

**AGREEMENT FOR UTILITIES EASEMENT and  
INSTALLATION OF FUTURE WATER LINES**

THIS AGREEMENT made and entered into on this the 13<sup>th</sup> day of May, 2011, by and between the Alabaster Water Board, a public corporation (hereinafter, the “**Board**”), and Martin L. and Jennifer H. Fischer (hereinafter, “**Owner**”).

WHEREAS, the Board deems it necessary to install and maintain certain water lines for wastewater from the Well #3 Filtration Plant as part of the advancement of the Board’s water transmission system; and,

WHEREAS, Owner is the lawful owner of certain real property in and upon which the Board desires to install necessary water lines; and,

WHEREAS, the Board desires to obtain from the Owner both a permanent and a temporary utilities easement across Owner’s land to install necessary water lines,

NOW, THEREFORE, be it known by these presents that, in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed as follows:

**EXPRESS GRANT OF EASEMENT**

1. Owner hereby expressly grants to the Board a permanent 15’ wide utilities easement across the Owner’s land as specifically described in Ex. A attached hereto.
2. The Owner shall allow the Board to enter the easements to construct said water line, and to perform maintenance activities as deemed necessary by the Board.
3. Owner retains the right to use the lands within the easement as the Owner desires, except as noted herein. Owner agrees not to use the lands within the easement in a manner that adversely affects the water line. Owner further agrees not to construct any structure within the lands in the easement. After the water line has been installed, Owner may construct a fence, drainage pipe, or roadway across the easement. Should the Board desire and so request, however, Owner shall allow the entrance of equipment and materials on the easement for the purposed of maintaining said water line when necessary.

Page 2 of 3

4. Owner grants the Board the right to remove trees, vegetation and other underbrush within the easement as required for the construction and/or maintenance activities associated with the water line.

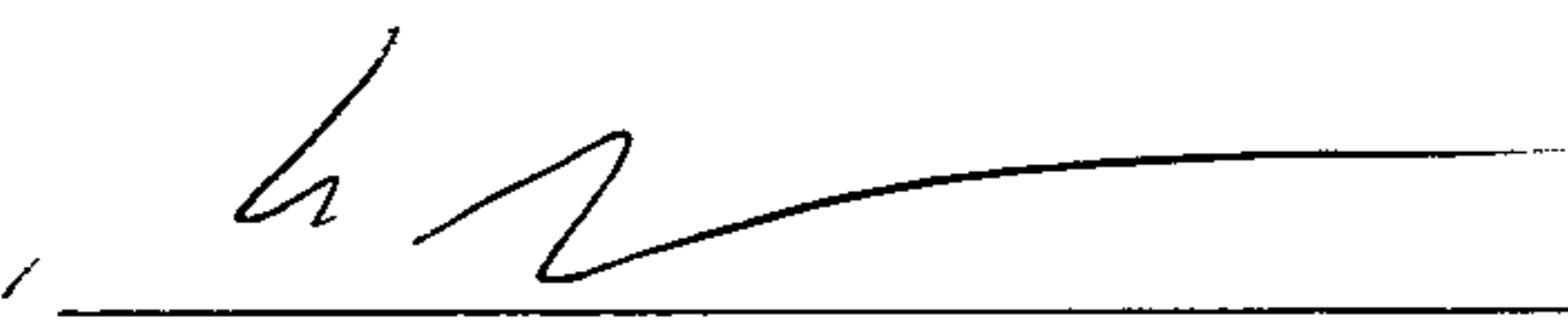
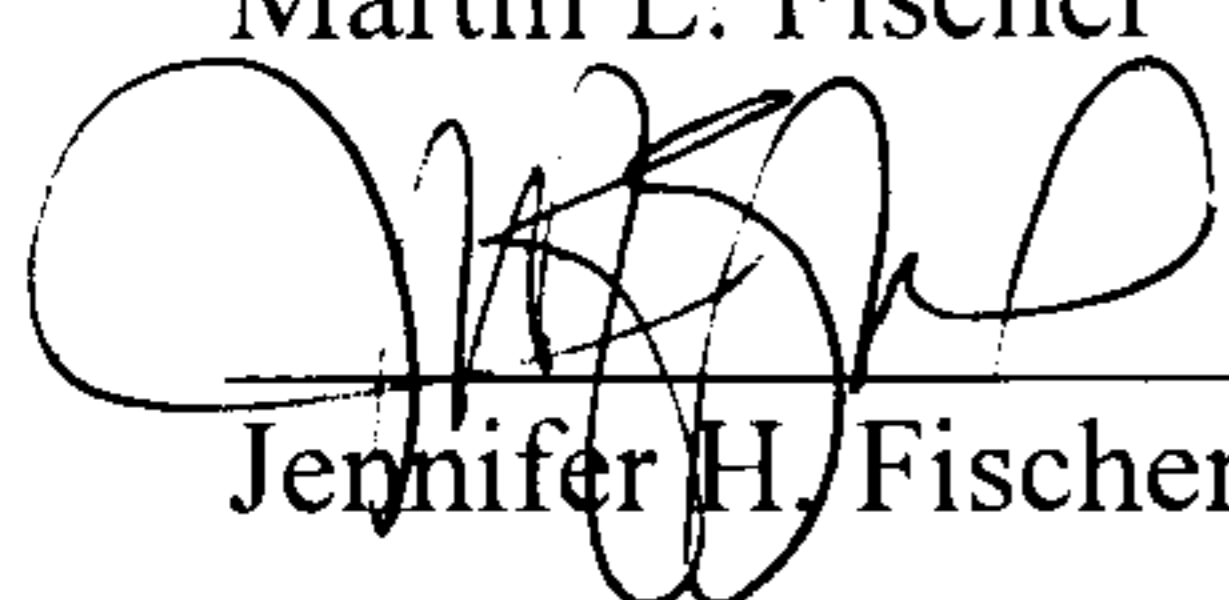
**CONSIDERATION FOR EASEMENT**

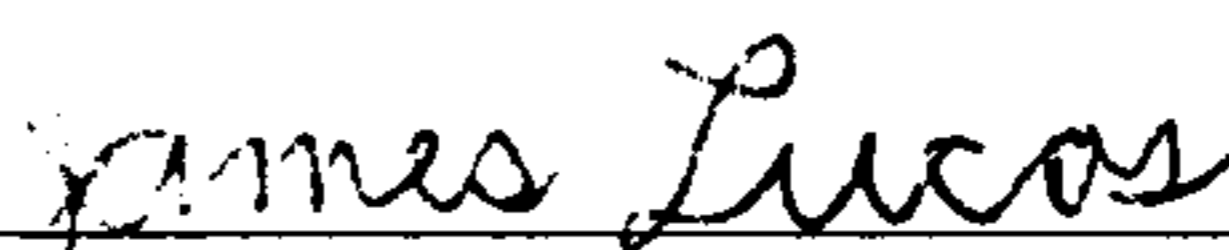
5. As good and valuable consideration for the express grant of easement contained herein, the Board shall pay to Owner a total of \$250.00. Further, the Board agrees to build a wooden type of fence to the Owner's specifications along the length of the shared property line between the Board and the Owner. Owner hereby acknowledges the value and sufficiency of the stated consideration for the easement granted.

IN TESTIMONY to all the mutual covenants and promises set forth hereinabove, Owner does hereby grant the easements described herein, and, the Alabaster Water Board does hereby agree to be bound by the terms and conditions of this Agreement, and has caused this Agreement to be executed by its Manager and duly attested on the date first above written.

**OWNER / GRANTOR**

**ALABASTER WATER BOARD/ GRANTEE**

  
\_\_\_\_\_  
Martin L. Fischer  
  
\_\_\_\_\_  
Jennifer H. Fischer

By:   
\_\_\_\_\_  
James Lucas  
Its Manager

ATTESTED TO

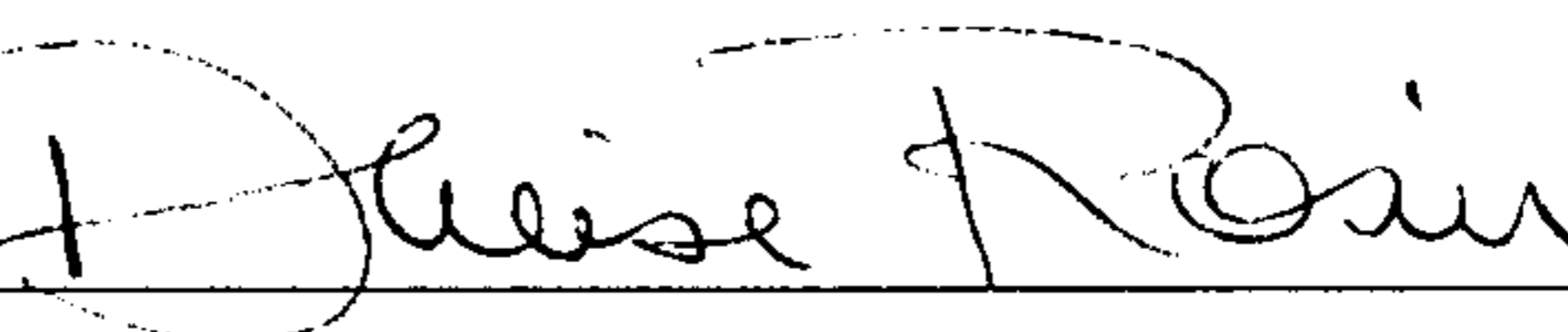
By:   
\_\_\_\_\_

Exhibit A

Parcel 23 1 02 3 002 021.022

**15' EASEMENT LEGAL DESCRIPTION**

A parcel of land situated in the Southwest one-quarter of Section 2, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of Lot 13, Thompson Plantation, as recorded in Map Book 11, page 53, in the Office of the Judge of probate, Shelby County, Alabama; thence run North 89 degrees 17 minutes 54 seconds East along the North line of said Lot 13 for a distance of 45.00 feet to the centerline of an existing 15 foot easement, as recorded in Map Book 11, page 53, in the Office of the Judge of Probate, Shelby County, Alabama; thence leaving said North line, run South 41 degrees 14 minutes 45 seconds East along said centerline for a distance of 113.29 feet; thence run South 86 degrees 14 minutes 45 seconds East for a distance of 10.61 feet to the POINT OF BEGINNING; thence leaving said centerline, run South 86 degrees 14 minutes 45 seconds East for a distance of 34.67 feet; thence run South 36 degrees 53 minutes 32 seconds East for a distance of 54.75 feet; thence run South 81 degrees 34 minutes 32 seconds East for a distance of 27.48 feet to a point on the Westernmost right of way line of Tenth Street Southwest (60' right of way); thence run South 10 degrees 14 minutes 21 seconds West along said right of way for a distance of 15.01 feet; thence leaving said right of way, run North 81 degrees 34 minutes 32 seconds West for a distance of 33.17 feet; thence run North 36 degrees 53 minutes 32 seconds West for a distance of 54.03 feet; thence run North 86 degrees 14 minutes 45 seconds West for a distance of 14.06 feet; thence run North 38 degrees 11 minutes 45 seconds West for a distance of 17.03 feet; thence run North 41 degrees 14 minutes 45 seconds West for a distance of 3.31 feet to the POINT OF BEGINNING. Said parcel contains 1,635 square feet or 0.04 acre more or less.

STATE OF ALABAMA  
SHELBY COUNTY

I, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

5-13-11  
Date:

M. Robert Allen  
M. Robert Allen, PLS  
Alabama Registration No. 24650



20110525000155580 3/5 \$24.00  
Shelby Cnty Judge of Probate, AL  
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TENTH STREET SOUTHWEST  
(60' RIGHT OF WAY)

LOT 12  
THOMPSON PLANTATION  
MAP BOOK 11, PAGE 53

15' EASEMENT  
1,635 SQ. FT. ±  
0.04 ACRE ±

10' EASEMENT  
MAP BOOK 11, PAGE 53

P.O.B.

15' EASEMENT  
MAP BOOK 11, PAGE 53

LOT 13  
THOMPSON PLANTATION  
MAP BOOK 11, PAGE 53

10' EASEMENT  
MAP BOOK 11, PAGE 53

30' ALABASTER WATER BOARD EASEMENT  
MAP BOOK 11, PAGE 53



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35' BUILDING SETBACK LINE  
MAP BOOK 11, PAGE 53

FOUND LDW  
CAPPED REBAR

FOUND LDW CAPPED REBAR

FOUND 1" CRIMP

FOUND 1 1/2" CRIMP  
FOUND CRIMP

P.O.C.

L1

L2

L3

L4

L11

L10

L5

L9

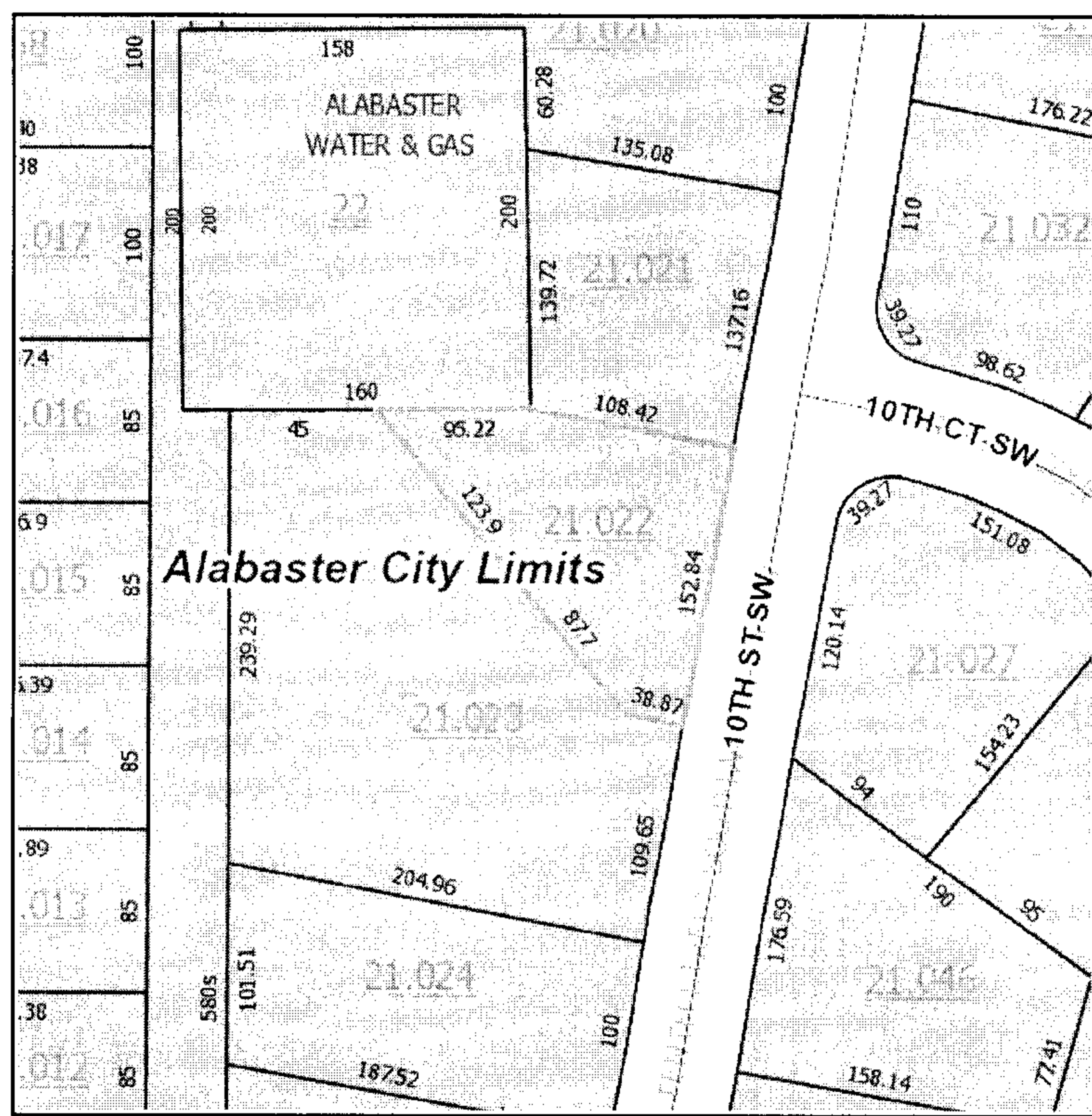
L6

L7

L8

# Property Information: 23 1 02 3 002 021.022

Year: 2011



## owner information

name 1	name 2	address 1	address 2	city	state	zip
FISCHER MARTIN L & JENNIFER H		916 10TH ST SW		ALABASTER	AL	35007

subdivision name	primary lot	secondary lot	block	section	township	range
THOMPSON PLANTATION	12		000	2	21S	03W

map book	map page	lot dimension 1	lot dimension 2	acres	square feet
11	53	187.84	108.42	0.00	0.00

## description



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Shelby Cnty Judge of Probate, AL  
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