

20090226000069650 1/2 \$14.50
Shelby Cnty Judge of Probate, AL
02/26/2009 03:39:19PM FILED/CERT

PROJECT NAME: AMMERSEE LAKES

Shelby County, AL 02/26/2009
State of Alabama

Deed Tax: \$.50

RIGHT OF WAY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

CITY OF MONTEVALLO)

\$1500.00 TDB

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 The City of Montevallo, the receipt whereof is hereby acknowledged, we, the undersigned, do hereby grant, bargain, sell and convey unto the said City of Montevallo, 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 The City of Montevallo and described as follows:

A permanent 20' wide sanitary sewer Right-of-Way Easement, being situated in the SW ¼ of the SE ¼ of Section 2, Township 22 South, Range 3 West in Shelby County, Alabama, lying 10' on each side of the following described centerline;

Commence at the Southeast corner of Section 2, Township 22 South, Range 3 West, Shelby County; Thence run North along the East line of said Section 2 a distance of 2054.79 feet; Thence turn left 91°30'15" and run Westerly a distance of 359.59 feet; Thence turn right 00°40'16" and continue Westerly a distance of 238.19 feet to the Northeast corner of Lot 44-A of The Amended Map of AMMERSEE LAKES-SECOND SECTOR as recorded in map book 36, page 99 in the Office of the Judge of Probate, Shelby County, Alabama; Thence continue Westerly along the last described course and along the Northerly line of said subdivision a distance of 223.12 feet; Thence turn right 9°18'44" and continue Westerly along the Northerly line of said subdivision a distance of 1078.49 feet; Thence turn right 00°38'17" and continue Westerly along the Northerly line of said subdivision a distance of 283.03 feet to the Northwest corner of Lot 21-A of said subdivision; Thence turn left 90° 33'50" and run Southerly along the Westerly lines of Lot 21-A and Lot 20-A of said subdivision a distance of 151.47 feet to the centerline of said 20' sanitary sewer easement, this being the POINT OF BEGINNING; Thence from the last described course, turn right 35°22'25" and run Southwesterly along said centerline a distance of 122.53 feet; Thence turn left 29°52'55" and continue Southwesterly along said centerline a distance of 386.95 feet to the Northerly Right-of-Way line of AMMERSEE LAKES DRIVE and the POINT OF ENDING of said sanitary sewer Right-of-Way easement.

For the consideration aforesaid, the undersigned do grant, bargain, sell and convey unto said City of Montevallo 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 The City of Montevallo.

In consideration of the benefit to the property of the undersigned by reason of the construction of said sewer facility, the undersigned hereby release The City of Montevallo, Shelby 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 City of Montevallo 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 26th day of FEBRUARY, 2009.

Bagley Properties LLC (SEAL)
By Thomas Douglas Bagley (SEAL)
Managing Member (SEAL)

Bagley Properties LLC
By Thomas Douglas Bagley

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**STATE OF ALABAMA
SHELBY COUNTY**

I, Amanda Bailey, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Thomas Douglas Bagley is signed to the foregoing conveyance as Managing Member of Bagley Properties, LLC., and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26th day of FEBRUARY 2009.

Amanda Bailey
Notary Public

My Commission Expires: 9/25/12

