

THIS INSTRUMENT PREPARED BY:
RODNEY MANASCO
VOLKERT, INC.
3809 MOFFETT ROAD
MOBILE, AL 36618

CITY OF FOLEY) PROJECT NO. AC0A59521- ATRP(003)
COUNTY OF BALDWIN) TRACT NO. 2

**RIGHT OF WAY DEED
FOR PERMANENT EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum Ten and No/100 dollars (\$10.00), cash in hand paid to the undersigned by the City of Foley, the receipt of which is hereby acknowledged, I (we), the undersigned grantor(s), **MMAB, INC. & FBC, INC.**, have this day bargained and sold, and by these presents do hereby grant, bargain, sell and convey unto the City of Foley 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 NW ¼ and the SW ¼ of NW ¼, Section 4, Township 8 South, Range 4 West, identified as Tract No. 2 on Project No. ACOA59521-ATRP(003) in Baldwin County, Alabama and being more fully described as follows:

Commencing at the Northwest corner of MMAB Subdivision Slide 2240-F in the Probate Court of Baldwin County, Alabama, thence N 89°51'40" E along the grantor's property line a distance of 650.33 feet to a point on the grantor's property line;

Thence S 00°00'00" W a distance of 50.00 feet to a point on the Acquired R/W line and the POINT OF BEGINNING;

Thence N 89°51'40" E along the acquired R/W a distance of 1700.54 feet to a point on the acquired R/W line of Pride Drive (said point is offset 43.83' right of and perpendicular to Pride Drive centerline at station 34+75.90);

Thence S 45°00'00" E along the acquired R/W line a distance of 12.97 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 53.00' right of and perpendicular to Pride Drive centerline at station 34+85.08);

Thence S 90°00'00" W along the permanent drainage easement line a distance of 176.31 feet to a point permanent drainage easement line of Pride Drive (said point is offset 53.00' right of and perpendicular to Pride Drive centerline at station 33+08.77);

Thence S 45°00'00" W along the permanent drainage easement line a distance of 5.33 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 56.77' right of and perpendicular to Pride Drive centerline at station 33+05.00);

Thence S 90°00'00" W along the permanent drainage easement line a distance of 10.00 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 56.77' right of and perpendicular to Pride Drive centerline at station 32+95.00);

Thence N 45°00'00" W along the permanent drainage easement line a distance of 5.33 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 53.00' right of and perpendicular to Pride Drive centerline at station 32+91.23);

Thence S 90°00'00" W along the permanent drainage easement line a distance of 891.23 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 53.00' right of and perpendicular to Pride Drive centerline at station 24+00.00);

Thence S 84°22'01" W along the permanent drainage easement line a distance of 100.49 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 62.86' right of and perpendicular to Pride Drive centerline at station 23+00.33);

Thence S 85°06'10" W along the permanent drainage easement line a distance of 200.73 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 80.00' right of and perpendicular to Pride Drive centerline at station 21+00.00);

Thence S 90°00'00" W along the permanent drainage easement line a distance of 200.00 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 80.00' right of and perpendicular to Pride Drive centerline at station 19+00.00);

Thence N 80°56'49" W along the permanent drainage easement line a distance of 126.16 feet to a point on the grantors property line;

Thence N 00°11'06" W along the grantors property line a distance of 12.20 feet to the POINT OF BEGINNING of the Property herein described, containing 0.549 acres more or less.

And as shown on the right of way map of record 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 the City of Foley and unto its successors and assigns forever.

And the said grantor(s) hereby covenant(s) with the City of Foley 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 except easements and rights-of-way of record; and that I (we) will warrant and forever defend the title and quiet possession thereto against the lawful claims of all persons whomsoever.

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, the grantor has executed this instrument on this ___ day of July, 2014.

[Handwritten signature]

MMAB, INC.
By *[Signature]*
By (Print): BLENDESSEN WHITE SPANNER
As its: PRESIDENT

[Handwritten signature]

FBC, INC.
By *[Signature]*
By (Print): BLENDESSEN WHITE SPANNER
As its: PRESIDENT

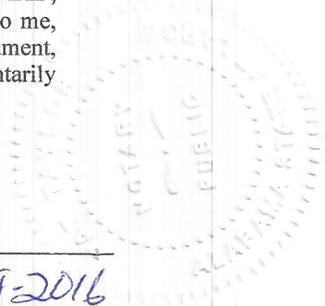
ACKNOWLEDGMENT

STATE OF ALABAMA
COUNTY OF MOBILE

I, the undersigned authority, a Notary Public in and for said county in said State, hereby certify that BWHITE-SPANNER whose name as PRESIDENT of **MMAB, Inc.**, an Alabama corporation, 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 said instrument, he/she, as such _____ and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal on this 21ST day of July, 2014.

[Signature]
NOTARY PUBLIC
My Commission Expires: 8-29-2016
(NOTARY SEAL)



ACKNOWLEDGMENT

STATE OF ALABAMA
COUNTY OF MOBILE

I, the undersigned authority, a Notary Public in and for said county in said State, hereby certify that BWHITE-SPANNER, whose name as PRESIDENT of **FBC, Inc.**, an Alabama corporation, 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 said instrument, he/she, as such _____ and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal on this 21ST day of July, 2014.

[Signature]
NOTARY PUBLIC
My Commission Expires: 8-29-2016
(NOTARY SEAL)

