

EASEMENTS - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES NO

STA 3400 To STA 2400
STA 11400
This instrument prepared by:

STATE OF ALABAMA }
COUNTY OF Shelby }
TAX ID # 10-9-31-3-001-015.001

W.E. No. 61730-00-00925
Parcel No. 70157639
Transformer No. S-4398

Jeff J. Callicott
Alabama Power Company
P. O. Box 2641
Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Pelham Q. LLC

is grantors (s), (the "Grantor", whether one or more) for and in consideration of One and No/100 (\$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"):

For legal description, see Exhibit "A" attached hereto and made a part hereof.

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 4th day of May, 2005.

Witness

Witness

Witness

(Grantor)

Pelham Q. LLC

(Grantor)

By:

As: Managing Member

20051031000564060 1/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/31/2005 12:34:17PM FILED/CERT

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by _____ (authorized representative, as of the _____ day of _____, 20____.

ATTEST (if corporation) or WITNESS:

(Grantor - Name of Corporation/Partnership/LLC)

By: _____

By: _____ (SEAL)

Its: _____

Its: _____

[indicate President, General Partner, Member, etc.]

INDIVIDUAL NOTARIES

STATE OF ALABAMA }

COUNTY OF _____ }

I, the undersigned, 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 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 _____, _____.

[SEAL]

Notary Public

My commission expires: _____

STATE OF ALABAMA }

COUNTY OF _____ }

I, the undersigned, 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 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 _____, _____.

[SEAL]

Notary Public

My commission expires: _____

TRUSTEE/CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF ALABAMA }

COUNTY OF Tuscaloosa }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Luther S. Pate, IV whose name as Managing Member of Pelham O, LLC a _____ [as _____], 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 _____ and with full authority, executed the same voluntarily for and as the act of said _____ [acting in such capacity as aforesaid].

Given under my hand and official seal, this the 4th day of May, 2005

[SEAL]

Notary Public

My commission expires: 2/7/09

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____

Station to Station: _____

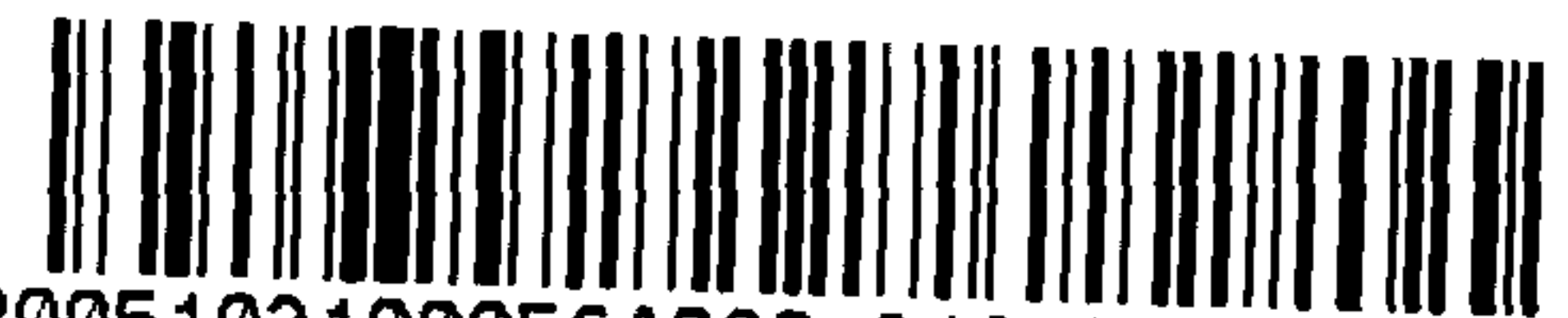


20051031000564060 2/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/31/2005 12:34:17PM FILED/CERT

EXHIBIT "A"

61730-00-00925

Commence at the Northeast corner of the Southwest Quarter of the Northwest Quarter of said Section 31; thence in an Easterly direction a distance of 452.73 feet; thence $86^{\circ}31'40''$ right, in a Southerly direction a distance of 1321.78 feet; thence $47^{\circ}06'$ right in a Southwesterly direction a distance of 250.20 feet to a point being in the approximate center line of an existing road; thence $79^{\circ}55'15''$ right, in a Northwesterly direction along said approximate center line a distance of 149.66 feet to the beginning of a curve to the left having a radius of 113.67 feet and a central angle of $66^{\circ}50'$; thence Southwesterly along said curve and approximate center line a distance of 132.59 feet to end of said curve; thence in a Southwesterly direction along a line tangent to said curve a distance of 85.50 feet to a point on the Easterly R/W line of now existing Highway 31 South, said point being on a curve having a radius of 2010.08 feet and subtended by a chord length of 868.19 feet, and from last described course, turn an angle of $67^{\circ}46'48''$ left to said chord; thence in a Southerly direction along said curve and R/W line, a distance of 875.07 feet to the point of spiral to curve of said R/W; thence from the last described chord, turn $15^{\circ}07'04''$ right to chord of said spiral; thence in a Southerly direction along said spiral and R/W line a distance of 190.93 feet to the point of beginning; thence continue along the last described course and said R/W line for 66.91 feet; thence turn $131^{\circ}38'22''$ left from the chord of said curve and run Northwesterly for 275.74 feet; thence turn $98^{\circ}03'56''$ right and run Southeasterly for 176.47 feet; thence turn $98^{\circ}03'59''$ left and run Northeasterly for 32.98 feet; thence turn $8^{\circ}03'30''$ right and run Northeasterly for 137.37 feet; thence turn $89^{\circ}59'31''$ left and run Northwesterly for 225.00 feet; thence turn $80^{\circ}08'10''$ left and run Southwesterly for 153.19 feet; thence turn $07^{\circ}55'47''$ left and run Southwesterly for 255.35 feet to the point of beginning.

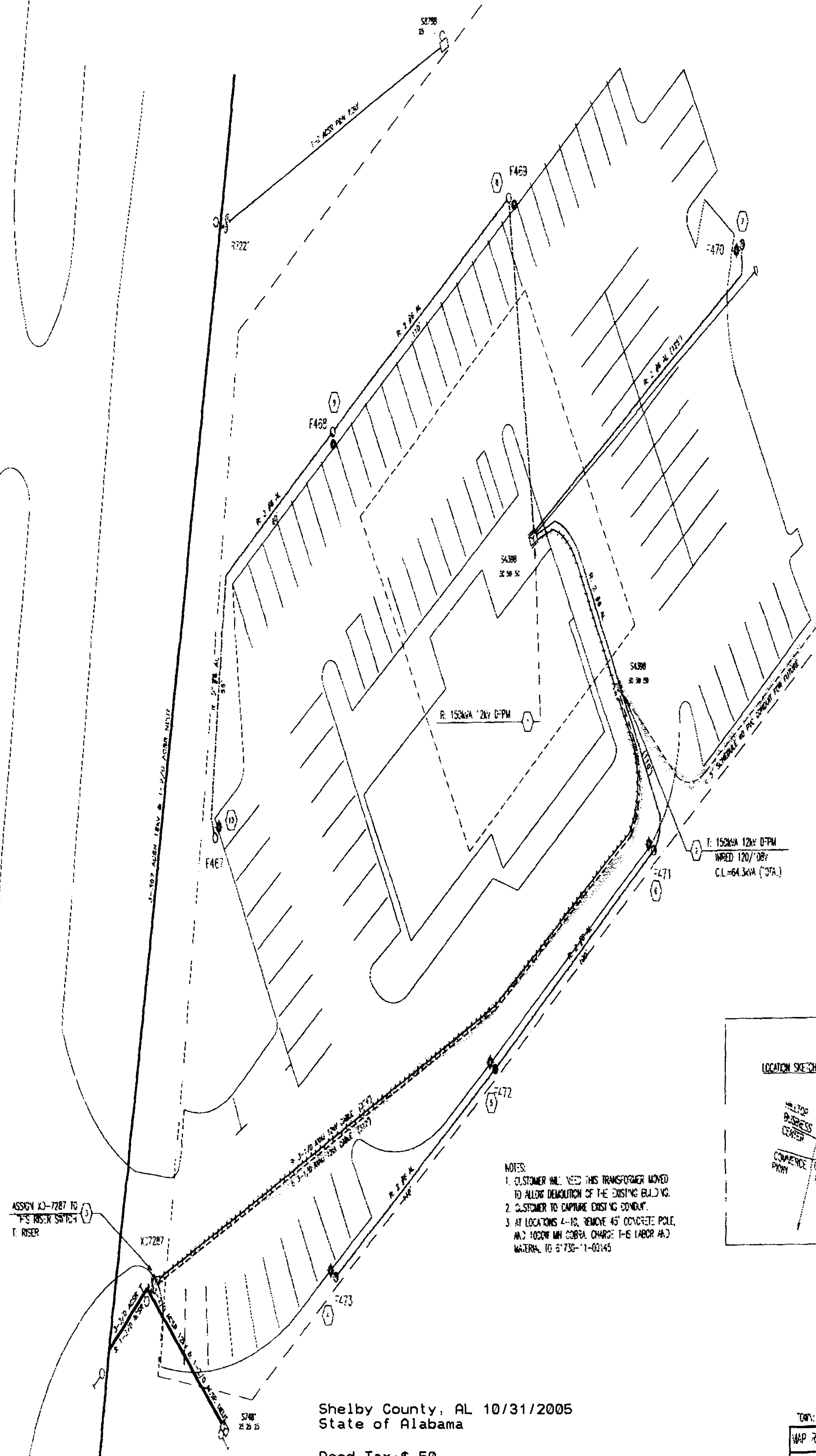


20051031000564060 3/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/31/2005 12:34:17PM FILED/CERT

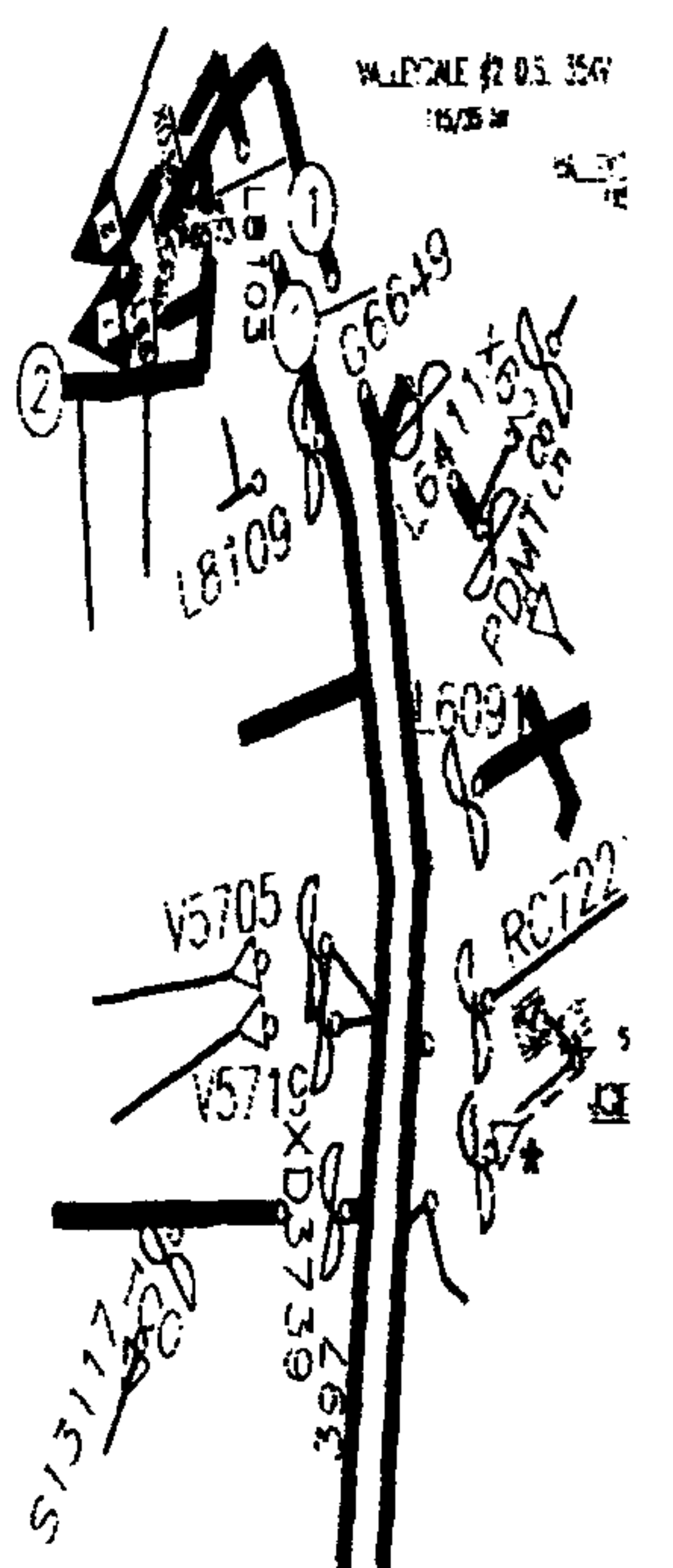
70157039



20051031000564060 4/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/31/2005 12:34:17PM FILED/CERT

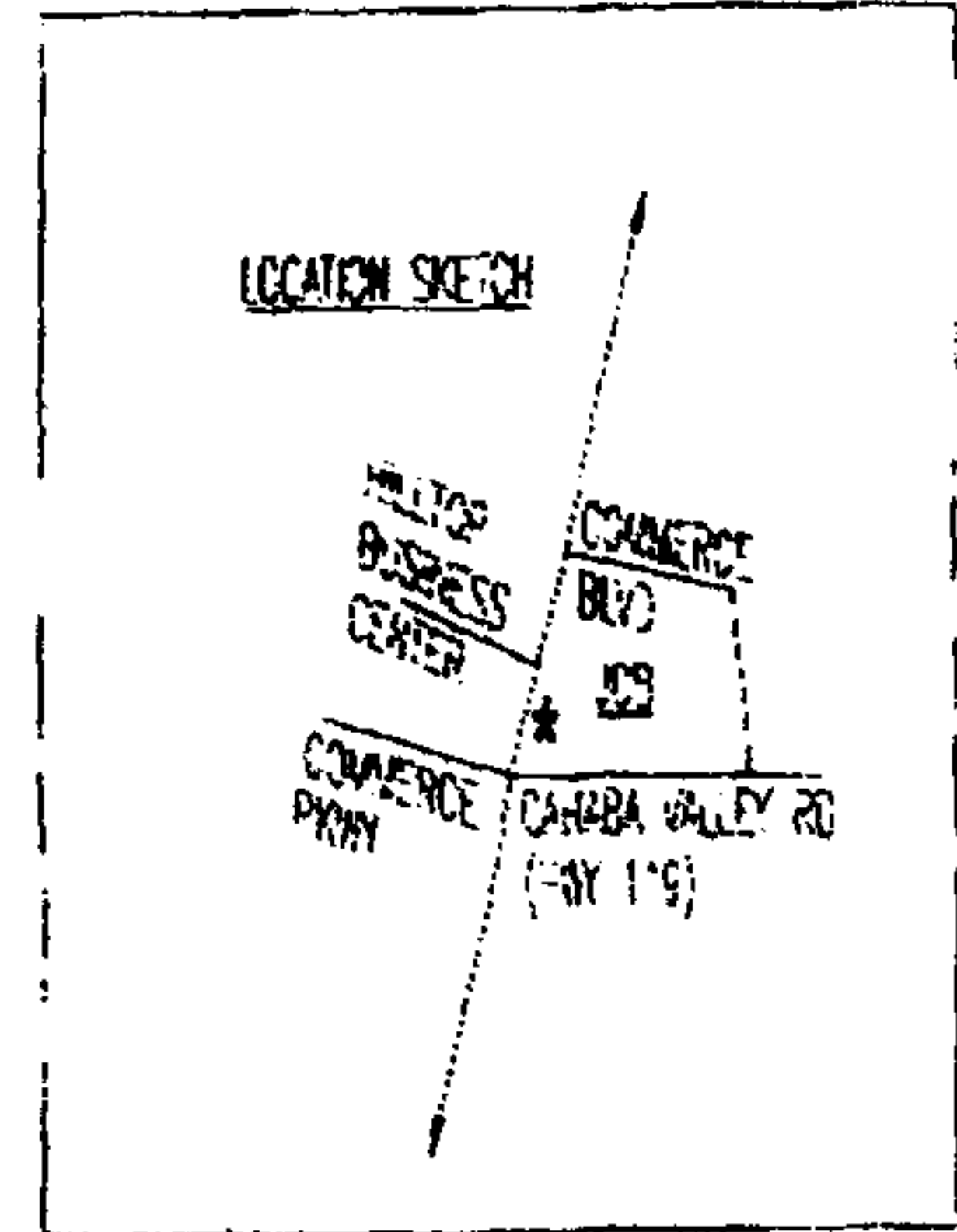


SECTIONALIZING SHEET



SEE ENERGIZED LINE WORK

OBSTACLE WORK PERMIT # 283206
283206
SUBSTATION: VALLEYVIEW D.S. 124
FEEDER #1: BROWDER #283206



- NOTES:
1. CUSTOMER WILL NEED THIS TRANSFORMER MOVED TO ALLOW DEMOLITION OF THE EXISTING BUILDING.
 2. CUSTOMER TO CAPTURE EXISTING CONDUIT.
 3. AT LOCATIONS 4-10, REMOVE 45' CONCRETE POLE, AND 1000W MM COBRA CHARGE THIS LABOR AND MATERIAL TO 6730-11-03145

ASSIGN X3-7287 TO
FIS RISER SYSTEM
F. RISER

CONSTRUCTION

DATE:

**ANY CONSTRUCTION FIELD
ARE SHOWN IN RED ON 1**

0 20 40
PLAN SCALE

Shelby County, AL 10/31/2005
State of Alabama

Deed Tax: \$.50

TOWN: PELHAM COUNTY: SHELBY
MAP REF: 28-13-31-3 SEC-31, TP-19S, R-2W

ALABAMA POWER
JOB: POWER DELIVERY - BROWDER
DETAIL: ADVANCE AUTO PARTS
2247 PELHAM PARKWAY