

RESTRICTIVE COVENANTS and  
GRANT OF LAND EASEMENT for  
Underground Facilities in Subdivision

DOCUMENT TO BE RECORDED

(NOTE: DO NOT RECORD WITHOUT  
ATTACHED PLAT OR DRAWING!)



20031001000661160 Pg 1/5 23.50  
Shelby Cnty Judge of Probate, AL  
10/01/2003 11:30:00 FILED/CERTIFIED

STATE OF ALABAMA }

W.E. No. 61700-08-0039-300

COUNTY OF Shelby }

Parcel No. 70121768

Alabama Power Company  
Corporate Real Estate  
P. O. Box 2641  
Birmingham, Alabama 35291

KNOW ALL MEN BY THESE PRESENTS, THAT: WHEREAS, the "Grantor", (whether one or more) are owners of record of the following described real estate in Shelby County, Alabama, to wit: Highland Lakes-Sector 27 (the "Subdivision") as shown on the plat or drawing attached and incorporated herein by reference, which Grantor plans to record in the Office of the Judge of Probate, Shelby County, Alabama (the "Property") ( NW <sup>NE</sup> SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 9, Township 19S, Range 1W ) and,

WHEREAS, the said Grantor desires to grant to Alabama Power Company, (the "Company") an easement for underground electrical facilities and to establish and place the Subdivision under certain restrictive covenants to insure the use of the property for attractive residential purposes and thereby to secure to each lot owner the same advantages insured to other lot owners.

NOW, THEREFORE, The Grantor, for and in consideration of *One and No/100 Dollars (\$1.00)*, and other good and valuable consideration, to Grantor in hand paid by the Company, the receipt of which is hereby acknowledged, does hereby grant to Company, its successors and assigns, the right to construct, install, operate, maintain and replace, along a route to be selected by the Company (generally shown on the attached drawing), its successors or assigns, all conduits, cables, translosures and other appliances and facilities (above ground and below ground) useful or necessary in connection therewith, for the underground transmission and distribution of electric power and for underground communication service upon, under and across the Property.

Together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from said facilities and the right to excavate for installation, replacement, repair and removal thereof; and also the right to cut and keep clear any and all obstructions or obstacles of whatever character on, under and above said facilities.

TO HAVE AND TO HOLD such easement to the Company, its successors and assigns, forever.

And, the undersigned Grantors further does hereby adopt the following conditions, restrictions, covenants and limitations which shall apply in their entirety to all lots in the said Subdivision and shall run with the title to said property, and which shall be included in any conveyance of title to any or all of said lots in said subdivision:

1. The owners of lots within the Subdivision will not erect or grant to any person, firm or corporation the right, license or privilege to erect or use or permit the use of overhead wires, poles or overhead facilities of any kind for electrical, telephone, or cable television service on said real estate (except such poles and overhead facilities as may be required at those places where distribution facilities enter and leave said subdivision, or existing and/or future overhead transmission or communication facilities on existing Alabama Power Company rights of way). Nothing herein shall be construed to prohibit overhead street lighting, or ornamental yard lighting, where serviced by underground wires or cables.

2. In order to beautify said Subdivision for the benefit of all lot owners and permit Alabama Power Company to install underground electric service to each house in said Subdivision for the mutual benefit of all lot owners therein, no owner of any lot within said Subdivision will commence construction of any house on any lot until such owner (1) notifies Alabama Power Company that such construction is proposed, (2) grants in writing to Alabama Power Company such rights and easements as Alabama Power Company deems necessary in connection with its construction, operation, maintenance, replacement and removal of underground service laterals of each lot, and (3) otherwise complies with the Rules and Regulations for Underground Residential Distribution on file with and approved by the Alabama Public Service Commission. Further, no plants, shrubs, fences, walls or other obstructions shall be placed in front of or within three (3) feet of any side of any pad-mounted equipment and Alabama Power Company shall not be liable for any damages to or destruction of any shrubs, trees, flowers, grass or other plants caused by the equipment or employees of the Company or its contractors engaged in the construction, operation, maintenance, replacement or removal of the Company's facilities. Appropriate meter locations must be obtained from Alabama Power Company prior to installing or relocating service entrance facilities and associated internal wiring. Owners must install meter sockets provided by Alabama Power Company to the Company's specifications, and shall provide and install conduit from the meter socket as specified by the Company.

3. Alabama Power Company, its successors and assigns, will retain title to all underground facilities installed by the Company or its contractors, including but not limited to the service lateral and outdoor metering socket serving each said house, and said service entrance facilities provided by Alabama Power Company will not in any way be considered a fixture or fixtures and thereby a part of said real estate, but will remain personal property belonging to Alabama Power Company, its successors and assigns, and will be subject to removal by Alabama Power Company, its successors and assigns, in accordance with applicable Rules and Regulations filed with and approved by the Alabama Public Service Commission.

4. These covenants and restrictions touch and concern and benefit the land and shall run with the land and shall be binding on Alabama Power Company, the undersigned, their respective heirs, successors and assigns. Invalidity of any one of the foregoing covenants and restrictions shall in no way affect any other provision contained herein.

IN WITNESS WHEREOF, this instrument has been executed this the 22nd day of August, 2003.

WITNESS/ATTEST

[Signature]

GRANTOR:

Highland Lakes Development LTD

Name of Individual/Company/Partnership/LLC

[Signature]  
Signature of Individual/Officer/Partner

President Eddleman Properties, Inc.  
Manager of Highland Lakes Development

CORPORATE/PARTNERSHIP ACKNOWLEDGMENT

STATE OF ALABAMA }  
County of Jefferson }

I, Brandy M. Kimbrell, a Notary Public, in and for said County in said State, hereby certify that, Douglas D. Eddleman whose name as President, Eddleman Properties, Inc., Manager of Highland Lakes Development, Ltd, a corporation/partnership, 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 22nd day of August, 2003.

Brandy M Kimbrell  
Notary Public

MY COMMISSION EXPIRES APRIL 4, 2006

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

INDIVIDUAL ACKNOWLEDGMENT

STATE OF ALABAMA }  
County of \_\_\_\_\_ }

I, \_\_\_\_\_, a Notary Public in and for said County, in said State, hereby certify that \_\_\_\_\_, whose name(s) (is/are) signed to the foregoing instrument, and who (is/are) known to me, acknowledged before me on this date that, being informed of the contents of the agreement, (has/have) executed the same voluntarily on the day the same bears date.

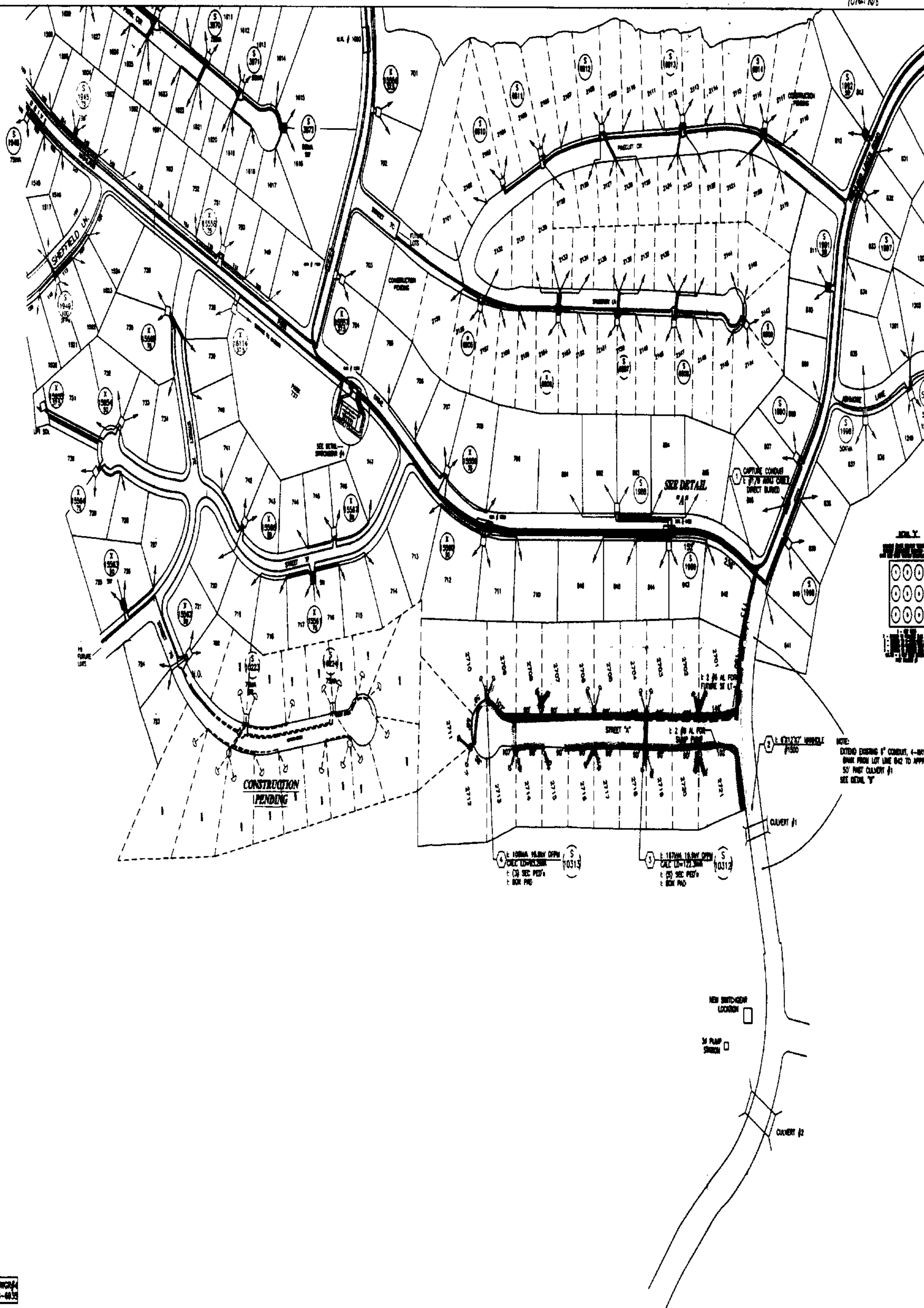
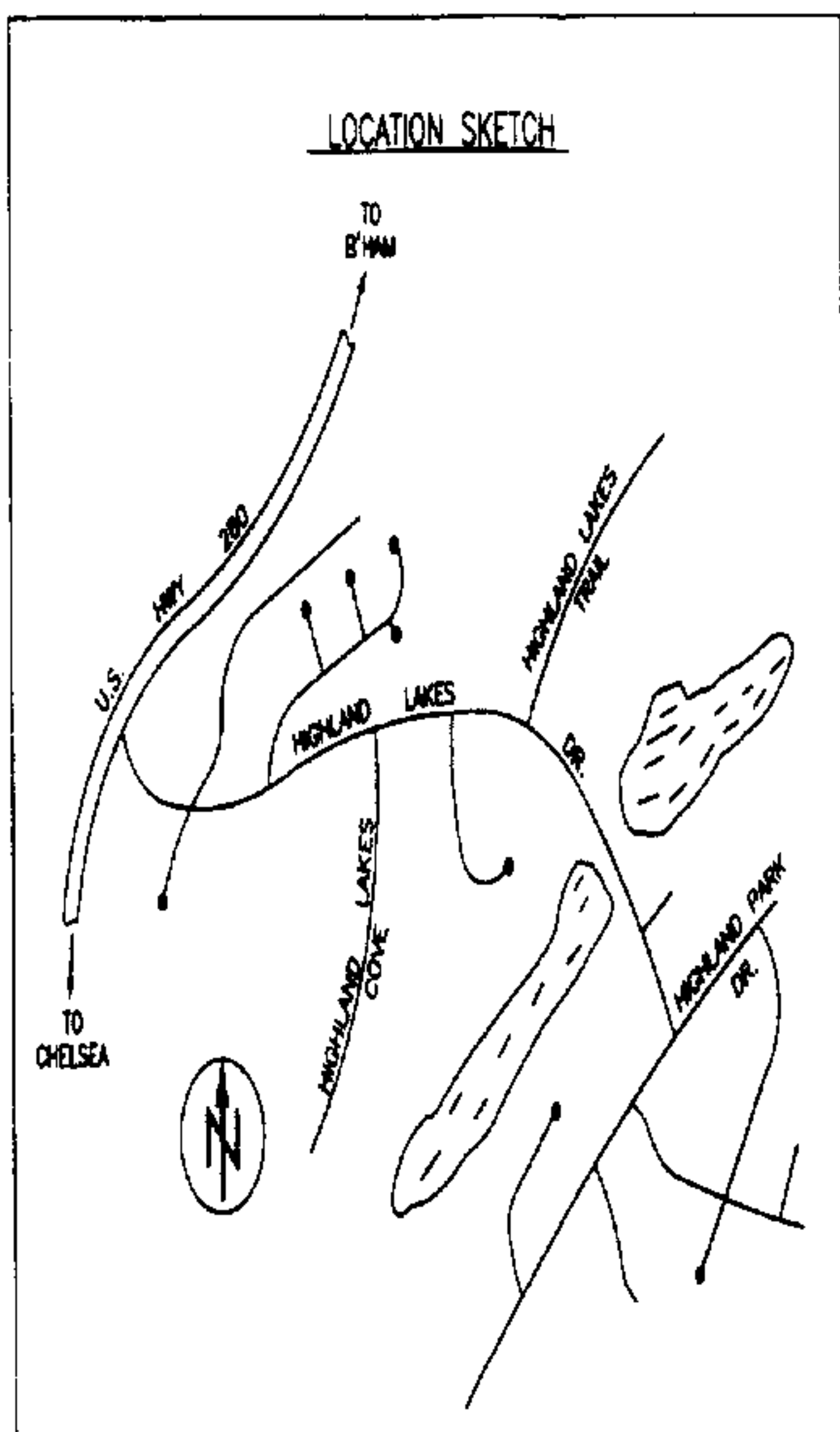
Given under my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public

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



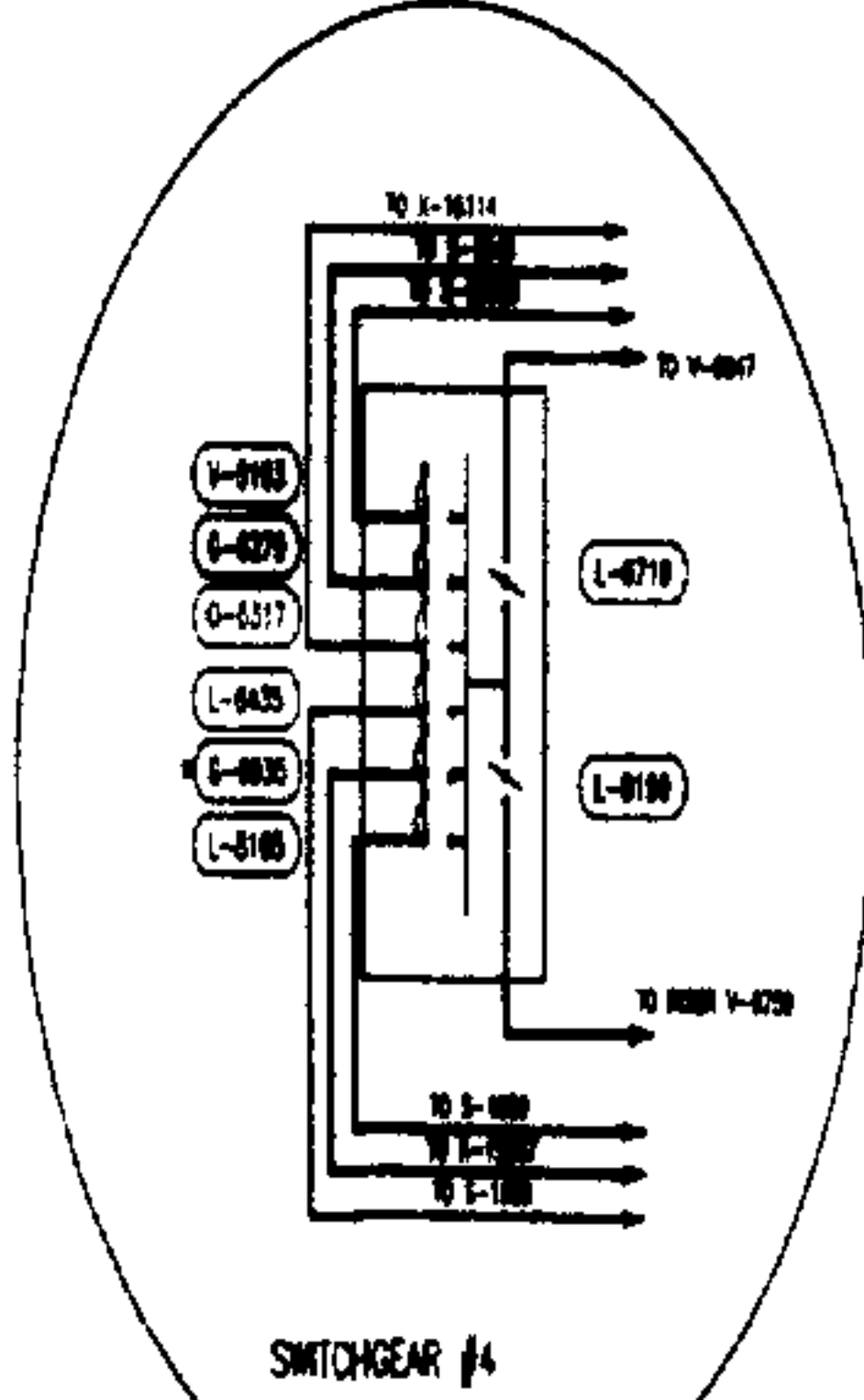
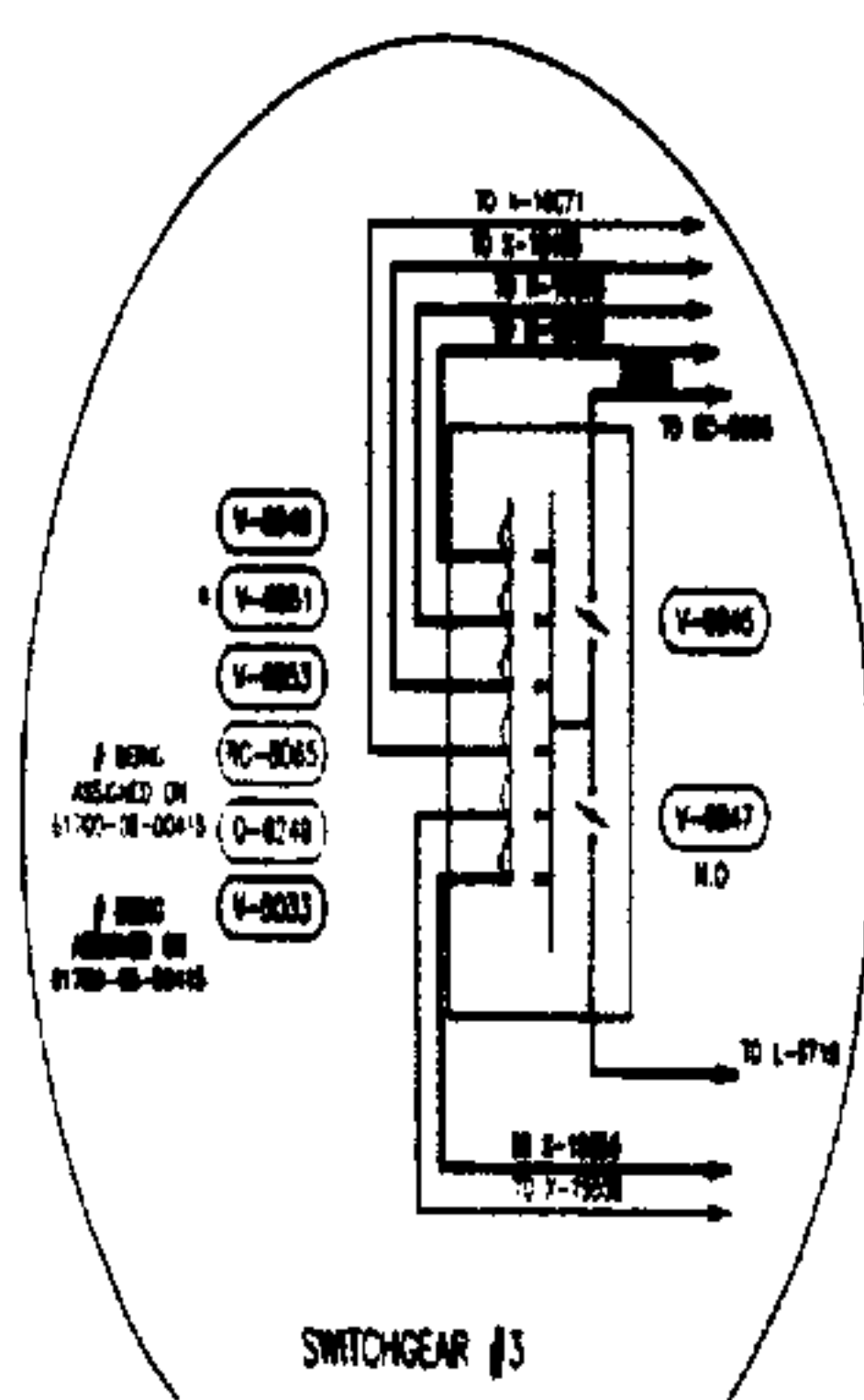
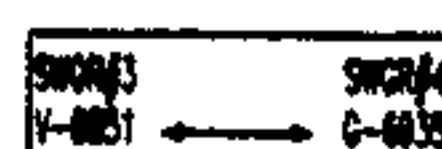
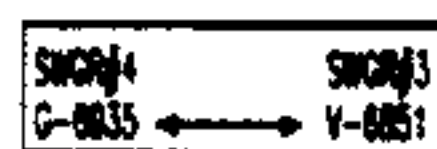
LOCATION SKETCH



**2008**

1. MINIMUM LEADERSHIP BASED ON 100% FULL TIME.
2. TRANSFERRED LEADERSHIP BASED ON 10% LEADERSHIP AC.
3. RECENT CALCULATED BASED AT 17 AC.
4. RECENT CALC TO BE 40-45% BUT CAN BE DIRECT NAMED  
40-45% RECENT.
5. ALL NEW CONTRACT WILL ONLY BE NEW EMPLOY CONTRACTS AND CONTRACTS.
6. ALL RECENT TRANSFERRED LEADERSHIP TRANSFERRED PRINCIPALS TO BE  
SCHOOL RECENT ONLY CAN BE.
7. ALL NEW CONTRACT TO BE 100% NEW LEADERSHIP CAN BE.
8. ALL RECENT CALC TO BE 100% RECENT ONLY.
9. TRANSFERRED LEADERSHIP CALCULATED AT 17% IS 10% A.
10. TRANSFERRED LEADERSHIP CALCULATED AT 17% IS 10% A.
11. APPOINTMENT TO BE 100% NEW LEADERSHIP, RECALL ALL  
CAN BE CONTRACT, TRANSFERRED LEADERSHIP AND RECENT ONLY.

## STUDYING FOR LEARNING

[illegible]

**AUTOMATED DRAWING - MAKE NO MANUAL RE**

ALABAMA POWER COMPANY

**JOB POWER DELIVERY BIRMINGHAM SO**

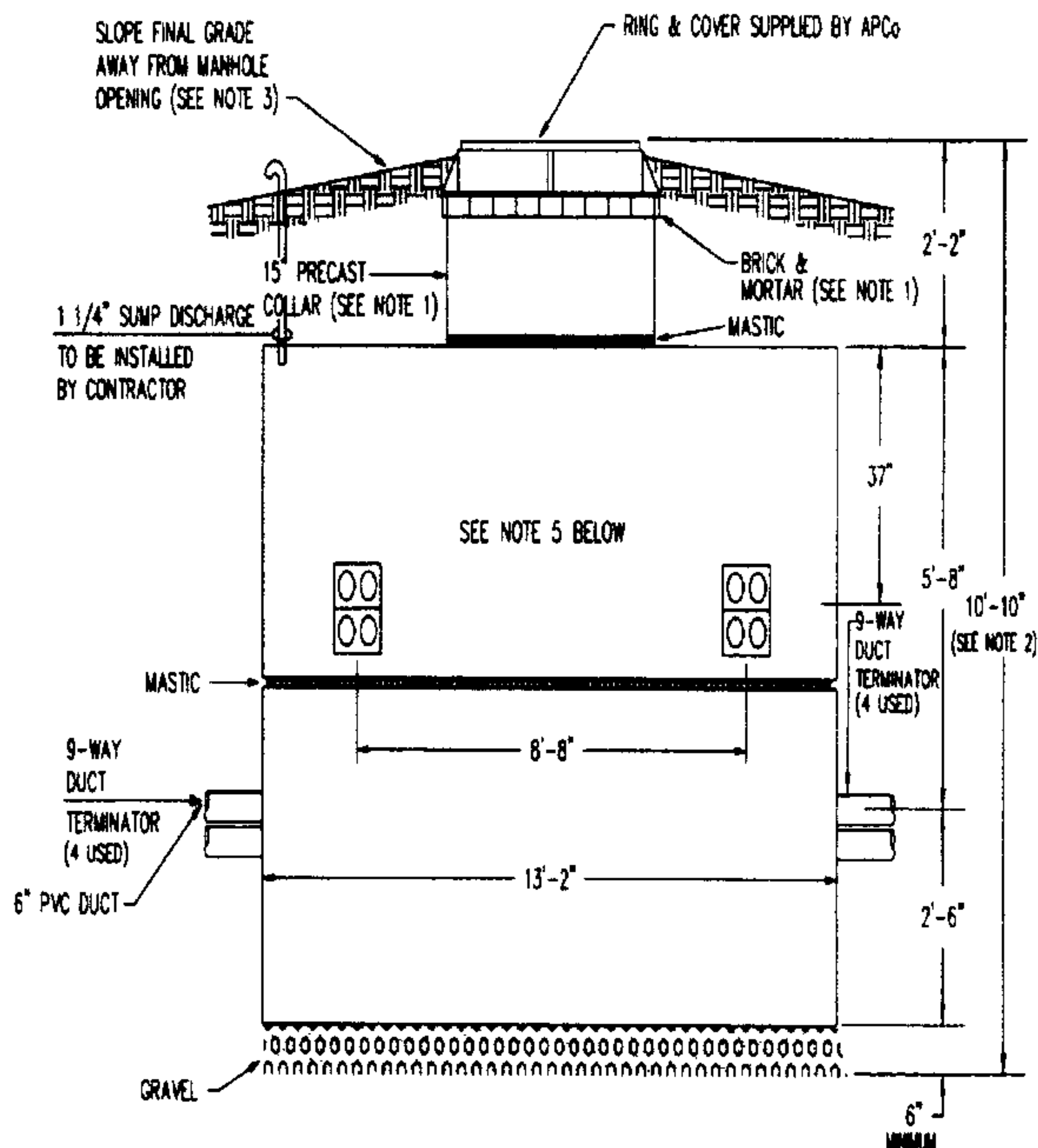
DETAIL HIGHLAND LAKES 27TH SECTOR

PLAN SCALE  
CITY: BIRMINGHAM COUNTY: JEFFERSON  
MAP REF: 1W-18-4-1,3,4 SEC- 04, TP-19S, R-1W

5. WORKING DRAWING: BIRMINGHAM DIVISION: MAP REF: 1W-19-4-1,3,4 SEC-4, TP-19S, R-1W. JOB: POWER DELIVERY - BIRMINGHAM S. DETAIL: HIGHLAND LAKES 27th SECTOR. SCALE: NTS. PLOTTED: 03-28-00. SHEET 3 OF 3 SHEETS. C-61700-08-00. SUPERSEDES: 61700-08-00. DATE: 11-14-99. 10. CONTRACTOR TO INSTALL 1 1/4" GALV PIPE AND CATCH BASIN FOR SUMP PUMP. 11. APCO TO FURNISH MANHOLE COVER AND RING. 12. MANHOLE TO HAVE 4 - 4 TERMINATORS IN SIDES (UPPER) AND 2-9 WAY (LOWER) TERMINATORS FOR 6" PVC CC. 13. PRECAST MANHOLES WILL BE FURNISHED WITH PULLING IRONS, CAST IN FLOOR (2/0 COPPER GROUND BUS, TWO 12" DIAMETER SUMP HOLES AND THREADED INSERTS FOR MOUNTING OF CABLE RACKS. 14. MANUFACTURER WILL DELIVER MANHOLE TO INSTALLATION SITE AND CONTRACTOR TO SET MANHOLE IN EXCAVATION. 15. GROUND RODS MUST BE DRIVEN BEFORE TOP SECTION OF MANHOLE IS SET INTO POSITION. TWO GROUND RODS PER MANHOLE TO BE SUPPLIED BY APCO. 16. A LEVEL SIX TO EIGHT INCH LAYER OF GRAVEL OR CRUSHED STONE MUST BE PROVIDED IN THE BOTTOM OF THE EXCAVATION TO SET THE MANHOLE ON. 17. CONDUIT RUNS SHALL BE SLOPED SO AS TO DRAIN INTO MANHOLES. 18. PRECAST MANHOLES ARE AVAILABLE FROM THE MANUFACTURER IN 15" HEIGHTS. COLLAR HEIGHT SHOULD BE SPECIFIED ON REQUISITION WHEN ORDERING MANHOLES. 19. PVC CONDUIT SECTIONS MAY BE JOINED BY USING THE FACTORY INSTALLED COUPLING OR BELL OR A SEPARATE COUPLING. IN EITHER CASE THE FOLLOWING STEPS SHOULD BE FOLLOWED. 20. EXAMINE EACH LENGTH OF CONDUIT AND REMOVE ALL DEBRIS SUCH AS PAPER, DIRT, ROCKS, ETC. FROM THE DUCT BORE. 21. REMOVE ANY BURRS FROM BOTH THE OUTSIDE OF THE CONDUIT END AND THE INSIDE OF THE COUPLING TO BE JOINED. WIPE CLEAN AND DRY. 22. APPLY A FULL EVEN COAT OF APPROVED CEMENT TO THE OUTSIDE OF THE CONDUIT END. THE CEMENT SHOULD COVER AN AREA EQUAL TO THAT INSERTED IN THE COUPLING (ABOUT 1/2 TURN) TO DISTRIBUTE THE CEMENT EVENLY. THE CEMENTING AND JOINING OPERATION SHOULD NOT EXCEED 20 SECONDS. IF THE CEMENT SEIZES BEFORE THE CONDUIT END IS FULLY SEATED, REMOVE THE DEFECTIVE JOINT. 23. ALLOW 10 MINUTES FOR THE CEMENT TO DRY BEFORE MOVING THE JOINT. 24. BELL ENDS SHOULD BE INSTALLED USING THE SAME METHODS DESCRIBED FOR COUPLINGS. 25. PLASTIC SPACERS SHOULD BE USED TO PROVIDE PROPER CLEARANCE (2") BETWEEN CONDUITS AND BETWEEN CONDUITS AND TRENCH FLOOR. SPACER SETS SHOULD BE INSTALLED NOT MORE THAN 8' APART FOR DIRECT BURIED INSTALLATIONS. SPACERS NEED NOT BE USED ABOVE THE TOP TIER OF CONDUITS. FOR CONCRETE ENCASED INSTALLATIONS, THE SPACERS SHOULD BE TIED DOWN USING #4 REINFORCING RODS OR EQUIVALENT. 26. FOR CONCRETE ENCASED INSTALLATIONS: A. THE CONCRETE USED SHOULD BE 1-3.5 MIX WITH 1/2 INCH OR SMALLER GRAVEL CRUSHED STONE AGGREGATE. THIS MIX SHOULD HAVE A NOMINAL COMPRESSIVE STRENGTH OF 2500 PSI. THE SUMP SHOULD BE IN THE RANGE OF 7 INCHES TO 10 INCHES. ALL CONCRETE SHOULD BE POURED WITHIN 1-1/2 HOURS OF MIXING. B. WHEN PLACING CONCRETE AROUND THE CONDUIT ADJUST THE DELIVERY CHUTE SO THAT THE FALL OF THE CONCRETE INTO THE TRENCH IS AS SHORT AS POSSIBLE. USE A SPLASH BOARD TO DIVERT THE FLOW OF THE CONCRETE AWAY FROM THE TRENCH SIDES TO AVOID DISLODGING SOIL AND ROCKS. C. DURING ENCASEMENT THE CONCRETE SHOULD BE POURED FROM ONE END OF THE SECTION TOWARD THE OTHER END OF THE SECTION. DO NOT ENCASE FROM EACH END OF THE SECTION TOWARD THE CENTER. D. USE A VIBRATOR (1 INCH MAXIMUM) TO WORK THE CONCRETE DOWN THE SIDES OF THE CONDUIT BANK AND BETWEEN THE CONDUITS. SHOULD BE POSSIBLE TO SEE THE CONCRETE FLOWING ALONG THE BED OF THE TRENCH JUST AHEAD OF THE POINT WHERE THE CONCRETE FALLS FROM THE CHUTE. E. THE TRENCH CAN BE BACKFILLED ANY TIME AFTER THE CONCRETE HAS BEEN POURED AND LEVELLED. THE CONCRETE SHOULD BE COVERED WITH A MINIMUM OF 4 INCHES OF SELECTED BACKFILL. SPOOLS FROM THE TRENCH CAN BE USED FOR THE REMAINING BACKFILL. F. ON WARM SUNNY DAYS, IF THE CONCRETE CANNOT BE COVERED IMMEDIATELY AFTER LEVELING, ONE OR TWO INCHES OF FINE SOIL OR SAND SHOULD BE PLACED OVER THE CONCRETE. THIS COVER PREVENTS RAPID EVAPORATION OF WATER FROM THE SURFACE OF THE CONCRETE. 27. WHEN NECESSARY TO STOP CONSTRUCTION, PLASTIC PLUGS SHOULD BE USED TO TEMPORARILY SEAL THE CONDUIT END AGAINST MUD, DIRT, AND DEBRIS. IF CONDUIT IS TO BE LEFT UNCOVERED OVERNIGHT, TIE DOWN ONLY AT ONE END. 28. DUCT BANKS SHOULD BE INSPECTED BY TRAVIS STINSON (228-1738) OR ALABAMA PD REPRESENTATIVE BEFORE BEING COVERED WITH BACKFILL OR ENCASED IN CONCRETE.

## TYPICAL 6' x 12' x 7' PRECAST MANHOLE INSTALLED BY CONTRACTOR

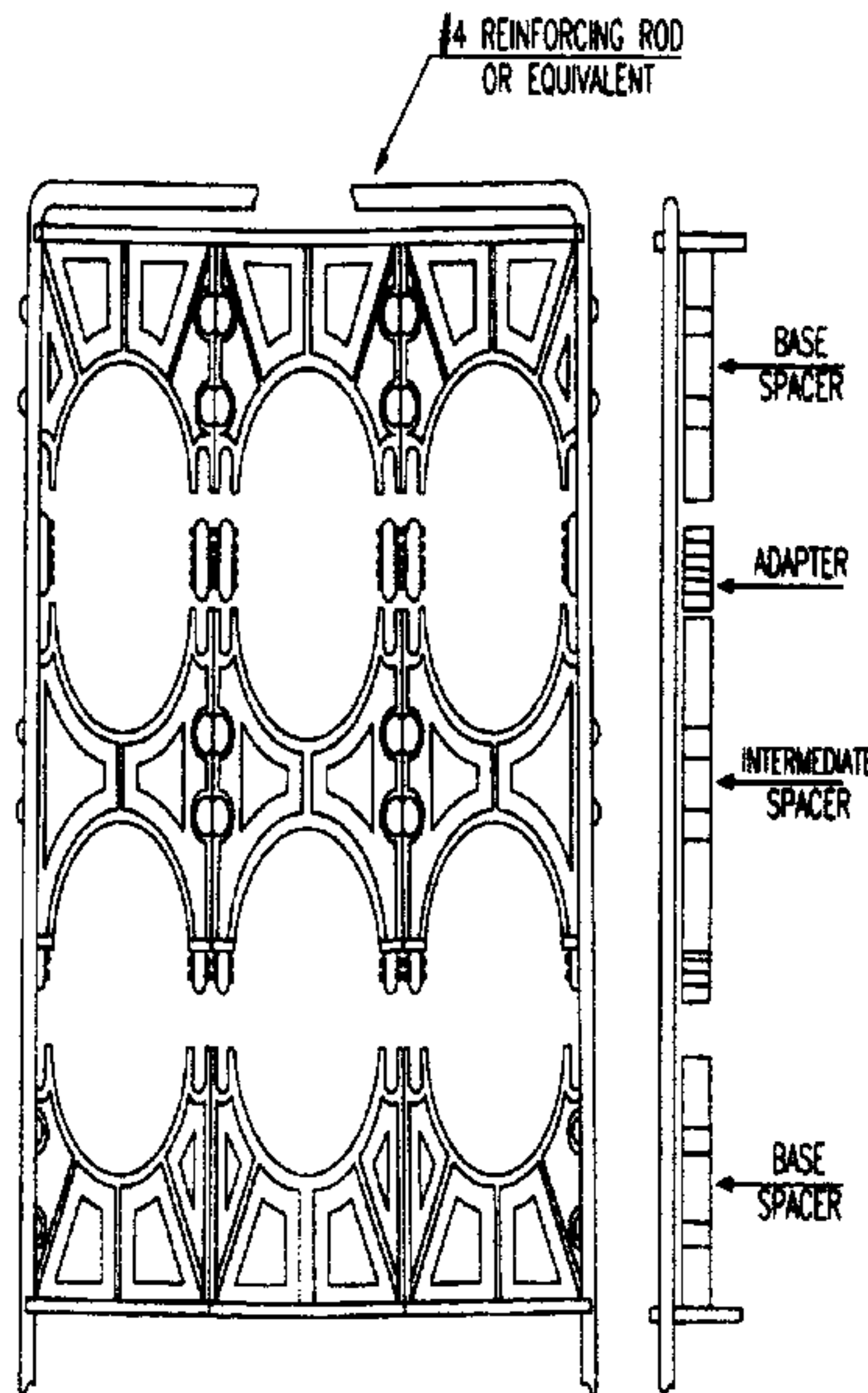
\*NOTE: 4-WAY DUCT BANK INSTALLED.  
FIVE (5) REMAINING TERMINATORS FOR  
SPARE USE.



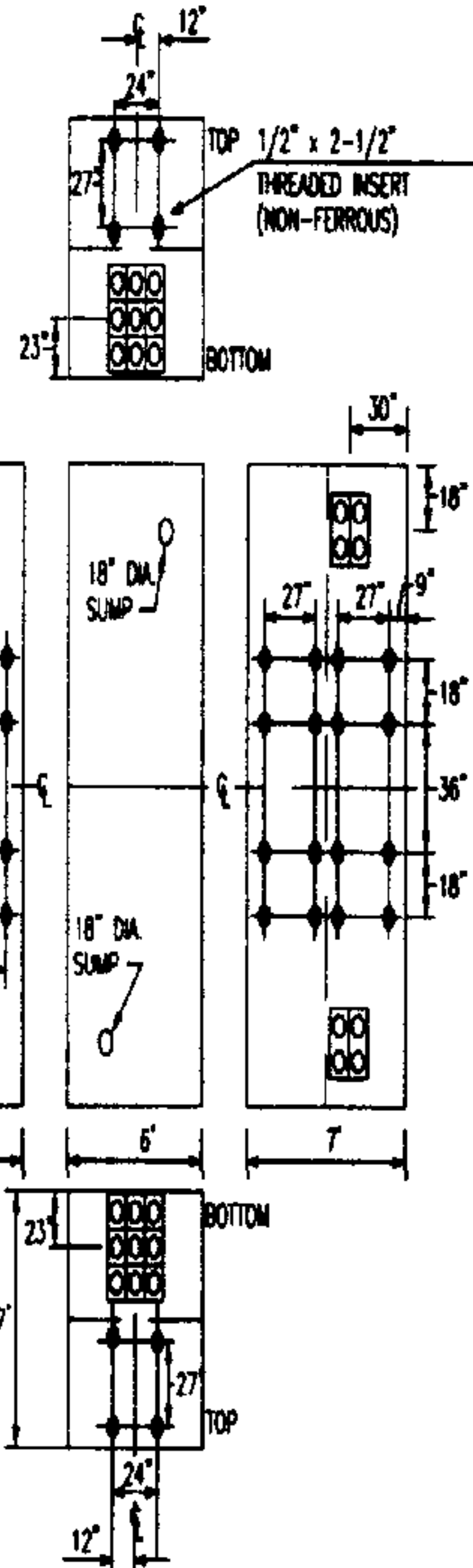
## TYPICAL CONDUIT SPACERS AND DITCH

\*MAKE FOR 4-WAY DUCT BANK\*

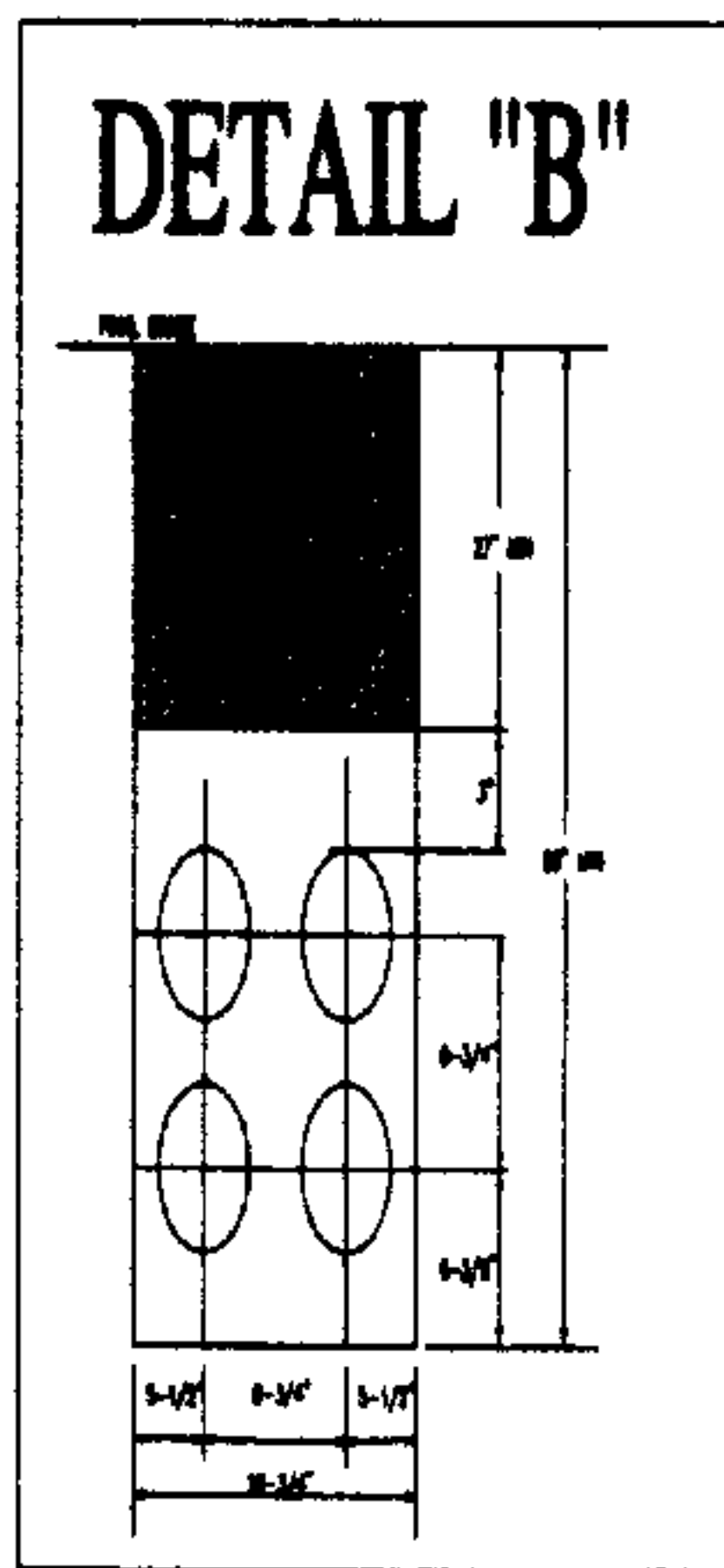
PLASTIC SPACERS SHOULD BE USED TO PROVIDE PROPER CLEARANCE (2") BETWEEN CONDUITS AND BETWEEN CONDUITS AND TRENCH FLOOR. SPACER SETS SHOULD BE INSTALLED NOT MORE THAN 8' APART. FOR CONCRETE ENCASED INSTALLATIONS, THE SPACERS SHOULD BE TIED DOWN USING #4 REINFORCING RODS OR EQUIVALENT.



## MANHOLE #100 SPECIFICATIONS (INSIDE DIMENSIONS) NO SCALE



## TYPICAL 4-WAY (2 WIDE, 2 HIGH) DUCT LINE



### NOTES:

- CONDUIT TO BE 6\" TYPE DB PVC ENCASED IN CONCRETE.
- CONCRETE TO BE 1-3.5 MIX WITH 1/2\" OR UNDER GRAVEL OR CRUSHED STONE AGGREGATE.
- THE DIMENSIONS SHOWN ABOVE ARE BASED ON PROVIDING A MINIMUM OF 2\" OF CONCRETE BETWEEN DUCTS AND 3\" OF CONCRETE BETWEEN DUCTS AND OUTSIDE SURFACES OF THE CONCRETE DUCT LINES.
- TRENCH FOR CONDUIT BANKS SHOULD BE FREE OF ROCKS OR OTHER OBJECTS THAT MIGHT DAMAGE CONDUIT DURING INSTALLATION.
- SEE FIGURE 1 FOR TRENCH DIMENSIONS AND CONDUIT SPACINGS.
- THE TRENCH WALLS SHOULD ACT AS FORMS FOR THE CONCRETE ENCASEMENT AND SHOULD BE MADE NO WIDER THAN NECESSARY TO PROVIDE THE MINIMUM 3\" CONCRETE ENVELOPE.

APPROVED: \_\_\_\_\_  
MANAGER OF OPERATIONS DATE

APPROVED: \_\_\_\_\_  
OWNER OR CONSULTANT DATE

TITLE: \_\_\_\_\_

### PRECAST MANHOLE SPECIFICATIONS:

- PRECAST COLLARS ARE AVAILABLE FROM THE MANUFACTURER IN 15\" HEIGHTS. COLLAR HEIGHT SHOULD BE SPECIFIED ON REQUISITION WHEN ORDERING MANHOLES.
- A BRICK AND MORTAR LAYER SHOULD BE INSTALLED BETWEEN THE MANHOLE COVER RING AND THE PRECAST COLLAR TO ALLOW FOR LEVELING OF COVER AND TO ALLOW FOR ADJUSTMENTS TO THE RING DUE TO FUTURE GRADE CHANGES. A MAXIMUM OF THREE LAYERS OF BRICKS IS ALLOWED.
- DEPTH DIMENSIONS SHOWN ARE TYPICAL. SPECIFIC DEPTHS WILL DEPEND ON PRECAST COLLAR HEIGHT USED.
- THE FINAL GRADE SHOULD SLOPE AWAY FROM MANHOLE OPENING IF POSSIBLE TO PREVENT WATER FROM BEING FUNNELED INTO MANHOLE.
- MANHOLE TO HAVE 4 - 4 TERMINATORS IN SIDES (UPPER) AND 2-9 WAY (LOWER) TERMINATORS FOR 6\" PVC CC.
- PRECAST MANHOLES WILL BE FURNISHED WITH PULLING IRONS, CAST IN FLOOR (2/0 COPPER GROUND BUS, TWO 12\" DIAMETER SUMP HOLES AND THREADED INSERTS FOR MOUNTING OF CABLE RACKS.
- MANUFACTURER WILL DELIVER MANHOLE TO INSTALLATION SITE AND CONTRACTOR TO SET MANHOLE IN EXCAVATION.
- GROUND RODS MUST BE DRIVEN BEFORE TOP SECTION OF MANHOLE IS SET INTO POSITION. TWO GROUND RODS PER MANHOLE TO BE SUPPLIED BY APCO.
- A LEVEL SIX TO EIGHT INCH LAYER OF GRAVEL OR CRUSHED STONE MUST BE PROVIDED IN THE BOTTOM OF THE EXCAVATION TO SET THE MANHOLE ON.
- CONDUIT RUNS SHALL BE SLOPED SO AS TO DRAIN INTO MANHOLES.
- CONTRACTOR TO INSTALL 1 1/4\" GALV PIPE AND CATCH BASIN FOR SUMP PUMP.
- APCO TO FURNISH MANHOLE COVER AND RING.

0 10' NTS  
PLAN SCALE

DRAWN: GM ENGR: T. STINSON DATE: \_\_\_\_\_  
APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

AUTOMATED DRAWING - MAKE NO MANUAL REV

ALABAMA POWER COMP.

JOB: POWER DELIVERY - BIRMINGHAM S.

DETAIL: HIGHLAND LAKES 27th SECTOR

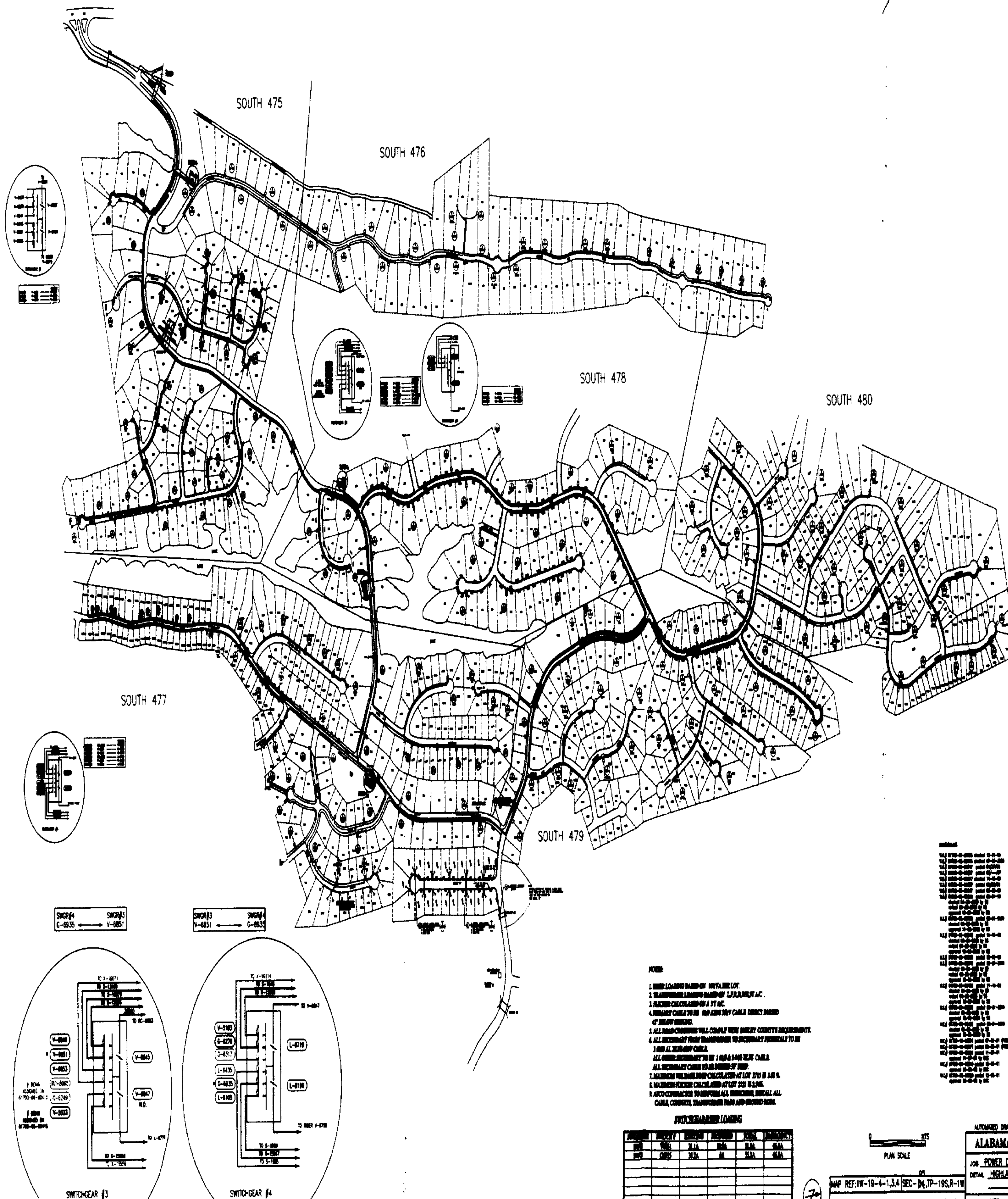
MAP REF: 1W-19-4-1,3,4 SEC-4, TP-19S, R-1W

SCALE: NTS PLOTTED: 03-28-00

SHEET 3 OF 3 SHEETS

SUPERSEDES: C-61700-08-00





Wally - Self  
Wally  
9-195-14

DATE	PROJECT	DESIGN	RECORD	TOTAL	REMARKS
1970	1970	21.1A	21.1A	21.1A	61.1A
1970	1970	21.2A	21.2A	21.2A	61.2A

AUTOMATED DRAWING - MAKE NO MANUAL REVISIONS

ALABAMA POWER CORP

POWER BOARD BY DIVISIONAL C

DETH. HIGHLAND LAKES 27TH SECTION

\_\_\_\_\_

DATE REC'D 03-28