

CITY OF ALABASTER RIGHT-OF-WAY DEDICATION INSTRUMENT

**STATE OF ALABAMA
COUNTY OF SHELBY**

For and in consideration of the sum of ten dollars (\$10.00) in hand paid by the **City of Alabaster, Alabama** (GRANTEE), the receipt of which is hereby acknowledged, and other good and valuable consideration, including the benefits that will accrue to my property, it, **The Commercial Development Authority of the City of Alabaster, Alabama** ('GRANTOR'), as the owners of that certain tract of land in Shelby County, Alabama located at the intersection of U.S. Highway 31 and Fulton Springs Road, do hereby dedicate to the City of Alabaster, Shelby County, Alabama for the use and benefit of the public as a perpetual right-of-way and easement for the passage and accommodation of vehicular and pedestrian traffic, and the construction, operation, use, maintenance, inspection, repair, alteration, and replacement of a paved road within the boundaries of the right-of-way and easement area, and for all other purposes for which a public street and right-of-way is commonly used, including installing, repairing, maintaining, altering, replacing, relocating and operating utilities in, into, upon, over, across, and under said right-of-way, and including but not limited to all such uses permitted by the Laws of the State of Alabama and the Ordinances of the City of Alabaster, Alabama, and further, ascent to, acquiesce, dedicate, rededicate and grant to the City of Alabaster, Alabama for the use and benefit of the public as a perpetual right-of-way and easement for the passage and accommodation of vehicular and pedestrian traffic, and the construction, operation, use, maintenance, inspection, repair, alteration, and replacement of a paved road within the boundaries of the right-of-way and easement area, and for all other purposes for which a public street and right-of-way is commonly used, including installing, repairing, maintaining, altering, replacing, relocating and operating utilities in, into, upon, over, across, and under said right-of-way, and including but not limited to all such uses permitted by the Laws of the State of Alabama and the Ordinances of the City of Alabaster, Alabama that property described in **Exhibit A**.

TO HAVE AND TO HOLD said right-of-way and easement unto the City of Alabaster, its successors and assigns.

GRANTOR covenants and agrees that GRANTOR and GRANTOR'S heirs, representatives, successors and assigns shall at no time erect, place or construct, or cause to be erected, placed or constructed in, into, upon, over, across or under any property granted herein any temporary or permanent structures, and it is further agreed that the City of Alabaster shall have the right

to excavate and fill upon said permanent easement, any fences, buildings or other obstructions as may now be found upon said permanent easement.

It is further intended that the permanent right of way and easement herein granted to the City of Alabaster shall run with the land and forever be a right in and to the land belonging to GRANTOR, and GRANTORS successors and assigns, and said grant is expressly excepted from any right of reversion of said premises under any prior deeds in GRANTOR'S chain of title. The permanent right-of-way and easement rights and privileges granted therein are exclusive, and GRANTOR covenants that it will not convey any other easement or conflicting rights within the area covered by the grant to any other person.

IN WITNESS WHEREOF, this dedication instrument is executed this 19th day of DECEMBER 2016.

The Commercial Development Authority of the City of Alabaster, Alabama

BY:


Paul Howanitz, Its Chairman
GRANTOR

ACKNOWLEDGEMENT

**THE STATE OF ALABAMA,
COUNTY OF SHELBY**

BEFORE ME, the undersigned authority in and for SHELBY County, Alabama, on this day personally appeared Paul Howanitz, as Chairman of the Commercial Development Authority of the City of Alabaster, Alabama known to me to be the same person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated in and as the voluntary act of the Company and with full authority of the .

SWORN TO and SUBSCRIBED BEFORE ME ON THIS THE 19th Day of DECEMBER, 2016.


NOTARY PUBLIC

My Commission Expires: February 4, 2018

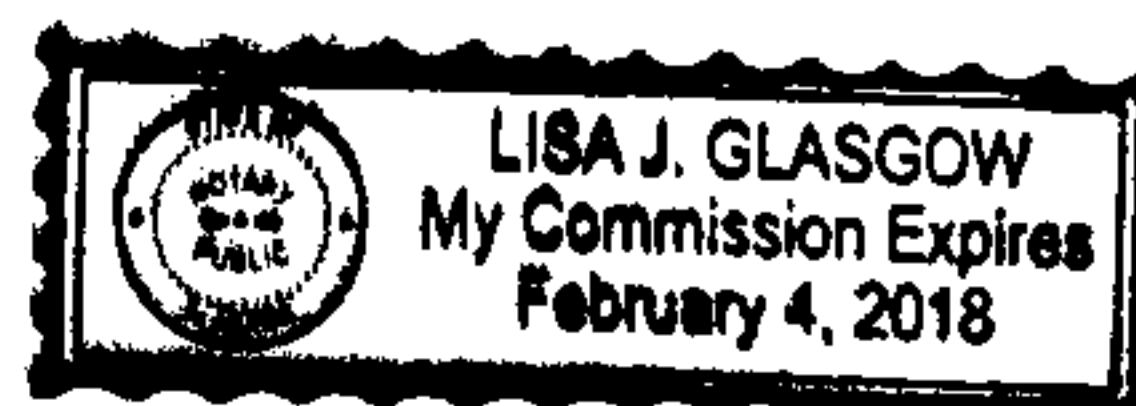



EXHIBIT A
The Commercial Development Authority
Of the City of Alabaster Fulton Springs Road Extension
Grant of Right of Way

Commencing at a point locally accepted as the Southeast Corner of the NE¼ of the SE¼ of Section 12, T-21-S, R-3-W, City of Alabaster, Shelby County, Alabama; thence S82°37'12"E, 482.20 feet to a 3/4" Open End Pipe Found on the North margin of Shelby County Highway #263[VariedROW]; thence N77°35'10"W, 66.99 feet along the North margin of said highway to the Point of Beginning; thence N33°49'39"W, 60.05 feet; thence along a curve to the Right[LC=265.57'/R=450.00'] with a chord bearing of N28°02'19"E, 261.73 feet; thence N44°56'44"E, 305.56 feet; thence N89°53'37"E, 84.93 feet to the West margin of US Highway #31[200.00'ROW]; thence along the West margin of said highway N44°58'43"W, 220.40 feet; thence S00°03'13"E, 85.41 feet; thence S44°56'40"W, 305.56 feet to a curve to the Left[LC=324.59'/R=550.00'] with a chord bearing of S28°02'19"W, 319.90 feet; thence S56°07'40"W, 53.99 feet to the North margin of Shelby County Highway #263[Varied ROW]; thence along the North margin of said highway S77°30'03"E, 180.66 feet to the point of beginning.

Said Right-of-way lying in the NE¼ of the SE¼ of Section 12, T-21-S, R-3-W, City of Alabaster, Shelby County, Alabama and containing [1.73] acres more or less.


20161220000464900 3/4 \$24.50
Shelby Cnty Judge of Probate, AL
12/20/2016 03:04:17 PM FILED/CERT

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Commercial Development Authority
Mailing Address of the City of Alabaster
1953 Municipal Way
Alabaster, AL 35007

Grantee's Name City of Alabaster, Alabama
Mailing Address 1953 Municipal Way
Alabaster, AL 35173

Property Address Metes & Bounds ROW Dedication
ROW Easement Only

Date of Sale December 19, 2016

Total Purchase Price \$

or

Actual Value \$

or

Assessor's Market Value \$



20161220000464900 4/4 \$24.50
Shelby Cnty Judge of Probate, AL
12/20/2016 03:04:17 PM FILED/CERT

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☐ Sales Contract
☐ Closing Statement

☐ Appraisal
☐ Other Dedication Instrument

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date Dec 20, 2016

Print Jeffrey W. Brumlow, City Attorney

☒ Unattested

(verified by)

Sign

(Grantor/Grantee/Owner/Agent) circle one

Form RT-1