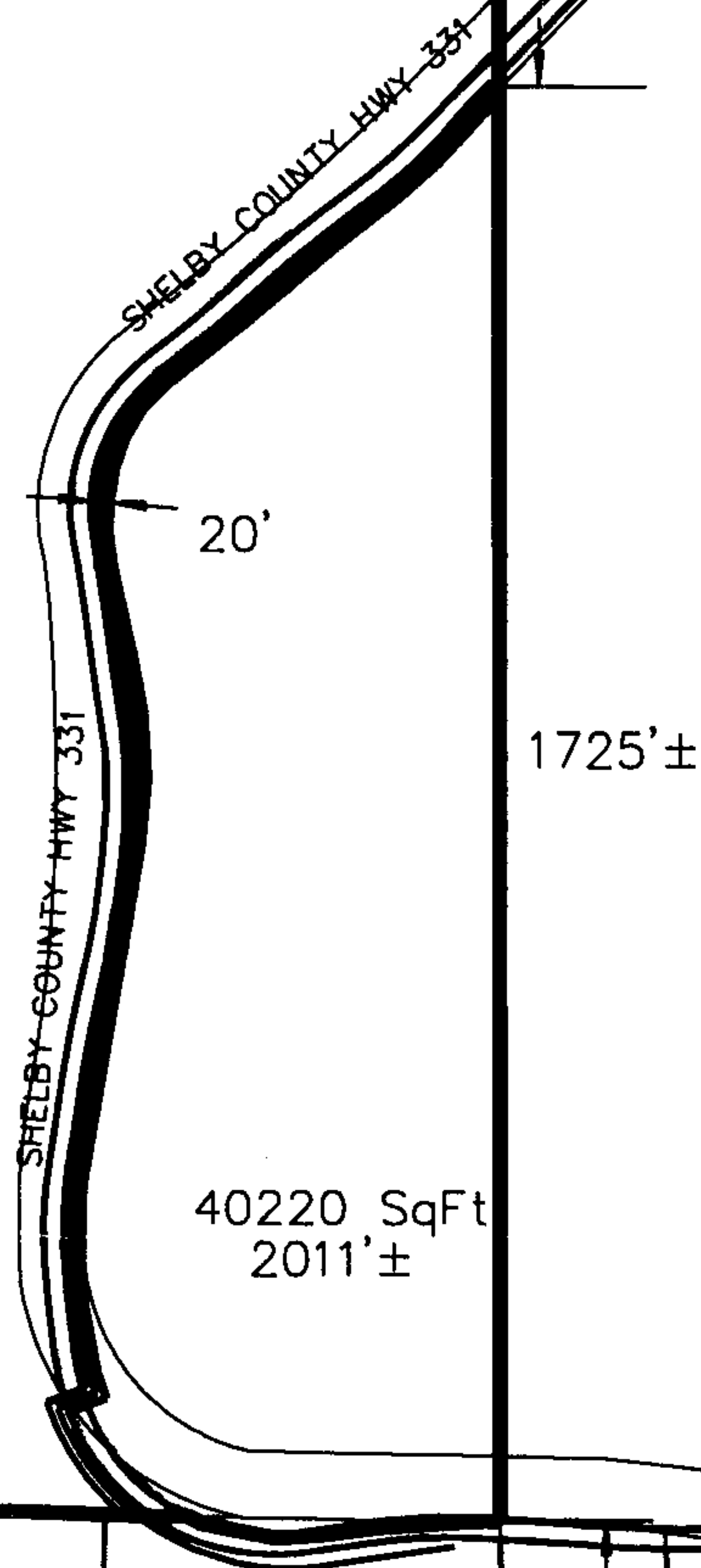


EXHIBIT A

PARCEL ID #: 14 7 26 0 000 004.000
PARCEL OWNER: MCMILLIAN JAMES MARVIN JR & FLANAGAN LUCILLE
TOTAL ACREAGE: 69.0±
EASEMENT ACREAGE: 0.92±
REMAINING ACREAGE: 68.09±

NOTE: ACREAGES SHOWN ARE APPROXIMATE BASED ON TAX MAP DATA.

SHELBY COUNTY
COMMISSION
SOUTH WATER PLANT
PROJECT

REF #: E-4
DRAWING 1 OF 1