$104.50

20050801000387580 1/2 $104.50
Shelby Cnty Judge of Probate, AL
08/01/2005 03:25:10PM FILED/CERT

Right of Way
EAST PELHAM T.S.-CHACE LAKE D.S. 115 KV T.L.
BIRMINGHAM DIVISION
37111195-300

70141190

This instrument prepared in the
Corporate Real Estate Office
Alabama Power Company
P.O. Box 2641
Birmingham, AL 35291
By: Marilyn Haynie

STATE OF ALABAMA }
COUNTY OF SHELBY }

Double Mountain, LLC

[hereinafter known as Grantor(s)], for and in consideration of the sum of Ninety Thousand, Four Hundred Fifty and no/100 Dollars ($90,450.00) to _____ in hand paid by Alabama Power Company, a corporation, (hereinafter known as Grantee), the receipt whereof is acknowledged, do hereby grant to said Alabama Power Company, its successors and assigns, the right to construct, operate and maintain electric transmission and communication lines and all towers, poles, conduits, conductors, cables, insulators, anchors, guy wires, counterpoise conductors, and all other appliances necessary or convenient in connection therewith from time to time over, under and across, a strip of land **67.5** feet in width, as said strip is now located by the final location survey thereof heretofore made by said Company, over, under and across the lands of which it is hereinafter described as being a part, together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof for the purposes above described, including the right of ingress and egress to and from said strip and the right to cut, remove, or otherwise kill, and keep clear by any means, including chemicals, all trees and undergrowth and all other obstructions under, on or above said strip and the right to cut such timber outside of said strip which in falling would come within five (5) feet of any conductor on said strip, and the right to install, maintain and use anchors and guy wires on land adjacent to said strip, and the right to install grounding devices on grantors' fences now or hereafter located on such strip and on fences or other structures of grantors now or hereafter located adjacent to such strip, and the right to prevent the use of such strip as a parking area for automobiles or other vehicles, as a storage area for machinery or materials, or as a road other than a road crossing such strip at a location which does not endanger or interfere with works that have been or may at some future date be constructed on such strip, said strip and the lands of which the same is a part being described as follows:

A strip of land 67.5 feet in width which lies within the Northeast Quarter of the Southeast Quarter (NE¼ of SE¼) of Section 16; the Northwest Quarter of the Southwest Quarter (NW¼ of SW¼) and the South Half of the Southwest Quarter (S½ of SW¼) of Section 15, all being in Township 20 South, Range 2 West, Shelby County, Alabama, such strip being more particularly described as follows:

To reach the point of beginning, commence at the Northwest corner of Section 15, Township 20 South, Range 2 West; thence run South along the East boundary line of said section a distance of 3619.5 feet to a point; thence turn a deflection angle to the right and run N74°34'W a distance of 1358.30 feet to a point, such point being the point of beginning of the right of way herein described; thence centerline turns a deflection angle to the right of 180°00'; therefrom, the strip is 67.5 feet in width and lies from 50 feet right (South) to 117.5 feet right (South) of a survey line and coincident with the South line of an existing Alabama Power Company Transmission Line and the continuations thereof which begins at such point of beginning and runs S74°34'E a distance of 3892 feet, more or less, to a point, such point being the point of ending of the right of way herein described.

The grantors covenant with the said Company, that they are lawfully seized in fee of the above described land; that it is free from all encumbrance; that they have a good right to convey the same to the said Company, and that they will warrant and defend the said land to the said Company forever.

TO HAVE AND TO HOLD the same to the said Company, its successors and assigns, forever.
The grantors shall have the right to cultivate and use said strip of land for any purpose not inconsistent with the rights which the grantee may from time to time exercise hereunder.

IN WITNESS WHEREOF, the said members of Double Mountain, L.L.C. has have caused this instrument to be executed in its name by Members, as its _____, and attested by _____, its _____, and its corporation seal to be affixed, on this the 1st day of February, 2004/5

ATTEST:

Shelby County, AL 08/01/2005
State of Alabama

Deed Tax:$90.50

Its:

Edmund F. Hillabrand Jr
Paul B. Shaw Jr
Charles W Dank

BY: Members
Its:

GRANTEE'S ADDRESS
ALABAMA POWER CO
P.O. BOX 2641
BIRMINGHAM, AL 35291
ATT: CORP REAL ESTATE

STATE OF AL }
COUNTY OF Jefferson }

I, [illegible], a Notary Public in and for said County in said State, hereby certify that Emmett F Hildreth, JR., whose name as Members of Double Mountain LLC, a corporation, 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, as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation.

Given under my hand and official seal this the 1st day of February, 2005

[signature]

My Commission Expires: 8/07/05

STATE OF AL }
COUNTY OF Jefferson }

I, [illegible], a Notary Public in and for said County in said State, hereby certify that PAUL B. Shaw, JR., whose name as Members of Double Mountain LLC, a corporation, 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, as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation.

Given under my hand and official seal this the 1st day of February, 2005

[signature]

My Commission Expires: 8/07/05

STATE OF AL }
COUNTY OF Jefferson }

I, [illegible], a Notary Public in and for said County in said State, hereby certify that ALAN D. Perlis, whose name as Members of Double Mountain LLC, a corporation, 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, as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation.

Given under my hand and official seal this the 1st day of February, 2005

[signature]

My Commission Expires: 8/07/05

STATE OF AL }
COUNTY OF Jefferson }

I, [illegible], a Notary Public in and for said County in said State, hereby certify that Charles W Carmel, whose name as Members of Double Mountain LLC, a corporation, 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, as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation.

Given under my hand and official seal this the 1st day of February, 2005

[signature]

My Commission Expires: 8/07/05

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