



20230531000162780 1/9 \$47.00
Shelby Cnty Judge of Probate, AL
05/31/2023 02:00:42 PM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY
ELLIS, HEAD, OWENS, JUSTICE & ARNOLD
P. O. BOX 587
COLUMBIANA, ALABAMA 35051

Public Road Right-of-Way and Easement

**STATE OF ALABAMA
SHELBY COUNTY**

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Twelve Thousand Five Hundred and no/100 Dollars (\$12,500.00) and other good and valuable consideration to the undersigned Grantor in hand paid by the Grantee herein, the receipt whereof and sufficiency of all of which is hereby acknowledged, and being effective as of the 23rd day of May, 2023, **CLAIRMONT SPRINGS LLC**, a Delaware limited liability company ("**Grantor**"), whose address is: c/o Manulife Investment Management Timberland and Agriculture Inc., 197 Clarendon Street, C-8 Floor, Boston, Massachusetts 02116, does hereby grant, bargain, sell, and convey unto **SHELBY COUNTY, ALABAMA**, a political subdivision of the State of Alabama ("**Grantee**"), whose address is: 200 West College Street, Columbiana, AL 35051, a permanent and perpetual non-exclusive right-of way and easement for the sole purpose and use as a public roadway over and across the following described real property situated in Shelby County, Alabama more particularly described as follows, to-wit:

Tract 1 described on Exhibit "A", with its Project Sketch set out on Exhibit "B", and Tract 3 described on Exhibit "C", with its Project Sketch set out on Exhibit "D", all attached hereto and made part and parcel hereof as fully as if set out herein, said Exhibits "A" and "C" are signed by Grantor for identification purposes.

Hereinafter referred to as the "**Right-of-Way**".

The Right-of-Way legal description attached and incorporated herein was supplied by Grantee. There has been no title search or examination, or verification of compliance with governmental requirements by preparer hereof.

TO HAVE AND TO HOLD said public roadway Right-of-Way unto the Grantee, its successors and assigns, forever, provided that the Right of Way is maintained by Grantee and its successors and assigns as a public roadway. Should Grantee fail to maintain the Right-of-Way as a public roadway pursuant to its present maintenance policies and protocols, the County Commission or its successors and assigns, shall at the option and upon request from Grantor or its successors and assigns, initiate Right-of-Way abandonment and/or termination proceedings so as to terminate the grant of the rights set forth herein and abandon all Grantee interest in the Right-of-Way.

Grantor and Grantee hereby agree that the rights hereinabove granted shall be subject to the following terms and conditions:

- 1) Except as expressly set forth herein, Grantor makes no representations or warranties regarding the condition of the Right of Way for Grantee's purposes, and Grantee hereby accepts the grant of the easement described herein in its as-is/where-is condition.
- 2) Grantee acknowledges and understands that Grantor utilizes the Right-of-Way area for forestry and related operations, which includes heavy-hauling and crossing. Grantee agrees that it will not place surfacing materials on the roadway within the Right-of-Way area, which would restrict hauling weight limits on and along said roadway.
- 3) Grantor reserves rights associated with placing utilities over, under or along the Right-of-Way and Easement, provided Grantor follows established Shelby County permitting procedures for such activities.
- 4) Grantee shall be responsible for maintaining the public roadway located within the Right-of-Way in accord with Grantee's established and standard maintenance protocol.
- 5) The Easement and rights of Grantee granted herein are subject and subordinate to any and all existing matters of public record affecting the title to or use of the lands contemplated herein, being located within Section 31, Township 21 South, Range 3 West, Shelby County, Alabama, as further described and depicted in Exhibits "A" "B" "C" and "D" attached hereto.
- 6) Pursuant to the provisions of Ala. Code § 40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Name and Mailing Address:

Clairmont Springs LLC
c/o Manulife Investment Management
Timberland and Agriculture Inc.
197 Clarendon Street, C-8 Floor
Boston, Massachusetts 02116

Grantee's Name and Mailing Address:

Shelby County, Alabama
200 West College Street
Columbiana, AL 35051

Property Address: See Exhibit "A"

Purchase Price: \$ 12,500.00, and other good and valuable consideration

- 7) Any notices required or desired to be made to a party shall be in writing and (i) delivered personally or by messenger, delivery service; (ii) sent by U.S. certified mail, return receipt requested, postage prepaid; (iii) sent via facsimile transmission or by email (with receipt confirmed telephonically or electronically, as applicable provided a photocopy is also sent by U.S. Mail), and shall be sent to the respective addressee at the respective addresses first set forth above, or such other address as may be furnished by notice in accordance hereof.



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- 8) This Right-of-Way and Easement together with the rights and obligations established hereunder shall be deemed covenants running with the land and the provisions of this instrument shall be binding upon and enforceable against and shall inure to the benefit of Grantor and Grantee and their respective successors, successors-in-title and assigns, and shall be governed in accordance with the laws of the state of Alabama.
- 9) Grantor may grant to third parties, upon such terms as it chooses, any or all of the rights reserved by it herein; provided such use shall not unreasonably interfere with the rights granted to the Grantee.
- 10) All terms, covenants, conditions, and provisions herein shall be binding to Grantee upon its acceptance of the conveyance, grant and terms herein, together with the act of filing such within the land records of Shelby County, Alabama.

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IN WITNESS WHEREOF, Grantor has caused its duly authorized signatory to execute this Right-of-Way and Easement, effective as of the date first written herein above.

CLAIRMONT SPRINGS LLC,
a Delaware limited liability company

By: Manulife Investment Management Timberland
and Agriculture Inc.

Its: Manager

By: 

Printed Name: Derek Solmie

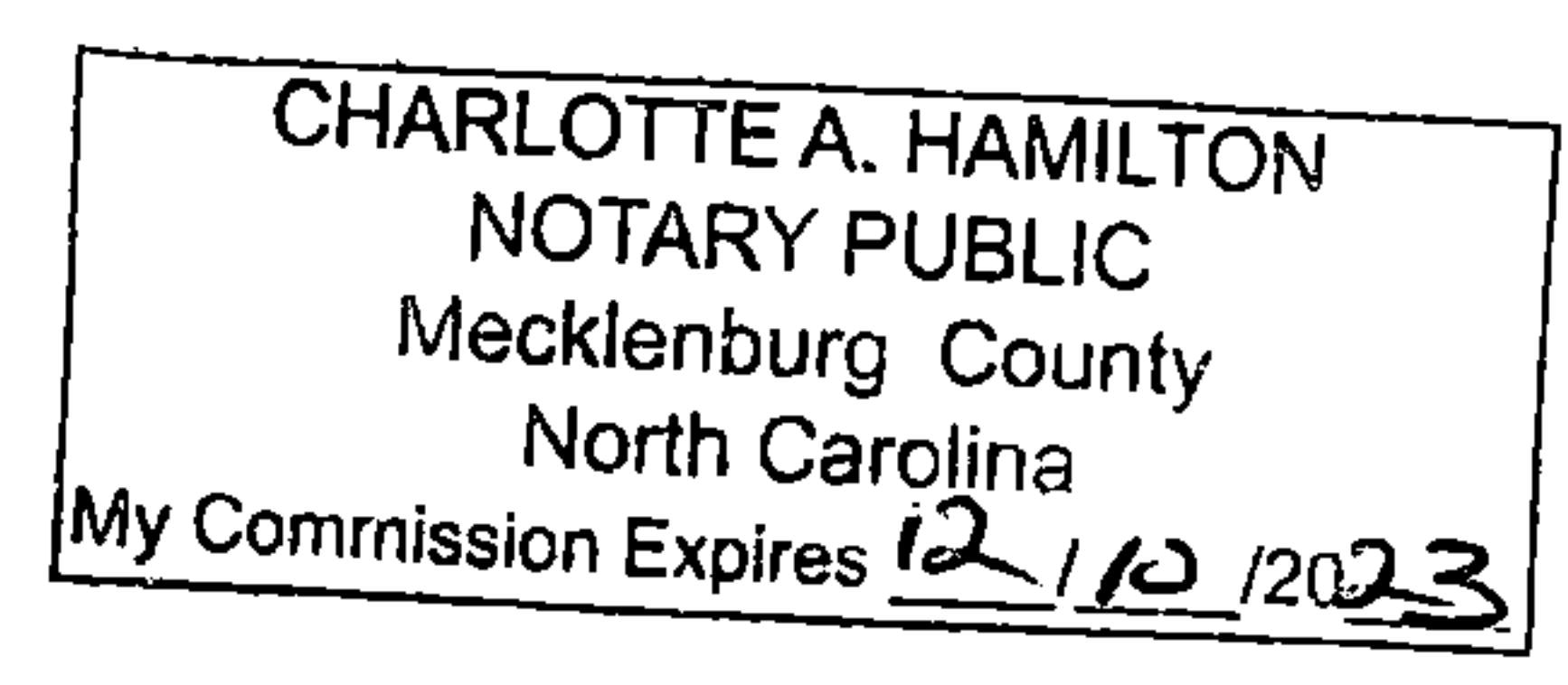
Title: Director


NORTH CAROLINA
STATE OF ~~MISSISSIPPI~~

COUNTY OF MECKLENBURG

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that DEREK SOLMIE, whose name as DIRECTOR of Manulife Investment Management Timberland and Agriculture Inc., which said corporation is the Manager of Clairmont Springs LLC, a Delaware limited liability company, 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 the conveyance, he, as such Officer and with full authority, did execute the same voluntarily for and as the act of said Clairmont Springs LLC on the day the same bears date.

Given under my hand and official seal this 26th day of MAY, 2023.



 (SEAL)
Notary Public

Name: Charlotte A Hamilton

Commission expires: 12/10/2023

Tract 1 – Clairmont Springs LLC

A tract of land located in the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ lying entirely inside of Section 31, Township 21 South, Range 3 West, Shelby County, Alabama.

More particularly described as follows:

Commence at a 3" Capped Pipe located at the Southeast corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 31 Township 21 South, Range 3 West, Shelby County, Alabama; thence run N 01 degrees 49 minutes 30 seconds W along the Eastern line of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 31 a distance of 2000.20 feet; thence run S 88 degrees 10 minutes 30 seconds W a distance of 1891.05 feet to the centerline of a 40 foot wide Right-of-Way, lying on the northern Right-of-Way of Shelby County Highway 22, being the Point of Beginning of Tract 1. A Right-of-Way 40 feet wide, being 20 feet on each side extending and terminating at grantor's property line and following described centerline; thence to a point of a curve turning to the left with a radius of 500.00 feet, a delta angle of 11 degrees 50 minutes 48 seconds, and a chord length of 103.20 feet; thence with a chord bearing of N 14 degrees 09 minutes 36 seconds E, run along the arc of said curve a distance of 103.38 feet; thence N 08 degrees 14 minutes 11 seconds E a distance of 46.97 feet; thence to a point of a curve turning to the left with a radius of 250.00 feet, a delta angle of 32 degrees 00 minutes 53 seconds, and a chord length of 137.88 feet; thence with a chord bearing of N 07 degrees 46 minutes 15 seconds W, run along the arc of said curve a distance of 139.69 feet; thence N 23 degrees 46 minutes 41 seconds W a distance of 166.89 feet; thence to a point of a curve turning to the right with a radius of 500.00 feet, a delta angle of 19 degrees 27 minutes 06 seconds, and a chord length of 168.93 feet; thence with a chord bearing of N 14 degrees 03 minutes 08 seconds W, run along the arc of said curve a distance of 169.75 feet; thence N 04 degrees 19 minutes 35 seconds W a distance of 18.66 feet; thence to a point of a curve turning to the right with a radius of 250.00 feet, a delta angle of 64 degrees 46 minutes 40 seconds, and a chord length of 267.83 feet; thence with a chord bearing of N 28 degrees 03 minutes 45 seconds E, run along the arc of said curve a distance of 282.65 feet; thence N 60 degrees 27 minutes 05 seconds E a distance of 118.35 feet; thence to a point of a curve turning to the right with

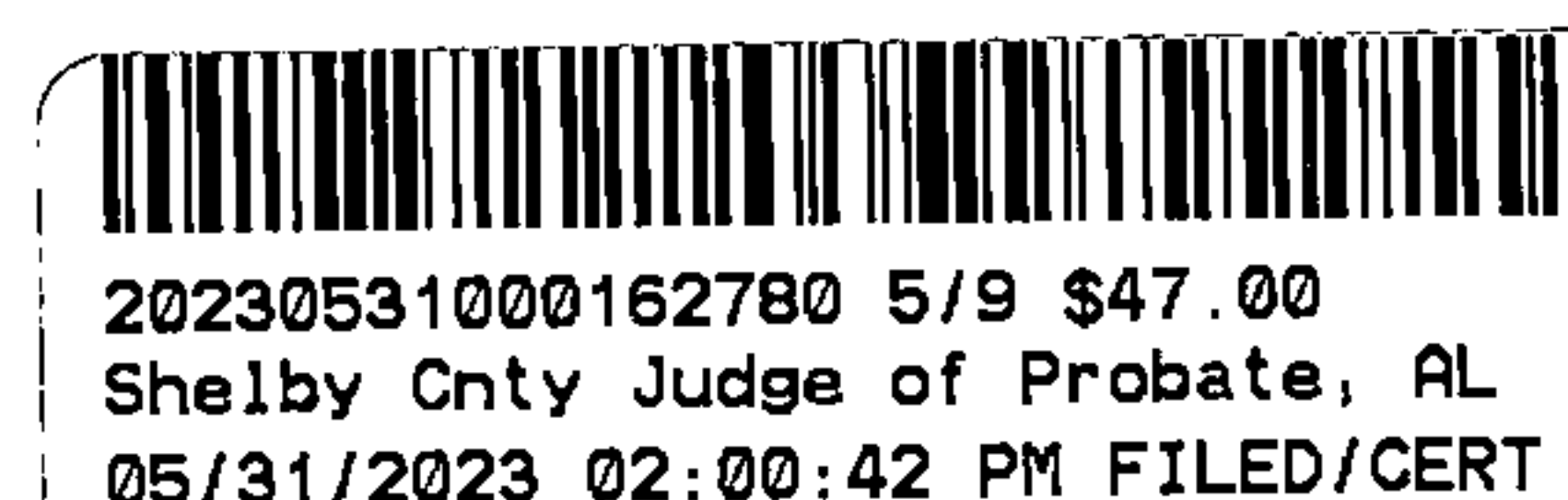


Exhibit "A" - page 2 of 2

a radius of 500.00 feet, a delta angle of 29 degrees 28 minutes 00 seconds, and a chord length of 254.32 feet; thence with a chord bearing of N 75 degrees 11 minutes 05 seconds E, run along the arc of said curve a distance of 257.15 feet; thence N 89 degrees 55 minutes 05 seconds E a distance of 119.64 feet; thence to a point of a curve turning to the left with a radius of 500.00 feet, a delta angle of 13 degrees 44 minutes 33 seconds, and a chord length of 119.64 feet; thence with a chord bearing of N 83 degrees 02 minutes 49 seconds E, run along the arc of said curve a distance of 119.93 feet; thence N 76 degrees 10 minutes 32 seconds E a distance of 418.14 feet; thence to a point of a curve turning to the left with a radius of 500.00 feet, a delta angle of 09 degrees 26 minutes 25 seconds, and a chord length of 82.29 feet; thence with a chord bearing of N 71 degrees 27 minutes 20 seconds E, run along the arc of said curve a distance of 82.38 feet; thence N 66 degrees 44 minutes 08 seconds E a distance of 215.51 feet; thence to a point of a curve turning to the left with a radius of 375.00 feet, a delta angle of 60 degrees 40 minutes 00 seconds, and a chord length of 378.77 feet; thence with a chord bearing of N 36 degrees 24 minutes 08 seconds E, run along the arc of said curve a distance of 397.06 feet; thence N 06 degrees 04 minutes 08 seconds E a distance of 185.63 feet; thence to a point of a curve turning to the left with a radius of 400.00 feet, a delta angle of 24 degrees 42 minutes 59 seconds, and a chord length of 171.22 feet; thence with a chord bearing of N 06 degrees 17 minutes 21 seconds W, run along the arc of said curve a distance of 172.55 feet; thence N 18 degrees 38 minutes 51 seconds W a distance of 28.82 feet to the northerly property line of the Grantor and the end of this Right-of-Way.

Signed for identification:

CLAIRMONT SPRINGS LLC

By: Manulife Investment Management Timberland
and Agriculture Inc.

Its: Manager

By:

Printed Name:


Derek K. Solmie

Title:

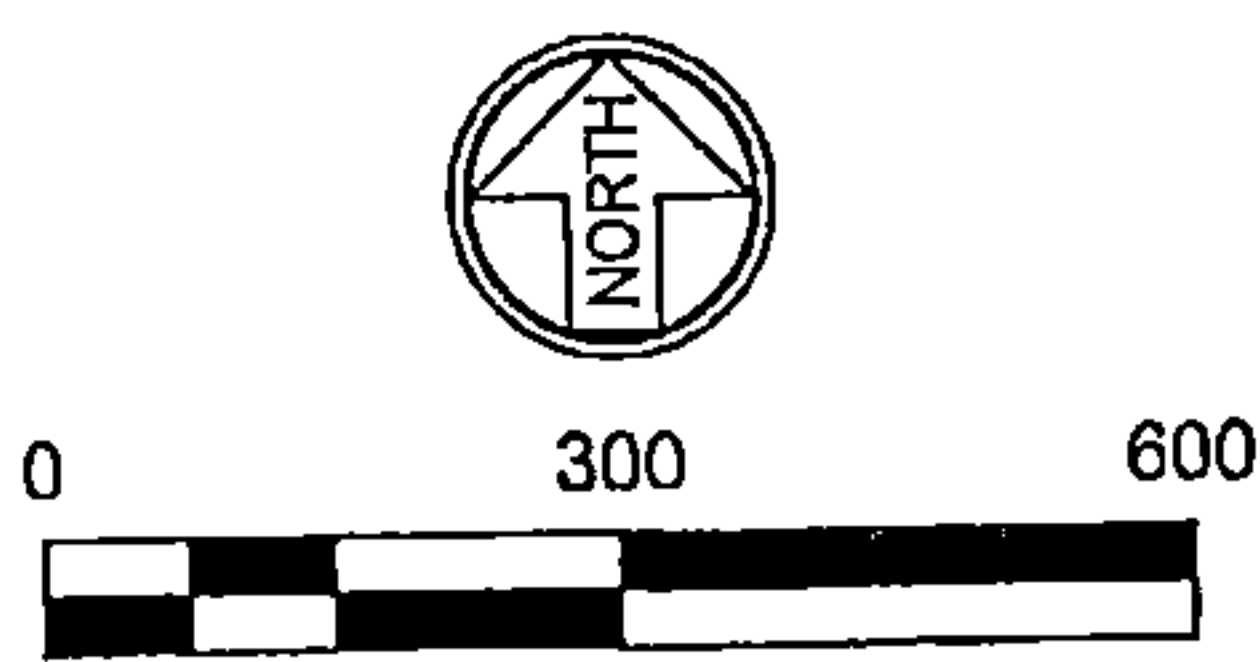
Director



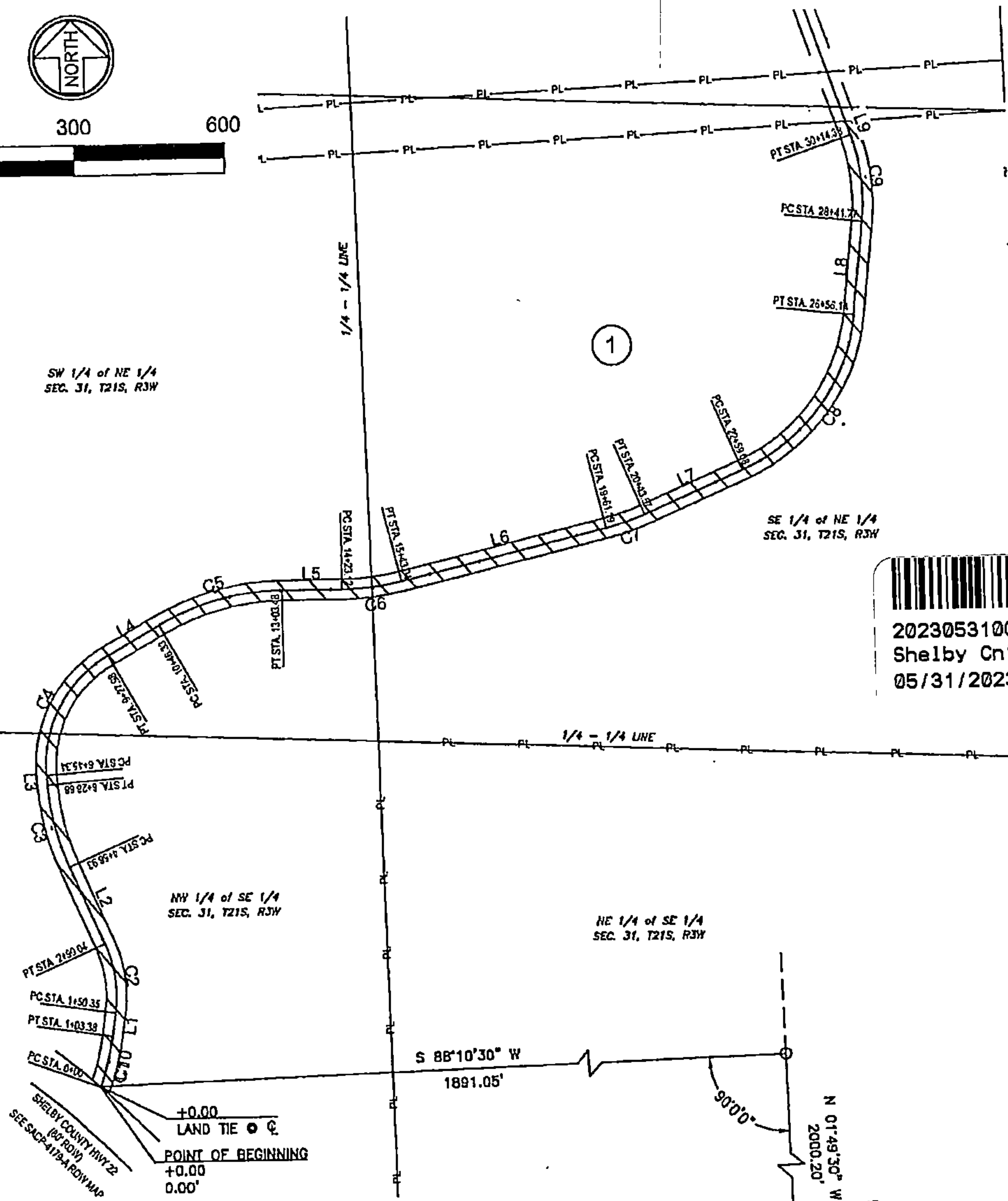
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PROJECT SETCO - TRACT SKETCH 1 Exhibit "B"

23-9-31-0-000-001.000
CLAIRMONT SPRINGS, LLC



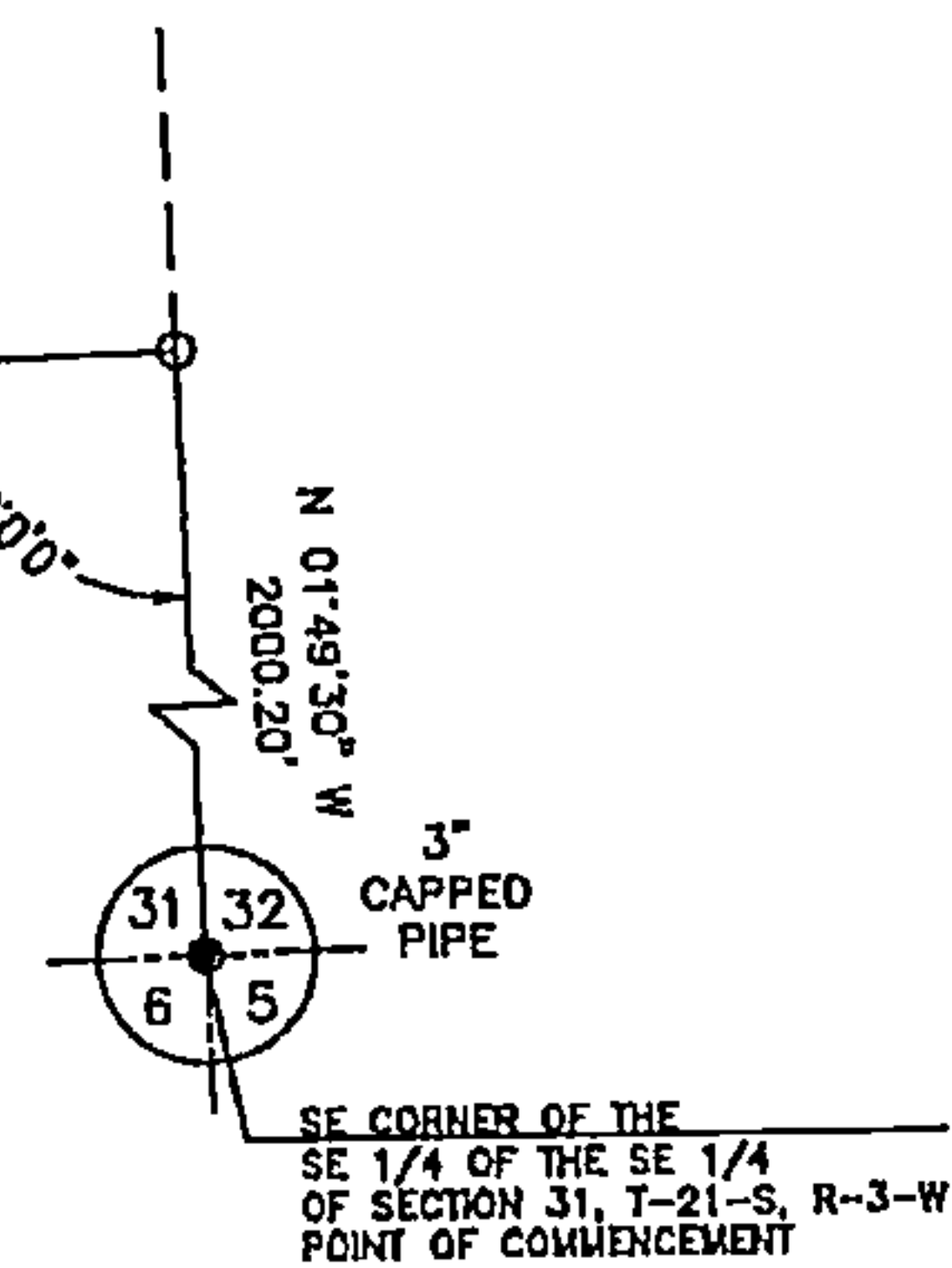
SW 1/4 of NE 1/4
SEC. 31, T21S, R3W



20230531000162780 7/9 \$47.00
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LINE	BEARING	DISTANCE
L1	N 08°14'11" E	46.97'
L2	N 23°46'41" W	166.89'
L3	N 04°19'35" W	18.66'
L4	N 60°27'05" E	118.35'
L5	N 89°55'05" E	119.64'
L6	N 76°10'32" E	418.14'
L7	N 66°44'08" E	215.51'
L8	N 06°04'08" E	185.63'
L9	N 18°38'51" W	28.82'

CURVE	DELTA ANGLE	RADIUS	CHORD LENGTH	ARC LENGTH	CHORD BEARING
C1	11°50'48"	500.00'	103.20'	103.38'	N 14°09'36" E
C2	32°00'53"	250.00'	137.88'	139.69'	N 07°46'15" W
C3	19°27'06"	500.00'	168.93'	169.75'	N 14°03'08" W
C4	64°46'40"	250.00'	267.83'	282.65'	N 28°03'45" E
C5	29°28'00"	500.00'	254.32'	257.15'	N 75°11'05" E
C6	13°44'33"	500.00'	119.64'	119.93'	N 83°02'49" E
C7	9°26'25"	500.00'	82.29'	82.38'	N 71°27'20" E
C8	60°40'00"	375.00'	378.77'	397.06'	N 36°24'08" E
C9	24°42'59"	400.00'	171.22'	172.55'	N 06°17'21" W



SHELBY COUNTY, ALABAMA

TRACT NO.: 1
COUNTY: SHELBY
OWNER: CLAIRMONT SPRINGS, LLC

EXISTING ACREAGE: ±225.000 ACRES
ACQUIRED RIGHT OF WAY: ±2.795 ACRES
REMAINING ACREAGE: ±222.205 ACRES

SCALE: 1" = 300'
SHEET: 1 OF 1

DATE: 09-22-2022
NOT A BOUNDARY SURVEY

REVISED:
REVISION NO.:

Exhibit "C"

Tract 3 – Clairmont Springs LLC

A tract of land located in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ lying entirely inside of Section 31, Township 21 South, Range 3 West, Shelby County, Alabama.

More particularly described as follows:



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Commence at the Northeast corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 31, Township 21 South, Range 3 West, Shelby County, Alabama; thence run S 01 degrees 49 minutes 30 seconds E along the Eastern line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ said Section 31 a distance of 1182.48 feet; thence run S 87 degrees 09 minutes 45 seconds W a distance of 346.43 feet to the centerline of a 40' wide Right-of-Way, being the Point of Beginning of Tract 3. A right-of-way 40 feet wide, being 20 feet on each side of centerline extending and terminating at grantor's property line and following described centerline; thence N 18 degrees 38 minutes 51 seconds W a distance of 592.22 feet; thence to a point of a curve turning to the left with a radius of 250.00 feet, a delta angle of 02 degrees 37 minutes 36 seconds, and a chord length of 11.46 feet; thence with a chord bearing of N 19 degrees 57 minutes 39 seconds W, run along the arc of said curve a distance of 11.46 feet; thence N 21 degrees 16 minutes 27 seconds W a distance of 147.19 feet; thence to a point of a curve turning to the right with a radius of 1500.00 feet, a delta angle of 02 degrees 22 minutes 34 seconds, and a chord length of 62.20 feet; thence with a chord bearing of N 20 degrees 05 minutes 10 seconds W, run along the arc of said curve a distance of 62.21 feet; thence N 18 degrees 53 minutes 53 seconds W a distance of 271.39 feet; thence to a point of a curve turning to the left with a radius of 1500.00 feet, a delta angle of 05 degrees 49 minutes 48 seconds, and a chord length of 152.57 feet; thence with a chord bearing of N 21 degrees 48 minutes 47 seconds W, run along the arc of said curve a distance of 152.63 feet; thence N 24 degrees 43 minutes 41 seconds W a distance of 83.11 feet to the northerly property line of the Grantor and the end of this Right-of-Way.

Signed for identification:

CLAIRMONT SPRINGS LLC

By: Manulife Investment Management Timberland
and Agriculture Inc.

Its: Manager

By:

Printed Name:

Title:

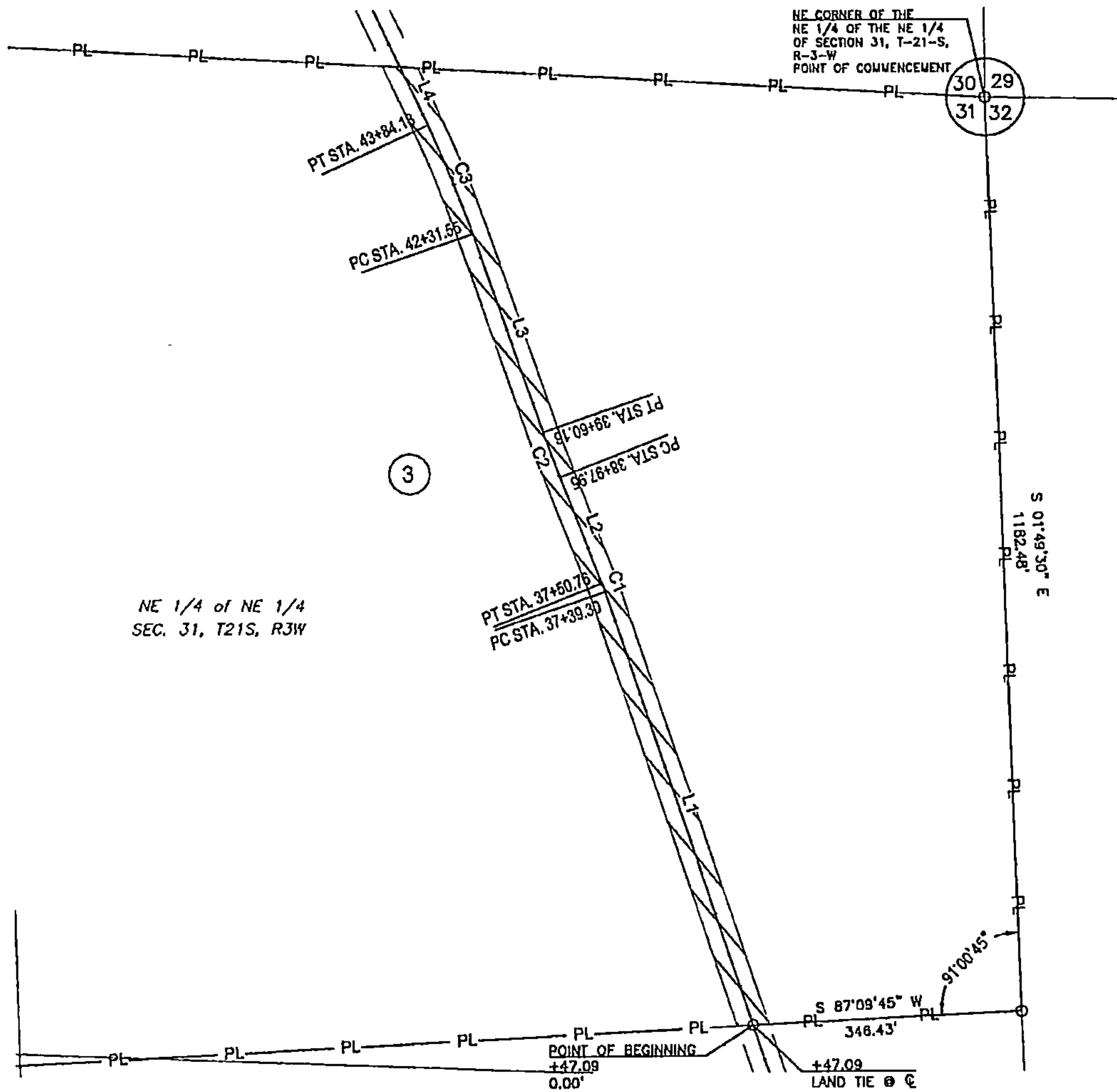

Derek K. Solmie

Director

PROJECT SETCO - TRACT SKETCH 3

23-9-31-0-000-001.002
CLAIRMONT SPRINGS, LLC

Exhibit "D"



NE 1/4 of NE 1/4
SEC. 31, T21S, R3W

LINE	BEARING	DISTANCE
L1	N 18°38'51" W	592.22'
L2	N 21°16'27" W	147.19'
L3	N 18°53'53" W	271.39'
L4	N 24°43'41" W	83.11'

CURVE	DELTA ANGLE	RADIUS	CHORD LENGTH	ARC LENGTH	CHORD BEARING
C1	2°37'36"	250.00'	11.46'	11.46'	N 19°57'39" W
C2	2°22'34"	1500.00'	62.20'	62.21'	N 20°05'10" W
C3	5°49'48"	1500.00'	152.57'	152.63'	N 21°48'47" W



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SHELBY COUNTY, ALABAMA

TRACT NO.: 3
COUNTY: SHELBY
OWNER: CLAIRMONT SPRINGS, LLC

EXISTING ACREAGE: ±169.000 ACRES
ACQUIRED RIGHT OF WAY: ±1.212 ACRES
REMAINING ACREAGE: ±167.788 ACRES

SCALE: 1" = 200'
SHEET: 1 OF 1

DATE: 09-22-2022
NOT A BOUNDARY SURVEY

REVISED:
REVISION NO.: