

500.00

## PERMANENT EASEMENT DEED

STATE OF ALABAMA )  
SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS: That the undersigned Tall Timbers, LLC. (GRANTOR), does hereby grant, bargain, sell, and convey unto the City of Pelham, Alabama, an Alabama municipal corporation (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, fire hydrants, with appurtenances, and the right to install and maintain other utilities at the sole discretion of the GRANTEE. Said strip of land being more particularly described as follows:

The above described easement is described on the attached Exhibit "A" and is depicted on the attached Exhibit "B".

The GRANTEE shall have the right and privilege of 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 reasonable necessary for the avoidance of danger in and about said public use of said strip.

The GRANTEE shall have free access, ingress and egress to and from said land of GRANTOR for the purposes herein mentioned, and the GRANTOR shall erect no additional structures other than those proposed 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 for the GRANTOR 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.

The 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.

In consideration of the benefit of the property of the undersigned by reason of the construction of said improvement, the undersigned hereby releases the GRANTEE, its agents, successors, and assigns, from all damages present or prospective to the property of the undersigned arising or resulting from the construction, maintenance and repair of said premises



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and repair of said water line and the undersigned does hereby admit and acknowledge that said improvement, if and when constructed, will be a benefit to the property of the undersigned.

And GRANTOR does for itself and for its successors and assigns covenant with the said GRANTEE, its successor and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall warrant and defend the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons.

TO HAVE AND TO HOLD unto the City of Pelham, Alabama, its successors and assigns forever.

IN WITNESS WHEREOF, Tall Timbers, LLC., as GRANTOR, has hereunto set his or her hand and seal, all on this 25<sup>th</sup> day of APRIL, 2018.

TALL TIMBERS, LLC GRANTOR/TITLE  
By: William D. Brogdon  
Name: WILLIAM D. BROGDON  
Title: PRESIDENT

STATE OF ALABAMA )  
SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that WILLIAM A. BROGDON, of Tall Timbers, LLC, as GRANTOR is signed to the foregoing instrument and who is known to me, acknowledged before me, on this day, that being informed of the contents of such instrument executed the same voluntarily.

Given under my hand and official seal, this 25<sup>th</sup> day of APRIL, 2018

James M. Shannon Jr.  
Notary Public

James M. Shannon Jr.  
Notary Public, Alabama State At Large  
My Commission Expires July 27, 2020

My Commission expires: \_\_\_\_\_



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## **EXHIBIT "A"**

### **Utilities Easement**

A 60 FOOT INGRESS/EGRESS/UTILITY EASEMENT being described as follows to-wit: Commence at the NW Corner of Section 32, Township 19 South, Range 1 West, Shelby County, Alabama. thence S 00° 14' 49" W a distance of 1044.09 feet along the section line to a point; thence N 56° 27' 22" E a distance of 448.75 feet along the Highway 11 right of way to a set 1/2" capped rebar; thence S 33° 12' 17" E a distance of 10.00 feet to a point; thence S 33° 12' 17" E a distance of 394.97 feet to a set 1/2" capped rebar; thence S 49° 44' 22" E a distance of 33.39 feet to a point; said point being the POINT OF BEGINNING.

From said POINT OF BEGINNING:

thence S 89° 55' 0" E a distance of 82.63 feet to a point; thence south a distance of 126.60 feet along a tangential curve having a radius of 410 feet and a cord angle of S 07° 06' 18" W and a cord distance of 126.10; thence south a distance of 45.90 feet along a tangential curve having a radius of 75 feet and a cord angle of S 19° 16' 16" E and a cord distance of 45.19; thence south a distance of 55.18 feet along a tangential curve having a radius of 59 feet and a cord angle of S 10° 00' 49" E and a cord distance of 53.19; thence south a distance of 68.41 feet along a tangential curve having a radius of 100 feet and a cord angle of S 02° 48' 55" E and a cord distance of 67.09; thence S 22° 24' 57" E a distance of 56.16 feet to a point; thence south a distance of 37.38 feet along a tangential curve having a radius of 25.00 feet and a cord angle of S 65° 15' 21" E and a cord distance of 34.00; thence N 71° 54' 16" E a distance of 115.99 feet to a point; thence east a distance of 255.76 feet along a tangential curve having a radius of 330.00 feet and a cord angle of S 85° 53' 35" E and a cord distance of 249.40; thence S 63° 41' 25" E a distance of 337.86 feet to a point; thence southeast a distance of 127.71 feet along a tangential curve having a radius of 270.00 feet and a cord angle of S 77° 14' 28" E and a cord distance of 126.53; thence N 89° 12' 29" E a distance of 150.11 feet to a point; thence east a distance of 99.95 feet along a tangential curve having a radius of 270.00 feet and a cord angle of N 78° 36' 12" E and a cord distance of 99.38; thence N 67° 59' 54" E a distance of 126.83 feet to a point; thence east a distance of 76.45 feet along a tangential curve having a radius of 270.00 feet and a cord angle of N 59° 53' 13" E and a cord distance of 76.19; thence N 51° 46' 32" E a distance of 229.62 feet to a point; thence northeast a distance of 509.99 feet along a tangential curve having a radius of 211.88 feet and a cord angle of S 59° 16' 10" E and a cord distance of 395.50; thence S 09° 41' 09" W a distance of 510.78 feet to a point; thence S 09° 41' 09" W a distance of 243.54 feet to a point; thence south a distance of 192.05 feet along a tangential curve having a radius of 280.00 feet and a cord angle of S 29° 20' 05" W and a cord distance of 188.30; thence S 48° 59' 01" W a distance of 543.47 feet to a point; thence S 48° 59' 01" W a distance of 284.28 feet to a point; thence southwest a distance of 120.36 feet along a tangential curve having a radius of 280.00 feet and a cord angle of S 61° 17' 52" W and a cord distance of 119.43; thence S 73° 36' 42" W a distance of 171.79 feet to a point; thence west a distance of 136.57 feet along a tangential curve having a radius of 230.00 feet and a cord angle of



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S 56° 36' 05" W and a cord distance of 134.57; thence S 39° 35' 27" W a distance of 91.04 feet to a point; thence southwest a distance of 82.77 feet along a tangential curve having a radius of 470.00 feet and a cord angle of S 44° 38' 09" W and a cord distance of 82.66; thence S 49° 40' 51" W a distance of 241.56 feet to a point; thence southwest a distance of 66.92 feet along a tangential curve having a radius of 470.00 feet and a cord angle of S 53° 45' 34" W and a cord distance of 66.86; thence S 57° 50' 17" W a distance of 169.74 feet to a point; thence southwest a distance of 60.18 feet along a tangential curve having a radius of 530.00 feet and a cord angle of S 54° 35' 06" W and a cord distance of 60.15; thence S 51° 19' 55" W a distance of 552.28 feet to a point; thence S 89° 05' 15" W a distance of 111.53 feet to a point; thence northeast a distance of 109.37 feet along a non-tangential curve having a radius of 720.00 feet and a cord angle of N 55° 41' 00" E and a cord distance of 109.26; thence N 51° 19' 55" E a distance of 531.51 feet to a point; thence northeast a distance of 67.00 feet along a tangential curve having a radius of 590.00 feet and a cord angle of N 54° 35' 06" E and a cord distance of 66.96; thence N 57° 50' 17" E a distance of 169.74 feet to a point; thence northeast a distance of 58.37 feet along a tangential curve having a radius of 410.00 feet and a cord angle of N 53° 45' 34" E and a cord distance of 58.32; thence N 49° 40' 51" E a distance of 241.56 feet to a point; thence northeast a distance of 72.20 feet along a tangential curve having a radius of 410.00 feet and a cord angle of N 44° 38' 09" E and a cord distance of 72.11; thence N 39° 35' 27" E a distance of 91.04 feet to a point; thence northeast a distance of 172.19 feet along a tangential curve having a radius of 290.00 feet and a cord angle of N 56° 36' 05" E and a cord distance of 169.68; thence N 73° 36' 42" E a distance of 171.79 feet to a point; thence east a distance of 94.56 feet along a tangential curve having a radius of 220.00 feet and a cord angle of N 61° 17' 52" E and a cord distance of 93.84; thence N 48° 59' 01" E a distance of 827.75 feet to a point; thence northeast a distance of 150.89 feet along a tangential curve having a radius of 220.00 feet and a cord angle of N 29° 20' 05" E and a cord distance of 147.95; thence N 09° 41' 09" E a distance of 243.54 feet to a point; thence N 09° 41' 09" E a distance of 510.78 feet to a point; thence north a distance of 365.57 feet along a tangential curve having a radius of 151.88 feet and a cord angle of N 59° 16' 10" W and a cord distance of 283.50; thence S 51° 46' 32" W a distance of 229.62 feet to a point; thence southwest a distance of 93.44 feet along a tangential curve having a radius of 330.00 feet and a cord angle of S 59° 53' 13" W and a cord distance of 93.13; thence S 67° 59' 54" W a distance of 126.83 feet to a point; thence west a distance of 122.16 feet along a tangential curve having a radius of 330.00 feet and a cord angle of S 78° 36' 12" W and a cord distance of 121.46; thence S 89° 12' 29" W a distance of 150.11 feet to a point; thence west a distance of 26.71 feet along a tangential curve having a radius of 330.00 feet and a cord angle of N 88° 28' 22" W and a cord distance of 26.71; thence west a distance of 35.38 feet along a tangential curve having a radius of 25.00 feet and a cord angle of S 53° 18' 09" W and a cord distance of 32.50; thence S 12° 45' 32" W a distance of 10.09 feet to a point; thence south a distance of 206.72 feet along a tangential curve having a radius of 330.00 feet and a cord angle of S 30° 42' 17" W and a cord distance of 203.36; thence S 48° 39' 02" W a distance of 504.14 feet to a point; thence southwest a distance of 277.31 feet along a tangential curve having a radius of 330.00 feet and a cord angle of S 72° 43' 28" W and a cord distance of 269.22; thence N 83° 12' 06" W a distance of 308.49 feet to a point; thence west a distance of 34.74 feet along a tangential curve having a radius of 25.00 feet and a cord angle of S 56° 59' 34" W and a cord



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distance of 32.01; thence south a distance of 40.37 feet along a tangential curve having a radius of 280.00 feet and a cord angle of S 21° 19' 02" W and a cord distance of 40.33; thence S 25° 26' 51" W a distance of 100.08 feet to a point; thence southwest a distance of 55.41 feet along a tangential curve having a radius of 120.00 feet and a cord angle of S 12° 13' 08" W and a cord distance of 54.92; thence S 01° 00' 34" E a distance of 375.80 feet to a point; thence south a distance of 50.98 feet along a tangential curve having a radius of 75.00 feet and a cord angle of S 20° 28' 51" E and a cord distance of 50.00; thence northwest a distance of 270.06 feet along a non-tangential curve having a radius of 60.00 feet and a cord angle of S 88° 59' 26" W and a cord distance of 93.33; thence northeast a distance of 50.98 feet along a tangential curve having a radius of 75.00 feet and a cord angle of N 18° 27' 42" E and a cord distance of 50.00; thence N 01° 00' 34" W a distance of 375.80 feet to a point; thence north a distance of 83.12 feet along a tangential curve having a radius of 180.00 feet and a cord angle of N 12° 13' 08" E and a cord distance of 82.38; thence N 25° 26' 51" E a distance of 100.08 feet to a point; thence northeast a distance of 143.22 feet along a tangential curve having a radius of 220.00 feet and a cord angle of N 06° 47' 54" E and a cord distance of 140.70; thence N 11° 51' 03" W a distance of 197.86 feet to a point; thence north a distance of 405.04 feet along a tangential curve having a radius of 330.00 feet and a cord angle of N 23° 18' 41" E and a cord distance of 380.09; thence N 58° 28' 26" E a distance of 185.92 feet to a point; thence northeast a distance of 28.08 feet along a tangential curve having a radius of 280.00 feet and a cord angle of N 61° 20' 48" E and a cord distance of 28.07; thence northeast a distance of 37.80 feet along a tangential curve having a radius of 25.00 feet and a cord angle of N 20° 54' 06" E and a cord distance of 34.30; thence N 22° 24' 57" W a distance of 63.43 feet to a point; thence north a distance of 62.07 feet along a non-tangential curve having a radius of 125 feet and a cord angle of N 36° 38' 27" W and a cord distance of 61.43; thence north a distance of 77.74 feet along a non-tangential curve having a radius of 59 feet and a cord angle of N 13° 07' 00" W and a cord distance of 72.24; thence northwest a distance of 36.84 feet along a non-tangential curve having a radius of 75 feet and a cord angle of N 10° 33' 37" E and a cord distance of 36.47; thence northeast a distance of 143.85 feet along a tangential curve having a radius of 490 feet and a cord angle of N 04° 53' 54" E and a cord distance of 143.34 feet to the POINT OF BEGINNING.

#### LESS AND EXCEPT

COMMENCE at the NW Corner of Section 32, Township 19 South, Range 1 West, Shelby County, Alabama thence S 00° 14' 49" W a distance of 1044.09 feet along the section line to a point; thence N 56° 27' 22" E a distance of 448.75 feet along the Highway 11 right of way to a set 1/2" capped rebar; thence S 33° 12' 17" E a distance of 10.00 feet to a point; thence S 33° 12' 17" E a distance of 394.96 feet to a set 1/2" capped rebar; thence S 00° 00' 00" E a distance of 447.19 feet to a point; thence N 90° 00' 00" E a distance of 144.58 feet to a point; said point being the POINT OF BEGINNING.

From said POINT OF BEGINNING:

thence N 71° 54' 16" E a distance of 164.73 feet to a point; thence east a distance of 209.26 feet along a tangential curve having a radius of 270.00 feet and a cord angle of S 85° 53' 35" E and a cord distance of 204.06; thence S 63° 41' 25"

  
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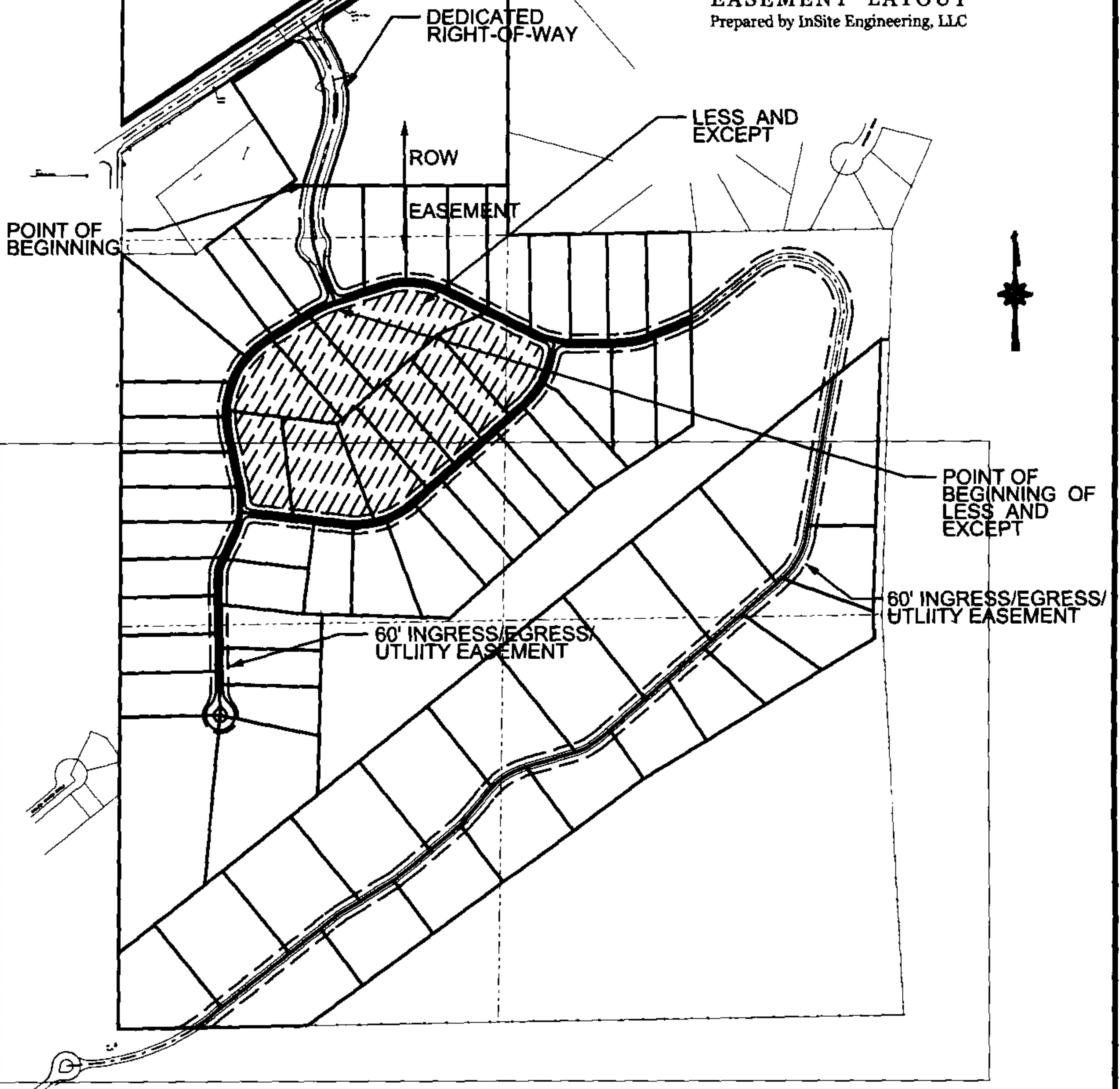
E a distance of 337.86 feet to a point; thence southeast a distance of 26.71 feet along a tangential curve having a radius of 330.00 feet and a cord angle of S 66° 00' 34" E and a cord distance of 26.71; thence east a distance of 35.38 feet along a tangential curve having a radius of 25.00 feet and a cord angle of S 27° 47' 05" E and a cord distance of 32.50; thence S 12° 45' 32" W a distance of 10.09 feet to a point; thence south a distance of 169.13 feet along a tangential curve having a radius of 270.00 feet and a cord angle of S 30° 42' 17" W and a cord distance of 166.38; thence S 48° 39' 02" W a distance of 504.14 feet to a point; thence southwest a distance of 226.89 feet along a tangential curve having a radius of 270.00 feet and a cord angle of S 72° 43' 28" W and a cord distance of 220.27; thence N 83° 12' 06" W a distance of 308.49 feet to a point; thence west a distance of 34.74 feet along a tangential curve having a radius of 25.00 feet and a cord angle of N 43° 23' 46" W and a cord distance of 32.01; thence north a distance of 40.37 feet along a tangential curve having a radius of 280.00 feet and a cord angle of N 07° 43' 15" W and a cord distance of 40.33; thence N 11° 51' 03" W a distance of 197.86 feet to a point; thence north a distance of 331.40 feet along a tangential curve having a radius of 270.00 feet and a cord angle of N 23° 18' 41" E and a cord distance of 310.98; thence N 58° 28' 26" E a distance of 185.92 feet to a point; thence northeast a distance of 51.57 feet along a tangential curve having a radius of 220.00 feet and a cord angle of N 65° 11' 21" E and a cord distance of 51.45; thence N 71° 54' 16" E a distance of 20.59 feet; said point being the POINT OF BEGINNING;



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# HIGHLANDS OF CHELSEA

EXHIBIT "B"  
EASEMENT LAYOUT  
Prepared by InSite Engineering, LLC



5800 FELDSPAR WAY  
HOOVER, ALABAMA 35244  
OFFICE (205) 733-9896  
FAX (205) 733-9897

CIVIL / GIS  
INFRASTRUCTURE  
ENVIRONMENTAL  
PLANNING  
COMMERCIAL  
RESIDENTIAL

EXHIBIT "B"



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