

Line to Fisk Heights EASEMENT
#348

1963

This instrument made and entered into by and between William Daniels and wife, Mable Daniels, and James E. Smith and wife, Sarah Jane Smith, all of Roane County, Tennessee, parties of the first part, and The City of Harriman, Tennessee, a municipal corporation, of Roane County, Tennessee, party of the second part,

WITNESSETH:

That for and in consideration of the sum of Two Hundred and 00/100 (\$200.00) Dollars, to them cash in hand paid, by the party of the second part, the receipt of which is hereby acknowledged, the parties of the first part do hereby give, grant and convey unto the said party of the second part the perpetual right and easement to construct, maintain and operate a sewer line under, across and upon the following described property, and do hereby release said party of the second part, its agents, employees, successors and assigns, from any and all liability for damages, or claims for damages resulting or which may result from the construction, maintenance and operation of said line, and for any and all incidental damages resulting or which may result to the remainder of the property of the parties of the first part due to or as result of the construction, maintenance and/or operation of said line, and said party of the second part is specifically granted the right to go upon said property from time to time for the purpose of checking, maintaining and repairing said line to be constructed thereon. The property on which said easement is granted is described as follows:

Situated in the First Civil District of Roane County, Tennessee, and in what is known as Fisk Addition (now Lakeview Heights Addition) and more particularly described as follows:

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Being 40 feet in width, lying 20 feet on each side of the center line as shown by map or plat entitled Lakeview Heights Sewer Line Easement, filed of record in the Office of the Register for Roane County, Tennessee, in Plat Book 4, page 78, said center line being more particularly described as follows:

Beginning at Station 42 + 82 as shown on said map, same being in the property line of the J. D. Lyles (now Jones) property; thence North 45 deg. 43 min. East 60 feet to Station 43 + 42; thence North 7 deg. 39 min. East 311 feet to Station 46 + 53; thence North 0 deg. 52 min. West 200 feet to Station 48 + 53, same being at a fence at the property line of Ralph T. Coley et ux, and being a part of the same property conveyed to William Daniels et al by deed dated August 7, 1916, executed by Marcus L. Daniels and recorded on August 8, 1916, in Deed Book G-4, page 22, wherein was reserved a life estate to Marcus L. Daniels and wife. See also deed of record in Deed Book N-5, page 357, said Register's Office.

William Daniels, grantor herein, certifies that Marcus L. Daniels and wife, in whom life estates were reserved by deed as aforesaid, are now both deceased, and he further certifies that he is the same person as Wm. Daniels, grantee in deed of record in Deed Book G-4, page 22, aforementioned, and as Bill Daniels, grantee in deed of record in Deed Book N-5, page 357, aforementioned.

The abovedescribed easement also crosses a portion of a 4/10 acre tract, being a part of the abovementioned original Daniels tract, which 4/10 acre tract was heretofore conveyed on November 11, 1961, by William Daniels and wife, Mable Daniels, to Sarah Jane Smith, by warranty deed which is not yet of record and all of said grantors join herein for the purpose of conveying to said party of the second part the aforementioned easement.

To Have and To Hold said right and easement to it, the said party of the second part, its successors in title and assigns, together with the hereditaments and appurtenances thereunto appertaining, it being understood and agreed that the right and easement hereby granted is appurtenant to and runs

with the land aforescribed and shall be binding on said parties of the first part, their heirs and assigns, forever.

In Witness Whereof, said parties of the first part have hereunto set their signatures on this the 19 day of January, 1963.

William ^{his} Daniels
William Daniels

Mable Daniels
Mable Daniels

James E. Smith
James E. Smith

Sarah Jane Smith
Sarah Jane Smith

Witnesses to Mark:

George H. Lockett
W. F. M. David

STATE OF TENNESSEE

COUNTY OF ROANE

Personally appeared before me, George H. Lockett a Notary Public of said County and State, the within named bargainors, William Daniels and wife, Mable Daniels, and James E. Smith and wife, Sarah Jane Smith, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office this 19 day of January, 1963.

George H. Lockett
Notary Public

My Commission Expires:

August 16, 1966.

STATE OF TENNESSEE, ROANE COUNTY. REGISTER'S OFFICE

The foregoing instrument and certificate were noted in Note Book 9, Page 4 at 1:30 O'clock P. M. Jan 21, 1963 and recorded in Deed Book A, Series 9, Page 465

Witness my hand.

Marilyn Block
Register