

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

STATE OF ALABAMA)

COUNTY OF Shelby)

TAX ID # 03-6-24-0-000-041,000

TO BE RECORDED: YES X NO

W.E. No. 61500-08-00435

Parcel No. 70157058

Transformer No. T27012

This instrument prepared by:

MARY CHANDLER

Alabama Power Company

P. O. Box 2641

Birmingham, Alabama 35291

A. **GRANT** KNOW ALL MEN BY THESE PRESENTS, that RICHARD DERECKI, AND WIFE, LAURI DERECKI, as grantor(s), (the "Grantor", whether one or more) for and in consideration of One and No/100 Dollars (\$1.00), and other good and valuable consideration, to Grantor in hand paid by Alabama Power Company, a corporation, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to Alabama Power Company, its successors and assigns (the "Company"), 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, trans closures, 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, rights and privileges necessary or convenient for the full enjoyment and use thereof, including without limitation the right of ingress and egress to and from the 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 easements, rights and privileges granted hereby shall apply to, and the word "Property" as used in this instrument shall mean, the following described real property situated in SHELBY County, Alabama (the "Property"):

120 GALWAY TRAIL BIRMINGHAM AL 35242

LOT 12 STONEGATE FARMS, AS IS RECORDED IN MAPBOOK 29, PAGE 4, IN THE OFFICE OF THE JUDGE OF PROBATE, SHELBY COUNTY, ALABAMA.
SE 1/4 OF THE SW 1/4 OF SECTION 24, TOWNSHIP 18 SOUTH, RANGE 1 WEST.

D. **ADDITIONAL PROVISIONS.** In the event it becomes necessary or desirable for the Company to move any of the Facilities in connection with the construction or improvement of any public road or highway in proximity to the Facilities, Grantor hereby grants to the Company the right to relocate the Facilities and, as to such relocated Facilities, to exercise the rights granted above; provided, however, the Company shall not relocate the Facilities on the Property at a distance greater than ten feet (10') outside the boundary of the right of way of any such public road or highway as established or re-established from time to time. This grant and agreement shall be binding upon and shall inure to the benefit of Grantor, the Company and each of 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 same 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 14th day of March, 2005.

L.R. Oden
Witness

L.R. Oden
Witness

Witness Shelby County, AL 08/03/2005
State of Alabama

Deed Tax: \$.50

R. Derecki (SEAL)
(Grantor)

Lauri Derecki (SEAL)
(Grantor)

By: _____ (SEAL)
As:


20050803000392020 1/2 \$14.50
Shelby Cnty Judge of Probate, AL
08/03/2005 09:10:29AM FILED/CERT



20050803000392020 2/2 \$14.50
Shelby Cnty Judge of Probate, AL
08/03/2005 09:10:29AM FILED/CERT

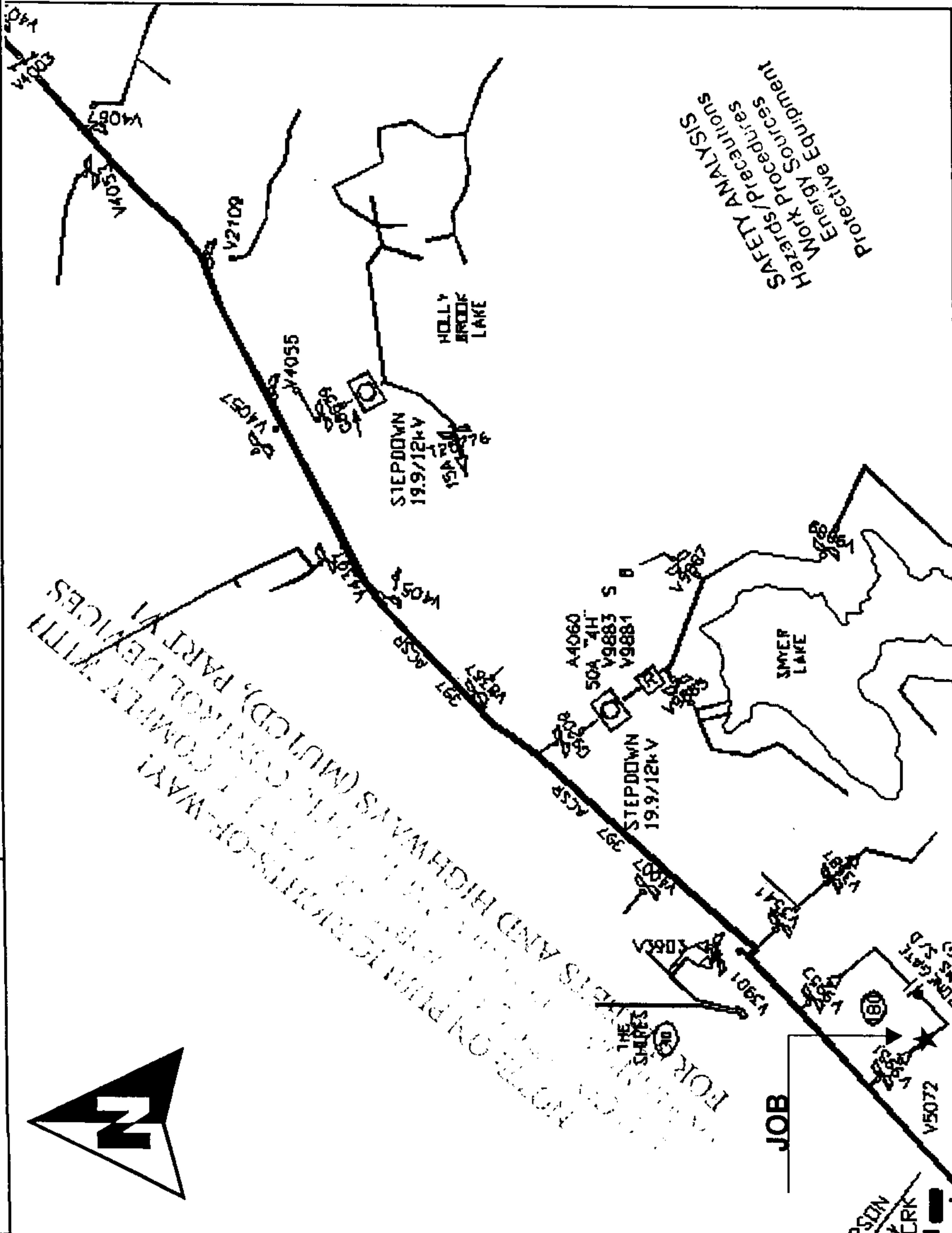
SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Map Center UTM: 1761017 12142923

Map Center LatLon: -86.604486 33.44932

1 inch equals 30 feet

Customer RICHARD DERECKY	Location 120 GALLOWAY TRL	Cmtd. Svc Date 4-11-05	County Shelby	Section 24	Township 18S	Range 01W	Add'l Info.	Estimate No. 61500-08-00435
Division SOUTH	District EAST JEFF	Town BIRMINGHAM	UserID jroden	Created:	Substation LEEDS #2 D.S. 35KV	X- 264326	Y- V9951	MISSALL#



NOTE: Cust. to pay \$1542.50 for U.G.
service per csp 715-110 APP.C

ENERGIZED LINE WORK		Loc 2	Transformer Loading CALC. LD = 65.6 FVD = 3.83
Sub OCB/OCR Switch#		Fuse Size	
ALABAMA POWER A SOUTHERN COMPANY			
I: 2 #1/0 ANXJ 35KV Cable direct buried at 48" depth		Location #2 I: Conc. Pad I: 50kva pdmt (19.9kv) (Stub out add. 3" conduit for future house)	
Location #1 Asplundh to locate & capture 1: #1/0 ANXJ 35kv Cable I: 2 #1/0 35kv straight splices		T27012	
Voltage Pri 35 Sec 120 KV 240		Phone Co.	Cable Co.
Accessible Y		Tree Crew	Rock Hole
Permits		R/W Y	CITY
COUNTY		STATE	OTHER
U.G.			

