

UTILITIES BOARD OF THE CITY OF FOLEY
P.O. Box 2050
Foley, AL 36536

(STATE OF ALABAMA

BALDWIN COUNTY)

City Of Foley
407 E Laurel Ave
Foley, Al 36535

TRANSFER OF WATER DISTRIBUTION SYSTEM

WHEREAS, heretofore a Contract was entered into by and between City of Foley, (which who was referred in such Contract and is herein referred to as the "DEVELOPER"), and THE UTILITIES BOARD OF THE CITY OF FOLEY, (which was referred to in such Contract and is referred to as the "BOARD"), which said Contract provided for the DEVELOPER to construct a water distribution system (the ASystem@) in Foley Municipal Airport T Hanger in Foley, Alabama, all according to the plans and specifications prepared by Vorlkert Engineering Inc. and date May 2018, and

WHEREAS, the said Contract provided for the transfer of title of the System to the BOARD, and

WHEREAS, said System has now been completed and is in place either on public streets or ways or on dedicated utility easements, and

WHEREAS, pressure test chart, bacteriological test results, unit price cost breakdown and Aas built@ drawings have been submitted to the BOARD, and

WHEREAS, all the costs of construction and engineering have been paid for by the DEVELOPER, and the DEVELOPER holds clear title and rights to the water System and the same is free of any and all liens or encumbrances.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the terms and conditions of the Contract as aforesaid, the benefits to be derived, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, DEVELOPER has and by these presents does hereby GRANT, BARGAIN, SELL, TRANSFER, SET-OVER, ASSIGN, and CONVEY unto The Utilities Board of the City of Foley the entire System which includes 80 feet of 6 inch water main, and all appurtenances within the existing ROW, less and excluding the backflow preventer in Foley Municipal Airport T Hanger, which said subdivision is contained within Section 19, Township 7S, Range 4E, Baldwin County, Alabama.

The DEVELOPER does hereby covenant with the BOARD, its successors ad assigns, that the DEVELOPER is the lawful owner of the System, that it/he/she has a good and lawful right to sell the same, that the same is free and clear from all debts, liens and encumbrances, and that the DEVELOPER will forever warrant and defend the title to the System as conveyed hereby to the BOARD against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, DEVELOPER has caused this instrument on this _____ day
of _____, 2020.

City of Foley
Foley Municipal Airport T Hanger

BY: _____

John E. Koniar,
Mayor

(STATE OF _____
COUNTY OF _____)

I, the undersigned Notary Public in for said County in said State, hereby certify that John E. Koniar, whose name as Mayor, of Foley Municipal Airport T Hanger, in Foley, Alabama, 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 the instrument, he, as the owner and with full authority, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and Notarial Seal heretofore affixed by me on this _____ day
of _____, 2020.

NOTARY PUBLIC

My Commission Expires

(AFFIX SEAL)

This instrument prepared by:
Riviera Utilities

P. O. Box 2050
Foley, Alabama 36536-2050