

STATE OF ALABAMA)
)
COUNTY OF MADISON)

WARRANTY DEED

THIS INDENTURE made and entered into on this the ____ day of _____, 2023, by and between **THE CITY OF MADISON, an Alabama municipal corporation**, as Grantor, and **THE WATER AND WASTEWATER BOARD OF THE CITY OF MADISON, a public utility corporation organized under the laws of the State of Alabama doing business as MADISON UTILITIES**, as Grantee.

WITNESSETH: That the Grantor for and in consideration of the sum of Ten and no/100 Dollars to it cash in hand paid this day by the Grantee, and other good and valuable consideration, receipt of which is hereby acknowledged, has this day given, granted, bargained, sold and conveyed and does by these presents give, grant, bargain, sell and convey unto the Grantee the following described real estate lying and being situated in the County of Madison, State of Alabama, to-wit:

Tract 1:

3.47 ACRES OF LAND LOCATED IN THE SE ¼ OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 2 WEST AND BEING A PART OF THAT PROPERTY AS DESCRIBED IN DEED BOOK 451 PAGE 233 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF TRACT A OF CHELSEA PARK, DOCUMENT NO. 20100506000235370, THENCE S 02°46'23" E FOR 39.59' TO AN IRON PIN FOUND (BIG SPRINGS SURVEYORS) AT THE NORTHWEST CORNER OF LOT 23 OF THE RESERVE AT BRIDGEFIELD AND A RESUBDIVISION OF LOTS 30, 31 AND 32 OF BRIDGEFIELD SUBDIVISION, FOURTH ADDITION BEING DOCUMENT NO. 20041201000539590, THENCE ALONG THE NORTH LINE OF THE AFOREMENTIONED RESERVE AT BRIDGEFIELD S 88°54'18" E FOR 610.10' TO A 5/8" REBAR FOUND AT THE POINT OF BEGINNING, THENCE CONTINUE S 88°54'18" E ALONG THE RESERVE AT BRIDGEFIELD FOR 673.63' TO AN IRON PIN SET, THENCE N 01°57'31"E FOR 224.74' TO A 5/8" REBAR FOUND, THENCE N 88°57'45" W FOR 673.64' TO AN IRON PIN SET, THENCE S 01°57'31" W FOR 224.06' TO THE POINT OF BEGINNING.

AND ALSO,

Tract 2:

4.92 ACRES LOCATED IN THE NE ¼ OF THE SE ¼ OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 2 WEST AND BEING A PART OF THAT PROPERTY AS DESCRIBED IN DEED BOOK 451 PAGE 233 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 5/8" REBAR FOUND AT THE SOUTHWEST CORNER OF LOT 21 OF A RESUBDIVISION OF TRACT ONE OF A RESUBDIVISION OF LIBERTY MANOR AS RECORDED IN PLAT BOOK 28 PAGE 16 IN THE OFFICE OF THE PROBATE JUDGE OF MADISON COUNTY, ALABAMA, THENCE S 88°57'51" E ALONG THE SOUTH LINE OF SAID LIBERTY MANOR FOR 428.52' TO AN IRON PIN SET ON THE EAST LINE OF AN EXISTING UNNAMED ROAD, THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 78.40' AND A CENTRAL ANGLE OF 36°54'14" A CHORD BEARING AND DISTANCE OF N 19°38'58" E FOR 49.63' TO THE SOUTH RIGHT OF WAY OF LIBERTY DRIVE, THENCE LIBERTY DRIVE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 226.57' AND A CENTRAL ANGLE OF 38°38'17" A CHORD BEARING AND DISTANCE OF S 69°43'44"

E FOR 149.91' TO A POINT, THENCE CONTINUE ALONG THE SOUTH RIGHT OF WAY OF LIBERTY DRIVE S 89°31'51" E FOR 314.87' TO AN IRON PIN SET AT THE NORTHWEST CORNER OF THAT PROPERTY AS DESCRIBED IN DEED BOOK 285 PAGE 94, THENCE S 01°58'26" W ALONG THE WEST LINE OF DEED BOOK 285 PAGE 94 FOR 228.46' TO AN IRON PIN SET ON THE NORTH LINE OF THAT PROPERTY AS DESCRIBED IN DEED BOOK 2022 PAGE 7706, THENCE N 87°32'16" W ALONG THE NORTH LINE OF DEED BOOK 2022 PAGE 7706 FOR 68.52' TO A 5/8' REBAR FOUND AT THE NORTHEAST CORNER OF LOT 41 OF THE RESERVE AT BRIDGEFIELD AND A RESUBDIVISION OF LOTS 30, 31 AND 32 OF BRIDGEFIELD SUBDIVISION FOURTH ADDITION AS RECORDED IN INSTRUMENT NUMBER 20041201000539590 IN THE OFFICE OF THE PROBATE OF MADISON COUNTY, ALABAMA, THENCE N 88°52'51" W ALONG THE NORTH LINE OF SAID RESERVE AT BRIDGEFIELD FOR 760.85' TO A 5/8" REBAR FOUND AT THE NORTHEAST CORNER OF LOT 34 OF SAID RESERVE AND SAID PIN ALSO BEING ON THE WEST RIGHT OF WAY OF RESERVE CIRCLE, HAVING A 50' RIGHT OF WAY, THENCE CONTINUE N 88°52'51" W FOR 111.45' TO AN IRON PIN SET ON THE NORTH LINE OF LOT SAID LOT 34, THENCE N 01°58'26" E FOR 224.83' TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED 4.92 ACRES IS SUBJECT TO ANY EASEMENTS OF RECORD OR NOT OF RECORD.

TOGETHER WITH A UTILITY, DRAINAGE, INGRESS AND EGRESS EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 50 FOOT WIDE PERMANENT UTILITY, DRAINAGE, AND INGRESS AND EGRESS EASEMENT LOCATED IN THE SE ¼ OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 2 WEST AND BEING LOCATED ON THAT PROPERTY DESCRIBED IN DEED BOOK 461 PAGE 233 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIN FOUND AT THE NORTHEAST CORNER OF TRACT A OF CHELSEA PARK AS RECORDED IN INSTRUMENT 20100506000235370 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA, THENCE S 02°46'23" E FOR 39.59' TO A CAPPED IRON PIN FOUND (BIG SPRINGS SURVEYORS) AT THE NORTHWEST CORNER OF LOT 23 OF THE RESERVE AT BRIDGEFIELD AND A RESUBDIVISION OF LOTS 30, 31, AND 32 OF BRIDGEFIELD SUBDIVISION, FOURTH ADDITION AS RECORDED IN DOCUMENT 20041201000539590, THENCE S 88°54'18" E ALONG THE NORTH LINE OF THE RESERVE AT BRIDGEFIELD FOR 610.10' TO A 5/8" REBAR FOUND, THENCE N 01°57'31" E FOR 224.06' TO AN IRON PIN SET, THENCE S 88°57'45" E FOR 545.30' TO THE POINT OF BEGINNING OF SAID 50' EASEMENT, THENCE N 02°02'40" E FOR 356.77' TO THE PC OF A CURVE TO THE LEFT HAVING A RADIUS OF 155.00', A TANGENT OF 69.95', AND A CHORD BEARING AND DISTANCE OF N 22°14'43" W FOR 127.52' TO A POINT, THENCE N 46°32'06" E FOR 102.20' TO THE PC OF A CURVE TO THE LEFT HAVING A RADIUS OF 175.00', A TANGENT OF 68.86', AND A CHORD BEARING AND DISTANCE OF N 68°00'55" W FOR 128.16' TO A POINT, THENCE N 89°29'43" W FOR 1121.21' TO A POINT, THENCE N 00°31'34" E FOR 50.00' TO A POINT, THENCE S 89°29'43" E FOR 1121.19' TO THE PC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 225.00', A TANGENT OF 88.54', AND A CHORD BEARING AND DISTANCE OF S 68°00'55" E FOR 164.78' TO A POINT, THENCE S 46°32'06" E FOR 102.20' TO THE PC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 205.00', A TANGENT OF 92.52', AND A CHORD BEARING AND DISTANCE S 22°14'43" E FOR 168.65' TO A POINT, THENCE S 02°02'40" W FOR 355.89' TO A POINT, THENCE N 88°57'45" W FOR 50.01' TO THE POINT OF BEGINNING.

Said easements being for the establishment, construction, installation, maintenance, repair, operation, use, replacement, relocating, upgrading, changing the size of and/or removal, at all or any time(s), of such improvements, facilities, equipment, fixtures, and appurtenances as may be necessary for the provision of electricity, water, gas, and any and all utilities together with the unimpaired right of entry and re-entry from time to time as occasion may require; the right to maintain said easements granted clear of trees, undergrowth and brush; and other purposes not

inconsistent with the rights herein granted, with all the rights and privileges necessary or convenient for the full enjoyment and use thereof, for all the purposes above stated.

TO HAVE AND TO HOLD the real estate above described, together with all and singular the rights, privileges, tenements, and improvements thereunto belonging or in anywise appertaining unto the Grantee and unto its successors and assigns forever, together with the right of entry and re-entry from time to time as occasion may require for the use of the easements hereinabove described, and together with the right to use and enjoy the utility, drainage, ingress and egress easements above described, provided that the Grantor expressly secures the right to use and enjoy the utility, drainage, ingress and egress easements above described but such use and enjoyment shall be in such a manner as not to unreasonably interfere with the use thereof, by the Grantee, its successors and assigns under the Grant herein set forth. Grantor does hereby covenant with and represent unto the Grantee that it is lawfully seized in fee of the lands above described; that the same is free of all liens and encumbrances; that it has a good and lawful right to sell and convey the same and that he will forever defend the title to the same unto the Grantee and to its successors and assigns forever, against the lawful claims and demands of all persons whomsoever. There is hereby excepted from all of the foregoing warranties and covenants the following:

- 1. Ad valorem taxes for the year 2023 and subsequent years.
- 2. Restrictions and easements of record, if any.

Pursuant to and in accordance with Section 40-22-1 of the Code of Alabama (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor’s Address: _____
Grantee’s Address: _____
Property Address: _____
Property Value: _____

The purchase price or actual value claimed in this instrument can be verified in the following documentary evidence:

___ Bill of Sale ___ Sales Contract ___ Closing Statement ___ Appraisal
 X Other: Tax Assessor’s Records

IN WITNESS WHEREOF, the Grantor has hereunto caused this instrument to be executed on the day and year first above written.

GRANTOR:

THE CITY OF MADISON, an Alabama municipal corporation

ATTEST:

Lisa Thomas, City Clerk-Treasurer

By: _____
Paul Finley, Mayor

STATE OF ALABAMA)
)
COUNTY OF MADISON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Paul Finley and Lisa Thomas, whose names as Mayor and City Clerk-Treasurer, respectively, of THE CITY OF MADISON, ALABAMA, an Alabama municipal corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, they, in their capacities as Mayor and City Clerk-Treasurer and with full authority, executed the same voluntarily and as the act of said municipal corporation on the day the same bears date.

Given under my hand and official seal on the ____ day of _____, 2023.

NOTARY PUBLIC
My commission expires: _____

THIS INSTRUMENT WAS PREPARED SOLELY FROM INFORMATION PROVIDED TO THE PREPARER OF THIS INSTRUMENT WHO CONDUCTED NO TITLE EXAMINATION AND ISSUED NO TITLE OPINION OR TITLE INSURANCE.

THIS INSTRUMENT PREPARED BY: W. TY STAFFORD, LANIER FORD SHAVER & PAYNE P.C., 2101 WEST CLINTON AVENUE, SUITE 102, HUNTSVILLE, ALABAMA 35805. (256) 535-1100