

STATE OF ALABAMA  
COUNTY OF BALDWIN

)  
) GRANT OF RIGHT-OF-WAY AND EASEMENT  
)

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, Resort Investment Corporation of Alabama, an Alabama corporation, hereinafter called "Grantor", for and in consideration of the sum of Three and no/100 (\$3.00) Dollars, to it in hand paid, receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents, does grant, bargain, sell, convey and deliver, subject to the reservations, terms and conditions hereof, unto Gulf Shores Utility Corporation, an Alabama corporation, hereinafter called "Grantee", its successors and assigns, a non-exclusive, permanent easement and right-of-way twenty (20') feet in width, including, during the course of construction, the right to use such additional width as may be necessary on both sides of said permanent right-of-way herein granted, together with the perpetual right of entry upon the lands hereinafter described at any reasonable time for the purpose of laying, constructing, maintaining, operating, repairing, replacing, or changing the size of, and removing, in whole or in part, underground sanitary sewer lines for the purpose of transporting or conveying sewage across, through and under the lands hereinafter described, together with the right to excavate and refill ditches, and/or trenches for the construction of said sanitary sewers, and the further right to remove trees, bushes, undergrowth, crops and/or other obstructions interfering with the location, construction or maintenance of said sanitary sewers. The lands which are the subject of this easement are located in the County of Baldwin, State of Alabama, and are more particularly described as follows:

Commence at the Northwest corner of Section 29, Township 9 South, Range 2 East; thence run S89°17'04"E for 4,578.50' feet to the south right-of-way of Dixie Graves Parkway; thence run S00°10'00"W for 1,060' feet to the point of beginning; thence run S00°10'00"W for 20' feet to a point; thence run N89°50'00"W for 140' feet to a point; thence run N00°10'00"E for 20' feet to a point; thence run S89°50'00"E for 140' feet to the point of beginning. Said land being in Section 29, Township 9 South, Range 2 East, Baldwin County, Alabama and further described on a survey dated February, 1983, revised February 16, 1983 and March 3, 1983, by Post, Buckley, Schuh & Jernigan, Inc.

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PROVIDED, however, that the Grantor reserves unto itself, its successors and assigns, the right to construct, maintain and operate a roadway over and upon the right-of-way and easement herein granted and the right to grant further easements and rights-of-way over and upon said roadway and for other utility purposes upon the right-of-way herein granted.

By acceptance hereof, the Grantee does agree as follows:

- (1) That in the construction, maintenance and operation of the sanitary sewer lines located in the right-of-way and easement granted herein, Grantee agrees to use only such materials and workmanship as will withstand the weight and pressure which will be exerted thereon by virtue of a roadway being constructed over and upon said right-of-way and easement, it being understood by the Grantee that a roadway will be constructed over and upon said easement and right-of-way;
- (2) That the construction, maintenance, repair and operation of said sanitary sewer lines will be performed so as to occasion the least possible interference with the maintenance of said roadway; and
- (3) That any property affected by the construction, maintenance, operation and repair of said sanitary sewer lines, including but not limited to the said roadway, will be restored as nearly as practical, at the sole cost and expense of Grantee, to its condition immediately prior to any such construction, maintenance, operation and repair.

TO HAVE AND TO HOLD, the interests, rights and privileges hereunder granted, subject to the reservations, terms and conditions hereof, unto Gulf Shores Utility Corporation, its successors and assigns, forever.

Grantor does hereby covenant with the Grantee that it is lawfully seised and in possession of the lands herein-described and that it has good and marketable title thereto and the lawful right to convey said lands or any interest therein, and that it will forever warrant and defend the title thereto against the lawful claims of any person whomsoever.

IN WITNESS WHEREOF, Grantor has caused this right-of-way and easement to be duly executed this 8<sup>th</sup> day of March, 1983.

Signed, Sealed and  
Delivered in the  
Presence Of:

RESORT INVESTMENT CORPORATION  
OF ALABAMA

Miriam R. Joyce

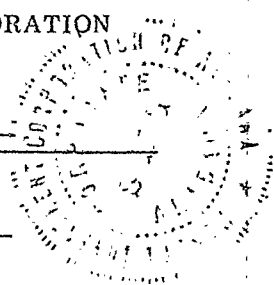
BY: J. Marshall Hoefler

J. Craig Bower

ITS: VICE PRESIDENT

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF                            )

PROBATE

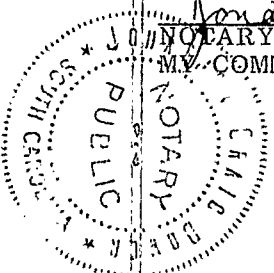


PERSONALLY appeared before me, Miriam R. Joyce, who on oath, says that (s)he saw the within Resort Investment Corporation of Alabama by J. Marshall Hoefler, its Vice President, sign, seal and deliver the within Grant of Right-of-Way and Easement, for the uses and purposes therein mentioned and that (s)he with J. Craig Bower witnessed the execution thereof.

Miriam R. Joyce

SWORN to before me this 8<sup>th</sup> day of March, 1983.

Jonathan Craig Bower (SEAL)  
NOTARY PUBLIC FOR SOUTH CAROLINA  
MY COMMISSION EXPIRES: 7/23/90



THIS INSTRUMENT WAS PREPARED BY ADAMS, HERRING & STUART, POST OFFICE BOX 394, COLUMBIA, SOUTH CAROLINA 29202.

STATE OF ALABAMA,  
BALDWIN COUNTY

I certify that this instrument was filed  
and the following tax collected on

MAR 9 1983 425 P

Min. Tax \$ 50 Index \$ RP  
Deed \$ 50 Mort. \$ RP  
Book 134 James D. White  
Page 276 Judge of Probate  
By 278

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