

EASEMENT - DISTRIBUTION FACILITIES

TO BE RECORDED

YES NO

This Instrument prepared by:

DON D. BAILEY

STATE OF ALABAMA

County of SHELBY

TAX ID # \_\_\_\_\_

W.E. 61730-06-0011-1-00

Parcel # 70094928

Transformer # S-8439

Alabama Power Company  
Post Office Box 2641  
Birmingham, Alabama 35291-1980

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That VINCENT CONSTRUCTION, INC.

as grantor(s), (the "Grantor", whether one or more) for and in consideration of the sum of One and No/100 (\$1.00), and other good and valuable considerations, to Grantor in hand paid by Alabama Power Company (the Company), a corporation, the receipt and sufficiency of which is hereby acknowledged, does hereby grant to Alabama Power Company, (the Company) its successors and assigns, the easements, rights and privileges described and designated in Section B below.

B. RIGHTS The easements, rights and privileges granted hereby are as follows:

1. **Overhead and/or Underground.** The right from time to time to construct, install, operate and maintain, upon, over, under and across the Property described in Section C below, along a route to be selected by the Company which is generally shown on the Company's final location drawing (which shows the general location of underground Facilities, if any, by cross-hatching indicating an area not greater than ten feet (10') in width), all poles, towers, wires, conduits, fiber optics, cables, translosures, transformers, anchors, guy wires and other Facilities useful or necessary in connection therewith (collectively, "Facilities"), for the overhead and/or underground transmission and distribution of electric power, and also the right to clear and keep clear a strip of land extending five feet (5') to either side of the center line of underground Facilities and fifteen feet (15') to either side of the center line of overhead Facilities; further, the right in the future to install and utilize intermediate poles in line for overhead Facilities and the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the thirty foot (30') strip for overhead Facilities that, in the sole opinion of the Company, might now or may hereafter endanger, interfere with or fall upon any of the overhead Facilities.

2. **Line Clearing.** The right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs that, in the sole opinion of the Company, might now or may hereafter endanger, interfere with or fall upon the electric transmission or distribution lines, poles, towers or other Facilities now or hereafter located adjacent to the Property described in Section C below along a route to be selected by the Company generally shown on the Company's final location drawing, and also the right to clear and keep clear all trees, undergrowth, and other obstructions on property in which Grantor has an interest within fifteen feet (15') of the center line of the lines of such poles, towers or other Facilities.

3. **Guy Wires and Anchors.** The right to implant, install and maintain anchor(s) of concrete, metal or other material on and under the Property described in Section C below, and to construct, extend and maintain guy wires from such anchor(s) to structures now or hereafter erected adjacent to such Property or property adjacent thereto (collectively, "Guy Wire Facilities") along a route to be selected by the Company generally shown on the Company's final location drawing; and also the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs that, in the sole opinion of the Company, might now or may hereafter endanger, interfere with or fall upon any of the Guy Wire Facilities.

Grantor hereby grants to the Company all easements, right and privileges necessary or convenient for the full enjoyment and use thereof, including without limitations the right of ingress and egress to and from the Company's Facilities and Guy Wire Facilities, as applicable, and the right to excavate for installation, replacement, repair and removal thereof; and also the right to cut, remove and otherwise keep clear any and all structures, obstructions or obstacles of whatever character, on under and above said Facilities and Guy Wire Facilities, as applicable.

C. **PROPERTY DESCRIPTION.** The easement, rights and privileges granted hereby shall apply to, and the word "Property" as used in the instrument shall mean, the following described real property situated in SHELBY County, Alabama (the "Property"):

Lot 2A of Block RESURVEY NO. 1 HUNTER & ASSOCIATES ADDITION TO RIVERCHASE Subdivision  
as recorded in Map Book 27, page 141 and being located in the NE 1/4 of the SE 1/4 of  
Section 30, Township 19S, Range 2W and recorded in Deed Book 141, page 86  
all being recorded in the Office of the Judge of Probate in said County.

D. **ADDITIONAL PROVISIONS.** In the event it becomes necessary or desirable for the Company to move any of its Facilities in connection with the construction or improvement of any public road or highway in proximity to its Facilities, Grantor hereby grants to the Company the right to relocate its Facilities and, as to such relocated Facilities, to exercise the rights granted above; provided, however, the Company shall relocate its Facilities at a distance no greater than ten (10) feet outside the boundary of the right of way of any public road or highway as established or re-established from time to time. This grant and agreement shall be binding upon and inure to the benefit of Grantor, the Company and each or their respective heirs, personal representatives, successors and assigns and the words "Company" and "Grantor" as used in this instrument shall be deemed to include the heirs, personal representatives, successors and assigns of such parties.

TO HAVE AND TO HOLD the foregoing easements, rights and privileges to the Company, its successors and assigns, forever.

IN WITNESS WHEREOF, the undersigned Grantor(s) has/have set his/her/their hand(s) and seal(s) this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

WITNESSES:

GRANTOR(S)

(Husband)

(Wife)

Inst # 2002-18720

04/23/2002-18720

08:57 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

003 HSB

18.00

(Seal)

(Seal)

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed GARY G. VINCENT, its authorized representative, as of 24<sup>TH</sup> day of APRIL, 2001.

GRANTOR

ATTEST:

Hopie D. Brown  
(Witness/Secretary)

VINCENT CONSTRUCTION INC.  
(Name of Corporation/Partnership)

Garry G. Vincent  
(Signature of Officer/Partner)

PRESIDENT  
(Indicate title of Officer or Partner)

INDIVIDUALS NOTARY

STATE OF ALABAMA }

County of \_\_\_\_\_ }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that \_\_\_\_\_ whose names is/are signed to the foregoing instrument and is/are known to me, acknowledged before me on this day that being informed of the contents of the instrument, he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

CORPORATION/PARTNERSHIP/LLC'S NOTARY

STATE OF ALABAMA }

County of SHELBY }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that GARRY G VINCENT whose name as PRESIDENT of VINCENT CONSTRUCTION INC., 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 the instrument, he/she, as such officer/partner and with full authority, executed the same voluntarily for and as the act of said Corporation/Partnership.

Given under my hand and official seal, this the 24TH day of APRIL, 2001.

Notary Public, Alabama State at Large  
My Commission Expires August 19, 2003

Dana A. Allen  
Notary Public

My commission expires \_\_\_\_\_

Notary Public, Alabama State at Large  
My Commission Expires August 19, 2003

For Alabama Power Company Corporate Real Estate Department use only.

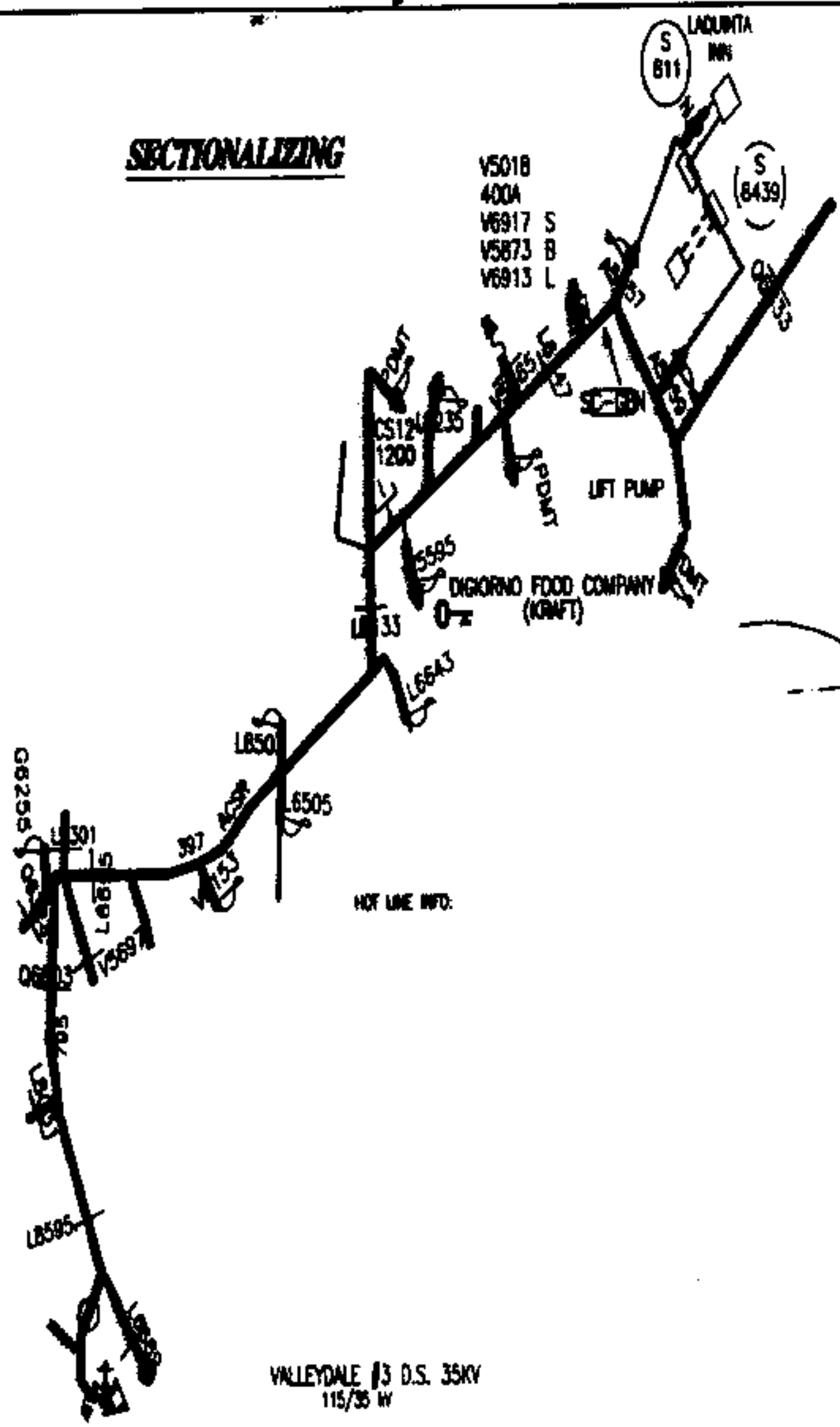
All facilities on Grantor: X

Station to Station:

STA 1+00 TO STA 2+00

7099928

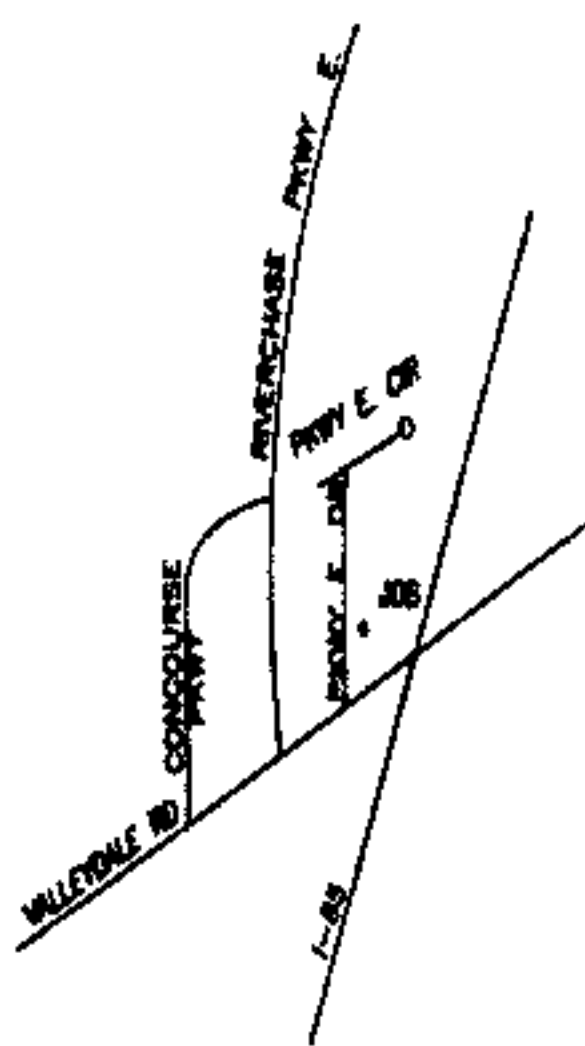
### SECTIONALIZING



NOT LINE INFO:

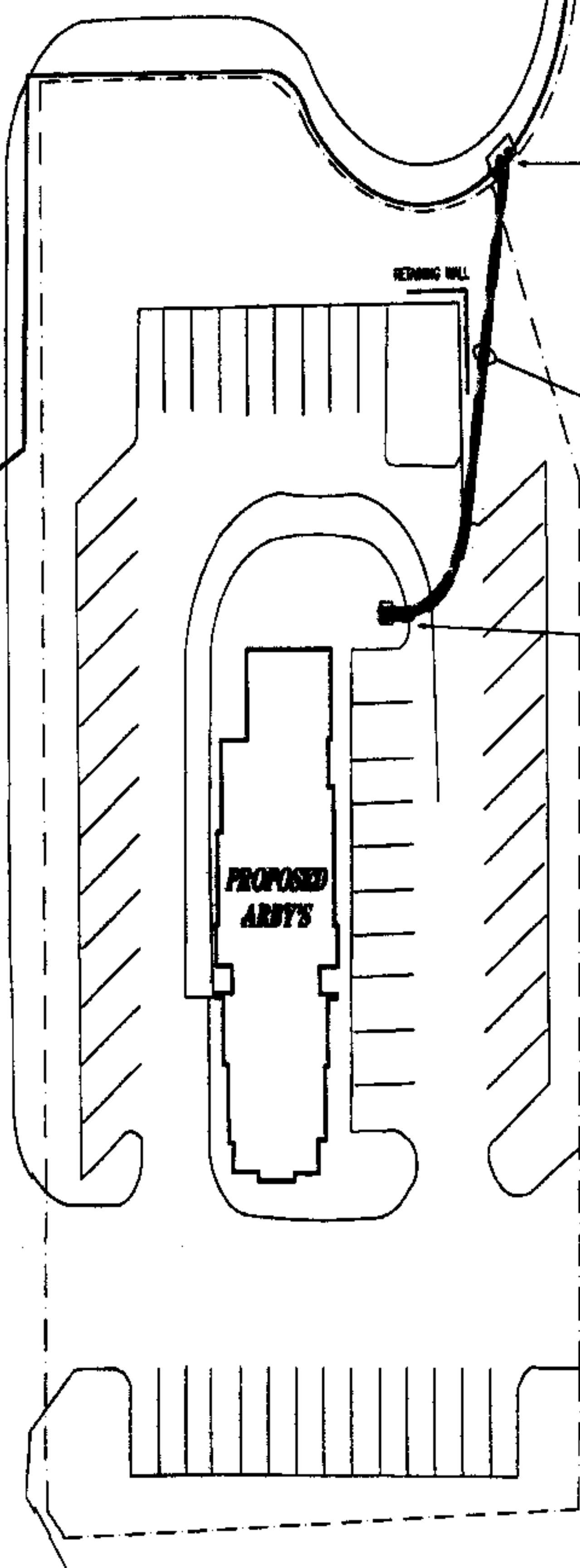
VALLEYDALE #3 D.S. 35KV  
115/35 W

### LOCATION



### PARKWAY EAST CIR

### PARKWAY EAST DR



- 1. (2) BINS OF 3 #1/2 AMU 35KV  
UG CABLE (150')
- CUSTOMER TO INSTALL (2) 5" DB CONDUITS  
IN CUSTOMER DUG TRENCH.  
TRENCH TO PROVIDE 42" OF COVER.
- 2. 150MM 35KV 120/200V  
LOOP FEED TAP  
PROP LD-123MM  
1 (3) 400-5 CTs

Inst # 2002-18720

04/23/2002-18720  
08:57 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 NSB 18.00

PLAN SCALE  
1" = 20'

TOWN: RIVERCHASE COUNTY: JEFFERSON	
MAP REF: 2W-19S-30-4	SEC: 30.7P-19S.R-2W
DRAWN: GM ENGR: D.HOWARD DATE: 03/23/01	SCALE: 1" = 20' PLOTTED:
APPROVED: DATE:	SHEET 1 OF 1 SHEETS
APPROVED: DATE:	SUPERSEDES:

ALABAMA POWER COM	
JOB: SOUTH REGION DISTRIBUTION	
DETAIL: NEW ARBY'S 110 PARKWAY	
PROVIDE 120/200 UG SERV	
C-01730-01	