

STATE OF ALABAMA  
COUNTY OF BALDWIN

QUIT CLAIM DEED

THIS INDENTURE, made and entered into by and between the **City of Foley**, an Alabama municipal corporation ("Grantor"), and the **Town of Loxley**, an Alabama municipal corporation ("Grantee"),

W I T N E S S E T H :

That for and in consideration of TEN DOLLARS, the receipt and sufficiency of which are hereby acknowledged, the Grantor has and by these presents does hereby, subject to the reservations and exceptions contained herein, REMISE, RELEASE, and QUIT CLAIM unto the Grantee the following described real property situated in Baldwin County, Alabama, to-wit:

A parcel of irregular-shaped property at Loxley, Baldwin County, Alabama, more particularly described as follows:

Commence at a point 1980 feet north of the southwest corner of Section 11, Township 5 South, Range 3 East, said Baldwin County and 30 feet east of the west line of said Section 11; thence running due east 56.50 feet, more or less, said point being 50 feet from. and at right angles to the center line of Grantor's former Foley Branch main track and the point of beginning; thence continue due east a distance of 267.50 feet, more or less, to a point; thence due south 330 feet to a point; thence due east 153 feet to a point; thence due south 330 feet to a point on the south line of the NW ¼ of the SW ¼ of said Section 11; thence due west along said south line, a distance of 54.50 feet to a point 50 feet from and at right angles to the center line of said main track; thence northwesterly along a line of 50 feet from and parallel with the center line of said main track, a distance of 740 feet, more or less, to the point of beginning, together containing 410 acres, more or less, as shown on Seaboard System Railroad Maps, in Valuation Section No. 58, Maps No. 2 through 19; and acquired by the Seaboard Coast Line Railroad Company through merger between the Seaboard Coast Line Railroad Company and the Louisville and Nashville Railroad Company, effective December 29, 1982, recorded in Misc. Book 44, Page 1277, and name of the surviving company changed to Seaboard System Railroad, Inc.

by virtue of name change effective December 29, 1982, recorded in Misc. Book 44, Page 1280.

(the "Subject Property").

The conveyance herein, if any, is made **SUBJECT TO** the following reservations, exceptions, and restrictions which shall run with the Subject Property:

An easement and right of use for utility purposes conveyed to The Utilities Board of the City of Foley, its successors or assigns, which provides the right to construct, repair and maintain drainage ditches, storm sewers, and pipelines and appurtenances thereto; pumping stations; regulator stations, compressor stations; storm drains; utilities lines, including, but not limited to electric transmission and distribution lines, telephone lines, cable television or communication lines, and all poles, structures, guys or appurtenances thereto, over, under, along and across the real estate described above, all in accordance with the Easement of record in the office of the Judge of Probate of Baldwin County, Alabama, in Real Property Book 289, pages 304-309. Construction of any building or structure on the property is prohibited. Party of the first part specifically reserves for itself and for the Utilities Board of the City of Foley and its assigns, an easement and right of ingress and egress over, along, upon or across the above described strip of land to exercise the rights and privileges reserved. Any use of the real estate described above by the party or parties of the second part, its successors or assigns, cannot infringe upon or jeopardize the rights reserved or conveyed to the Utilities Board of the City of Foley by the party of the first part. Party of the first part and the Utilities Board of the City of Foley, or their assigns, cannot be held responsible or liable to the party of parties of the second part its successors or assigns for any damages of any kind or nature as a result of the exercise of their rights and privileges reserved in this instrument and in the easement to the Utilities Board of the City of Foley.

The conveyance herein, if any, is also further made **SUBJECT TO** the following reservations by Grantor:

An easement, which is hereby reserved by the Grantor, over said real property for the limited purposes of constructing, improving and maintaining a sidewalk or pedestrian and/or bicycle path which includes the rights to install street lights, benches, and other improvements and facilities that are incidental or related thereto.

The above rights and privileges reserved shall be perpetual and run with the land described above unless expressly released, in writing, by the Grantor or its successors or assigns.

The conveyance herein, if any, is also made **SUBJECT TO** any easements or encumbrances of record in Baldwin County Probate Court.

To HAVE AND TO HOLD unto the said Grantee, its successors and assigns, FOREVER.

IN WITNESS WHEREOF, the CITY OF FOLEY, a municipal corporation, has caused its corporate name to be hereunto signed and its corporate seal to be hereunto affixed by its officers thereunto duly authorized on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CITY OF FOLEY, an Alabama municipal corporation

\_\_\_\_\_  
By John Koniar  
Its Mayor

ATTEST:

\_\_\_\_\_  
Kathryn Taylor  
Its City Clerk

STATE OF ALABAMA:  
BALDWIN COUNTY :

I, a Notary Public in and for said County in said State, hereby certify that John Koniar and Kathryn Taylor, whose names are signed to the foregoing as Mayor and City Clerk, respectively, of the City of Foley, an Alabama municipal corporation, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, they as such officers and with full authority, executed the same voluntarily for and as the act of said corporation, on the day the same bears date.

GIVEN under my hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:\_\_\_\_\_

Grantee's Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THIS INSTRUMENT PREPARED BY:

J. CASEY PIPES

Helmsing, Leach, Herlong,

Newman & Rouse, P.C.

Post Office Box 2767

Mobile, AL 36652

(251) 432 5521

[jcp@helmsinglaw.com](mailto:jcp@helmsinglaw.com)

4832-4552-4142, v. 1