

\$ 500.00

**COVENANT/ EASEMENT FOR MUTUAL MAINTENANCE AGREEMENT OF
PRIVATE SEWER LINE**

This COVENANT/EASEMENT FOR MUTUAL MAINTENANCE AGREEMENT OF PRIVATE SEWER LINE as entered into this the ____ day of July, 2010, between **Frank Corley Ellis III** and wife, **Julie H. Ellis**, first party and **John B. Farr**, second party.

WHEREAS, the first party owns certain real property, a legal description of which is attached hereto as Exhibit "1"; and

WHEREAS, the second party owns certain real property, a legal description to which is attached hereto as Exhibit "2"; and

WHEREAS, the second party owns a private sewer line that is located in an eight foot easement across the first party's previously described real property which is located at 315 Thompson St., Columbiana, Alabama; and

WHEREAS, the above-stated sewer line serves the second party's home and only his home, located at 205 East Sterrett St., Columbiana, Alabama.

NOW, THEREFORE, the said second party, John B. Farr, grants for his self, his heirs, devisees, executors, assigns, transferees and successors, to the second party the right to connect to and use said private sewer line.

FURTHER, as a condition precedent to granting said right to connect, both parties, for themselves, their heirs, devisees, executors, transferees, successors, and assigns forever, agree that said covenant/easement shall inure to the benefit

Shelby County, AL 07/21/2010

State of Alabama

Deed Tax : \$.50



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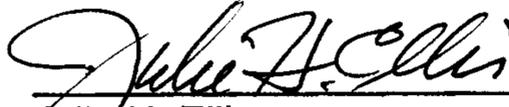
of the parties heirs and assigns forever and agrees to share in the maintenance of the private sewer line as set out below:

THE PARTIES HERETO AGREE AS FOLLOWS:

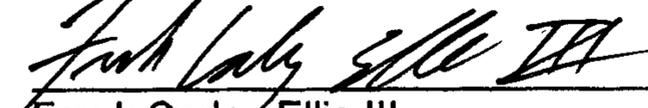
1. Each party will maintain the part, or portion, of the said sewer line that serves ONLY their property.

2. As long as the first party chooses to and does remain connected to and uses said private sewer line, the first party will maintain that portion of the private sewer line where joint usage commences to the point of connection to the City of Columbiana sewer system, and that the promise to maintain and the grant of the right to use said private sewer line shall be a covenant running with the land binding on all subsequent owners;

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date first above written.



Julie H. Ellis
315 Thompson Street
Columbiana, AL 35051



Frank Corley Ellis III
315 Thompson Street
Columbiana, AL 35051



John B. Farr
205 East Sterrett Street
Columbiana, AL 35051


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STATE OF ALABAMA)
COUNTY OF SHELBY)

Before me, the undersigned authority in and for said County and State, personally appeared, **FRANK CORLEY ELLIS III**, and wife, **JULIE H. ELLIS**, to me known to be the individual(s) described in and who executed the within instrument and acknowledged that (he/she/they) signed the same as (his/her/their) free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 16th day of July, 2010.

Kimi M. Foster
NOTARY PUBLIC

STATE OF ALABAMA)
COUNTY OF SHELBY)

Before me, the undersigned authority in and for said County and State, personally appeared, **JOHN B. FARR**, to me known to be the individual(s) described in and who executed the within instrument and acknowledged that (he/she/they) signed the same as (his/her/their) free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 19th day of July, 2010.

Kimi M. Foster
NOTARY PUBLIC



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Exhibit "1"

Commence at the Southwest corner of Section 24, Township 21 South, Range 1 West; thence run East along the South line of said Section for 630.95 feet to the East line of Thompson Street; thence 95 degrees 58 minutes left run Northerly along said street for 331.81 feet to the point of beginning; thence continue along said street 193.09 feet to the intersection of the South right of way of East Sterrett Street, and said right of way line; thence 93 degrees 20 minutes 40 seconds right and run East along last said right of way 253.46 feet to a curve to the right on said right of way; thence run along said curve (radius = 1612.24 feet) 84.13 feet; thence 88 degrees 59 minutes 32 seconds right from tangent and run South 205.39 feet; thence 90 degrees 45 minutes 29 seconds right and run 319.52 feet to the point of beginning.
According to survey of Thomas E. Simmons, RLS 312945, dated May 15, 1990.



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07/21/2010 03:28:21 PM FILED/CERT

Exhibit "2"

Commence at the Southwest corner of Section 24, Township 21 South, Range 1 West; thence run easterly along the South boundary of said Section for 630.95 feet to the East line of Thompson Street; thence turn an angle of 95 degrees 58 minutes to the left and run northerly along said street for 331.81 feet; thence turn an angle of 95 degrees 59 minutes to the right run 319.52 feet to the point of beginning of the parcel of land herein described; thence continue along the last described course for 200.00 feet; thence turn an angle of 90 degrees 46 minutes 36 seconds to the left and run 202.43 feet to the South margin of East Sterrett Street; thence turn an angle of 88 degrees 21 minutes 18 seconds to the left and run along the South boundary of said street 185.38 feet; thence continue along said South margin of said street along a curve to the left, having a radius of 1612.24 feet and a central angle of 0 degrees 31 minutes 10 seconds, for an arc distance of 14.62 feet; thence turn an angle of 91 degrees 06 minutes 25 seconds to the left, from the tangent to the curve, and run southerly for 205.39 feet to the point of beginning. According to the survey of John Gary Ray, dated April 9, 1997.

ALSO:

An 8-foot easement described as follows: Commence at the Southwest corner of Section 24, Township 21, Range 1 West; thence run East along the South line of said Section 24 for 630.95 feet to the East line of Thompson Street; thence turn an angle of 95 degrees 58 minutes left and run northerly along said street for 331.81 feet to the point of beginning of the easement herein described; thence turn an angle of 95 degrees 59 minutes to the right and run 319.52 feet to the point of ending of said easement; said easement is 8 feet in width with the easement line just described being the South boundary thereof.

Being more particularly described as follows: The South 8 feet of the hereinafter described property to be used for a sewer line easement: (Parcel I) Commence at the SW corner of Section 24, Township 21 South, Range 1 West, thence run East along the South line of said Section for 630.95 feet to the East line of Thompson Street; thence 95 degrees 58 minutes left run Northerly along said street for 331.81 feet to the point of beginning; thence continue last described course for 193.09 feet to the South line of East Sterrett Street; thence 93 degrees 20 minutes 40 seconds right run along said street for 237.59 feet; thence 91 degrees 59 minutes 14 seconds right run 202.99 feet; thence 90 degrees 45 minutes 15 seconds right run 219.52 feet to the point of beginning.



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