

STATE OF ALABAMA)

PROJ. NO. ACBR59503-ATRP(012)

COUNTY OF SHELBY)

COUNTY PROJ. NO. SCP 59-834-12

ATRIIP PROJ. NO. 59-03-12

TRACT NO. 2

DATE: December 14, 2018

**RIGHT OF WAY DEED
FOR PERMANENT EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of **TWO HUNDRED THOUSAND THREE HUNDRED AND NO/100 (\$200,000.00)** dollar(s) cash in hand paid, the receipt of which is hereby acknowledged, as I (we), the undersigned grantor(s), **P. K. Smartt, in his individual capacity as Trustee of the M&M Protection Trust** dated 11 OCT 2005 have this day bargained and sold, and by these presents do hereby grant, bargain, sell and convey unto Shelby County, a political subdivision of the State of Alabama, a permanent easement and right of way including all right, title and interest in and to all timber growing or at any time located within the right of way and easement limits, upon the land hereinafter described, together with the right to locate or relocate utilities, and to enter upon such described land and grade, level, fill, drain, pave, build, maintain, repair, and rebuild a road or highway, together with such bridges, culverts, ramps, and cuts as may be necessary, on, over and across such right of way easement. The easement and right of way hereby granted is more particularly located and described as follows:

A part of the SE ¼ of NE ¼, Section 19, Township 20 South, Range 3 West, identified as Tract No. 2 on Project No.ACBR59503-ATRP(012) in Shelby County, Alabama and being more fully described as follows:

Parcel 1 of 1:

Commencing at the Northwest Corner of the Southeast Quarter of Northeast Quarter of Section 19, Township 20 South, Range 3 West; Thence S 00°18'01" W a distance of 993.42 feet, more or less, to a point on the acquired R/W line being the **POINT OF BEGINNING**; Thence along said acquired R/W line and along an arc 931.55 feet to the left, having a radius of 890.00 feet, the chord of which is N 69°24'05" E a distance of 889.60 feet to a point on the acquired R/W line (said point is offset 70.00 feet left of and perpendicular to project centerline at station 114+61.27); Thence N 06°34'15" E along said acquired R/W line a distance of 46.09 feet to a point on the acquired R/W line (said point is offset 95.00 feet left of and perpendicular to project centerline at station 115+00.00); Thence N 39°24'58" E along said acquired R/W line a distance of 393.34 feet to a point on the grantor's property line; Thence S 59°13'17" E along said grantor's property line a distance of 143.32 feet to a point on the northerly present R/W line of Alabama County Road 52; Thence S 39°12'07" W along said northerly present R/W line a distance of 363.44 feet to a point on the northerly present R/W line of Alabama County Road 52; Thence along said present R/W line and along an arc 1096.61 feet to the right, having a radius of 1031.71 feet, the chord of which is S 69°48'32" W a distance of 1045.71 feet to a point on the grantor's property line; Thence N 00°18'01' E along said grantor's property line a distance of 53.26 feet to the **POINT OF BEGINNING** of the property herein described, Containing 3.16 acres, more or less.

And as shown on the right of way map of record in the Shelby County Highway Department a copy of which is also deposited in the office of the Judge of Probate as an aid to persons and entities interested therein and as shown on the Property Sketch attached hereto and made a part hereof.

TO HAVE AND TO HOLD, the said easement and right of way including all right, title, and interest in and to such timber aforementioned unto Shelby County, a political subdivision of the State of Alabama, and unto its successors and assigns forever.

And the said grantor(s) hereby covenant(s) with Shelby County, a political subdivision of the State of Alabama, that I (we) am (are) lawfully seized and possessed of the afore-described tract or parcel of land; that I (we) have a good and lawful right to sell and convey it; that it is free from all encumbrances; and that I (we) will warrant and forever defend the title and quiet possession thereto against the lawful claims of all persons whomsoever.

As a further consideration for the payment of the purchase price, above stated, I (we) hereby release Shelby County, a political subdivision of the State of Alabama, its employees and officials, from all claims for damage, from whatsoever cause, present or prospective, incidental or consequential, to the exercise of any of the rights herein granted.

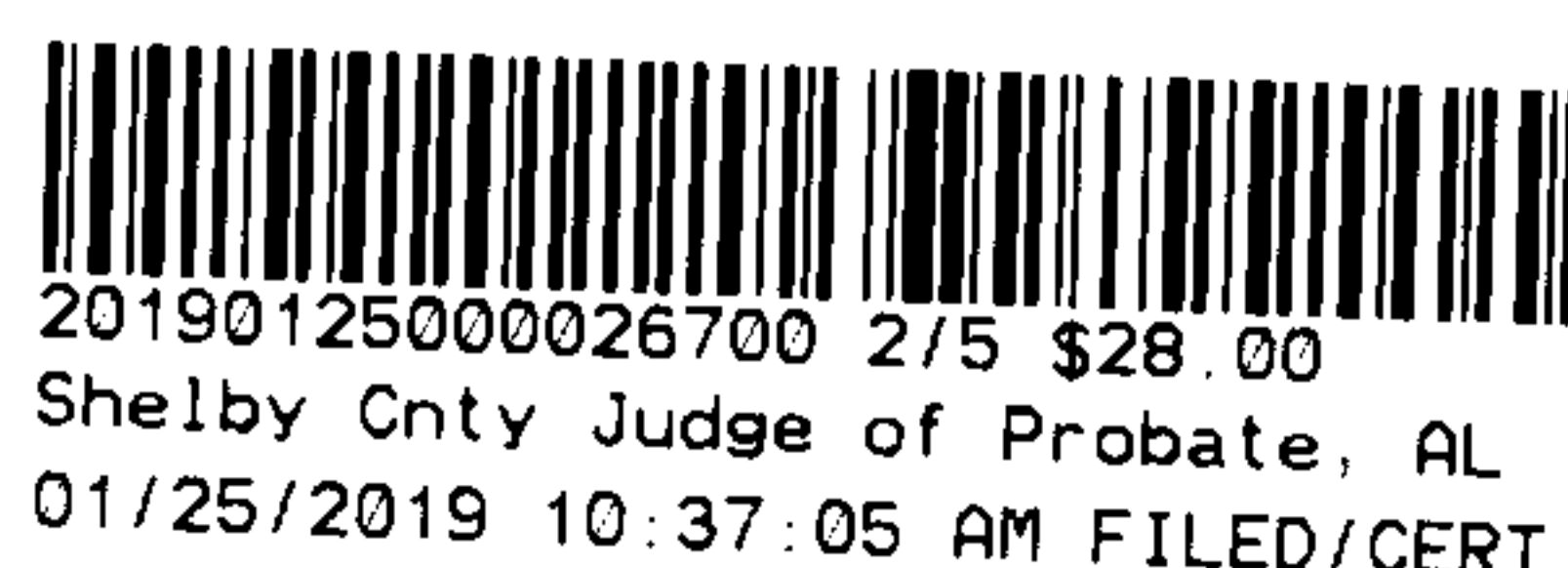
The grantor hereby grants permission, with right of ingress to and egress from, grantor's adjoining property at any time during construction period of project for purpose of moving grantor's buildings and/or structures from the above described right of way.

In witness whereof I (we) have hereunto set my (our) hand(s) and seal(s) this the

14th day of December, 2018.

P.K. Smartt (LS)

P.K. Smartt, Trustee




ACKNOWLEDGMENT

STATE OF ALABAMA)

COUNTY OF SHELBY)


I, THOMAS C. GRIMES, a Notary Public, in and for said County in said State, hereby certify that P. K. SMARTT, whose name as TRUSTEE of the M&M PROTECTION TRUST, a trust, is signed to the foregoing conveyance, and who IS known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, P. K. SMARTT, as such trustee with full authority, executed the same voluntarily for and as the act of said trust.

Given under my hand and official seal this 14th day of December, 2018.



 THOMAS C. GRIMES
 NOTARY PUBLIC
 STATE OF ALABAMA AT LARGE

MY COMMISSION EXPIRES MARCH 18, 2020


 20190125000026700 3/5 \$28.00
 Shelby Cnty Judge of Probate, AL
 01/25/2019 10:37:05 AM 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 THE M & M PROPERTIES TRUST
Mailing Address P.O. BOX 256
HELENA, AL 35080

Grantee's Name Shelby County Commission
Mailing Address P.O. BOX 467
COLUMBIA, AL 35051

Property Address 53 CANADA LILY WAY
HELENA, AL 35080

Date of Sale 12/14/2018
Total Purchase Price \$ 200,000

or
Actual Value \$

or
Assessor's Market Value \$

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

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 1/22/2019

Print THOMAS C. GAMES, CHIEF EXAMINER

Sign [Signature]
(Grantor/Grantee/Owner/Agent) circle one

Unattested



20190125000026700 5/5 \$28.00
Shelby Cnty Judge of Probate, AL
01/25/2019 10:37:05 AM FILED/CERT

Form RT-1