This Instrument Prepared By:
David A. Ives, Assistant City Attorney
City of Murfreesboro
P.O. Box 1044
Murfreesboro, TN 37133-1044

Map 135 Parcel 010.00

SANITARY SEWER EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS

FOR AND IN CONSIDERATION of the sum of ONE DOLLAR ($1.00), cash in hand to us paid by **CITY OF MURFREESBORO**, a municipal corporation in Rutherford County, Tennessee, the receipt of which is hereby acknowledged, and for and in consideration of the benefits to accrue to our land of which the hereinafter described parcels of land are a part, the undersigned, **RUTHERFORD COUNTY, a political subdivision of the State of Tennessee** (hereinafter referred to as "Grantor"), has this day bargained and sold and does hereby transfer unto said **CITY OF MURFREESBORO**, a municipal corporation located in Rutherford County, Tennessee, its successors and assigns, permanent sanitary sewer easements and temporary construction easements in, upon, along, under, through and across the parcels described below, together with all necessary rights of ingress and egress to and from said parcels of land, for the purpose of locating, laying, constructing, installing, servicing, repairing, replacing, enlarging, maintaining, and operating a sanitary sewer or sewer line, together with all necessary or appropriate fittings, appliances and appurtenances thereto, in, upon, along, under, through and across said parcels of land. Said parcels are located in Rutherford County, State of Tennessee, and are more particularly described as follows:

SANITARY SEWER EASEMENT NO. 1:

BEING A STRIP OF LAND, LOCATED IN THE 19TH CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE, SAID STRIP BEING A PORTION OF THE PROPERTY OF RUTHERFORD COUNTY BUCHANAN MIDDLE SCHOOL; TAX MAP 135, PARCEL 10; R.B. 854, PG. 3791, REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE AND BEING BOUND ON THE EAST BY MAPLES FAMILY, LLC (MAP 135, PARCEL 12; R.B. 1106, PG. 1471) AND ON THE SOUTH, WEST, AND NORTH BY RUTHERFORD COUNTY BUCHANAN MIDDLE SCHOOL; SAID STRIP BEING DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN FOUND IN THE NORTHERN RIGHT OF WAY OF MANCHESTER PIKE AND BEING THE SOUTHWEST CORNER OF MAPLES FAMILY, LLC; THEN, S51°04'07"W, 528.50' TO THE POINT OF BEGINNING; THEN

SEVERING THE LANDS OF BUCHANAN MIDDLE SCHOOL THE FOLLOWING:

1. N39°25'21"W, 5.00'; THEN,
2. N51°04'07"E, 301.65'; THEN,
3. N50°46'27"E, 598.12'; THEN,
4. N51°06'06"E, 138.68'; THEN,
5. N40°15'11"W, 78.87'; THEN,
6. N05°02'22"E, 177.77'; THEN,
7. N54°31'31"W, 164.39'; THEN,
8. N65°00'43"E, 34.48'; THEN,
9. S54°31'31"E, 164.56'; THEN,
10. S05°02'22"W, 182.42'; THEN,
11. S40°15'11"E, 71.95' TO THE WESTERN LINE OF MAPLES FAMILY, LLC; THEN,
    WITH THE WESTERN LINE OF MAPLES FAMILY, LLC THE FOLLOWING:
12. S51°03'41"W, 168.79'; THEN,
13. S50°46'27"W, 598.12'; THEN,
14. S51°04'07"W, 301.62' TO THE POINT OF BEGINNING, HAVING AN AREA OF 17,859 SQUARE FEET OR 0.410 ACRES.

<u>TEMPORARY CONSTRUCTION EASEMENT NO. 1:</u>

THIS PARCEL SHALL HAVE A 10' TEMPORARY CONSTRUCTION EASEMENT RUNNING PARALLEL TO AND CONTIGUOUS WITH EACH SIDE OF THE ABOVE MENTIONED EASEMENT DESCRIPTION. THIS TEMPORARY CONSTRUCTION EASEMENT SHALL BE VACATED AT THE COMPLETION OF CONSTRUCTION.

<u>SANITARY SEWER EASEMENT NO. 2:</u>

BEING A STRIP OF LAND 30' WIDE, LOCATED IN THE 19TH CIVIL DISTRICT OF RUTHERFORD COUNTY, TENNESSEE, SAID STRIP BEING A PORTION OF THE PROPERTY OF RUTHERFORD COUNTY BUCHANAN MIDDLE SCHOOL; TAX MAP 135, PARCEL 10; R.B. 854, PG. 3791, REGISTER'S OFFICE OF RUTHERFORD COUNTY, TENNESSEE AND BEING BOUND ON THE NORTH BY MAPLES FAMILY, LLC (MAP 135, PARCEL 12; R.B. 1106, PG. 1471) AND ON THE EAST, SOUTH, AND WEST BY RUTHERFORD COUNTY BUCHANAN MIDDLE SCHOOL; SAID STRIP BEING DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN FOUND IN THE NORTHEAST CORNER OF RUTHERFORD COUNTY BUCHANAN MIDDLE SCHOOL; THEN, WITH THE SOUTHERN LINE OF MAPLES FAMILY, LLC N05°45'16"E, 408.56' TO AN IRON PIN FOUND; THEN, N05°09'53"E, 304.78' TO THE POINT OF BEGINNING; THEN

SEVERING THE LANDS OF BUCHANAN MIDDLE SCHOOL THE FOLLOWING:

1. N85°14'35"W, A DISTANCE OF 668.92'; THEN,
2. S49°45'23"W, A DISTANCE OF 42.94'; THEN,
3. N04°53'23"E, A DISTANCE OF 20.05'; THEN,
4. N83°25'33"W, A DISTANCE OF 21.74'; THEN,
5. N49°45'23"E, A DISTANCE OF 56.04'; THEN,
6. S85°14'35"E, A DISTANCE OF 681.56' TO THE SOUTHERN LINE OF MAPLES FAMILY, LLC; THEN,
7. WITH THE SOUTHERN LINE OF MAPLES FAMILY, LLC S05°09'53"W, A DISTANCE OF 30.00' TO THE POINT OF

BEGINNING, HAVING AN AREA OF 21,524 SQUARE FEET OR 0.494 ACRES.

TEMPORARY CONSTRUCTION EASEMENT NO. 2:

THIS PARCEL SHALL HAVE A 10' TEMPORARY CONSTRUCTION EASEMENT RUNNING PARALLEL TO AND CONTIGUOUS WITH EACH SIDE OF THE ABOVE MENTIONED EASEMENT DESCRIPTION. THIS TEMPORARY CONSTRUCTION EASEMENT SHALL BE VACATED AT THE COMPLETION OF CONSTRUCTION.

Grantor's source of title being instrument of record in Record Book 854, Page 3791 of the Register's Office of Rutherford County, Tennessee.

TO HAVE AND TO HOLD said easements unto said **CITY OF MURFREESBORO**, its successors and assigns.

Grantor covenants that it is lawfully seized and possessed of said parcels of land; that it has a good and lawful right to transfer and convey said easements; and that said parcels of land are unencumbered, except for applicable zoning regulations and as otherwise set forth herein.

Grantor further covenants and binds itself, its heirs, successors and assigns forever to warrant and defend the title to said easements unto said **CITY OF MURFREESBORO,** its successors and assigns, against the lawful claims of all persons.

Grantor further covenants and binds itself, its heirs, successors and assigns in title or interest in and to said parcels of land or any part or portion thereof, not to construct or maintain any building or other structure of any kind upon said parcels of land, and not to do or cause or permit to be done upon said parcels of land any other thing or act of any kind whatsoever that will cause or be likely to cause damage or injury to the above referred to sanitary sewer or sewer lines including its fittings, appliances and appurtenances.

By its acceptance of delivery of this instrument **CITY OF MURFREESBORO** covenants and binds itself, its successors and assigns to repair and restore all fences, if any, that may be required to be cut or to be temporarily removed in, and to clean and remove all surplus dirt, rock and other debris, caused by or resulting from the locating, laying, constructing, installing, servicing, repairing, and maintaining of the said sanitary sewer or sewer lines, including its fittings, appliances and appurtenances thereto, and also insofar as reasonably practicable, to fill, grade and restore the surface of the land, as related to the construction of the sanitary sewer.

WITNESS OUR HANDS, this _____ day of _____, 2014.

RUTHERFORD COUNTY, a political subdivision of the State of Tennessee

BY:_____
Ernest Burgess, County Mayor

Attest:

_____
Lisa Duke Crowell, County Clerk

STATE OF TENNESSEE)
: ss
COUNTY OF RUTHERFORD)

Before me, the undersigned notary public, personally appeared **Ernest Burgess**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the County Mayor of Rutherford County, a political subdivision of the State of Tennessee, the within named bargainor, and that he as such County Mayor executed the foregoing instrument for the purposes therein contained by personally signing the name of the County in his capacity as such officer.

Witness my hand and seal this ____ day of _____ , 2014.

_____
Notary Public

My Commission Expires:_____ (seal)

STATE OF TENNESSEE)
: ss
COUNTY OF RUTHERFORD)

Before me, the undersigned notary public, personally appeared **Lisa Duke Crowell**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself to be the County Clerk of Rutherford County, a political subdivision of the State of Tennessee, the within named bargainor, and that she as such County Clerk executed the foregoing instrument for the purposes therein contained by personally signing the name of the County in her capacity as such officer.

Witness my hand and seal this ____ day of _____ , 2014.

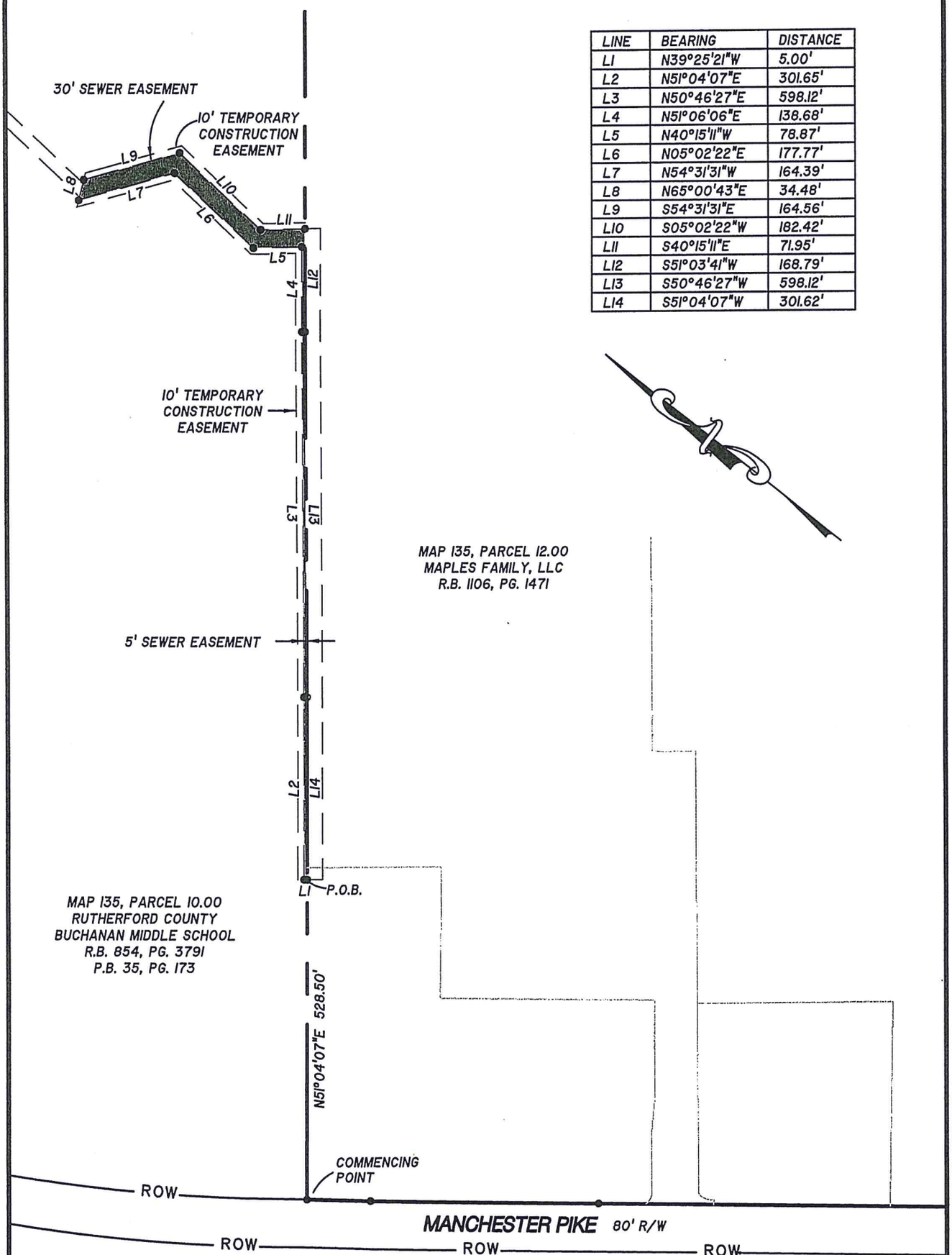
_____
Notary Public

My Commission Expires:_____ (seal)

SEC, Inc. SITE ENGINEERING CONSULTANTS
ENGINEERING SURVEYING LAND PLANNING

850 MIDDLE TENNESSEE BLVD · MURFREESBORO, TENNESSEE 37129
PHONE: (615) 890-7901 · E-MAIL: DPARKER@SEC-CIVIL.COM · FAX: (615) 895-2567

LINE	BEARING	DISTANCE
L1	N39°25'21"W	5.00'
L2	N51°04'07"E	301.65'
L3	N50°46'27"E	598.12'
L4	N51°06'06"E	138.68'
L5	N40°15'11"W	78.87'
L6	N05°02'22"E	177.77'
L7	N54°31'31"W	164.39'
L8	N65°00'43"E	34.48'
L9	S54°31'31"E	164.56'
L10	S05°02'22"W	182.42'
L11	S40°15'11"E	71.95'
L12	S51°03'41"W	168.79'
L13	S50°46'27"W	598.12'
L14	S51°04'07"W	301.62'



SEWER EASEMENT #1 EXHIBIT
RUTHERFORD COUNTY BUCHANAN MIDDLE SCHOOL
MAP 135, PARCEL 10.00: P.B. 35, PG. 173

DATE 08-25-14 SCALE 1"=200'

13212

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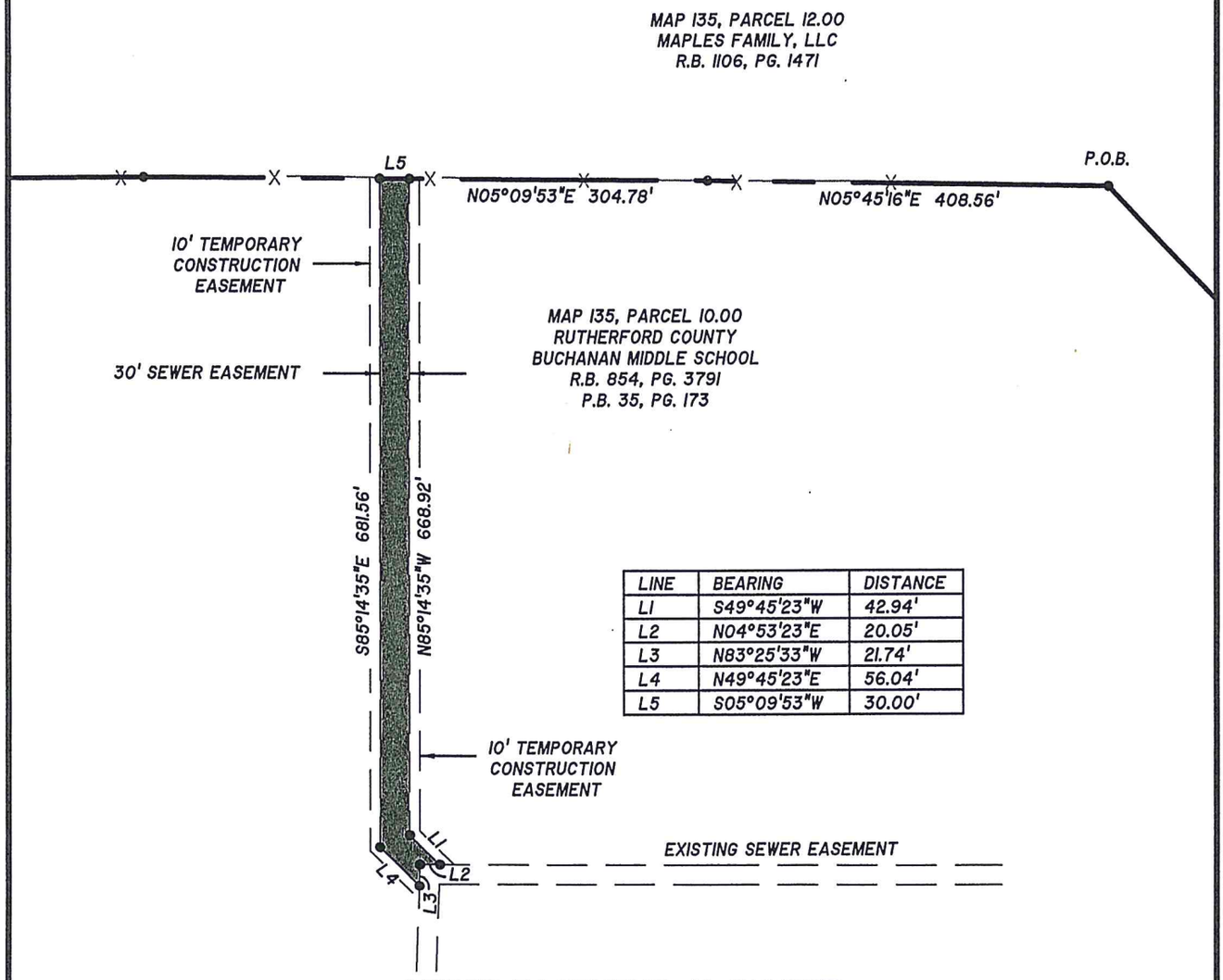

LINE	BEARING	DISTANCE
L1	S49°45'23"W	42.94'
L2	N04°53'23"E	20.05'
L3	N83°25'33"W	21.74'
L4	N49°45'23"E	56.04'
L5	S05°09'53"W	30.00'

SEWER EASEMENT #2 EXHIBIT

RUTHERFORD COUNTY BUCHANAN MIDDLE SCHOOL

MAP 135, PARCEL 10.00: P.B. 35, PG. 173

DATE 08-25-14 SCALE 1"=160'

13212