$23.50

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

DOCUMENT TO BE RECORDED

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

This instrument prepared by:

Larry D. Scarbrough

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

STATE OF ALABAMA }

COUNTY OF Shelby }

W.E. No. 61700-08-0055-600

Parcel No. 7017559E

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: BALLANTRAE STONEYKIRK-PHASE 4 (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 ¼ of ---------- ¼ of Section 28, Township 20S, Range 2W) 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, transformers, 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 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 Grantor 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 or future 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 and service risers in accordance with the Company's specifications.

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 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. Invalidation of any one of the foregoing covenants and restrictions shall in no way affect any other provision contained herein.

5-5897 Rev. 4/05

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Shelby Cnty Judge of Probate, AL
08/28/2006 12:16:02PM FILED/CERT

All facilities on Grantor: X Station to Station: _____

_____

_____

IN WITNESS WHEREOF, this instrument has been executed this the 22nd day of June, 2006.

WITNESS/ATTEST

_____

GRANTOR:

MOBLEY DEVELOPMENT, INC.

Name of Individual/Company/Partnership/LLC

J. Steven Mobley

Signature of Individual/Officer/Partner

==========

CORPORATE/PARTNERSHIP ACKNOWLEDGMENT

STATE OF ALABAMA }

County of Jefferson }

I, Linda W. Roberts, a Notary Public, in and for said County in said State, hereby certify that, J. Steven Mobley whose name as President of Mobley Development, Inc., 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 June, 2006.

Linda W. Roberts

Notary Public

My commission expires: 3-29-09

==========

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_____.

Shelby County, AL 08/28/2006
State of Alabama

Deed Tax:$.50

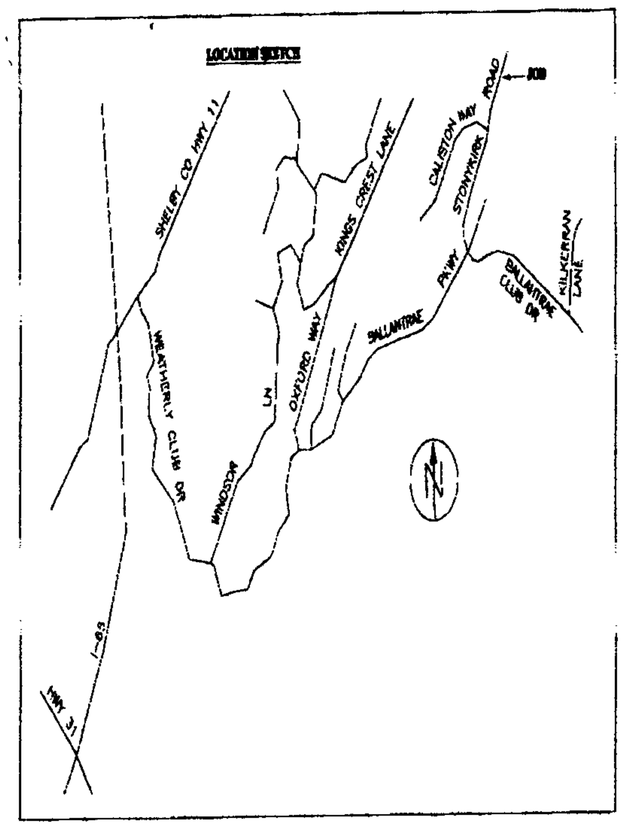
_____

Notary Public

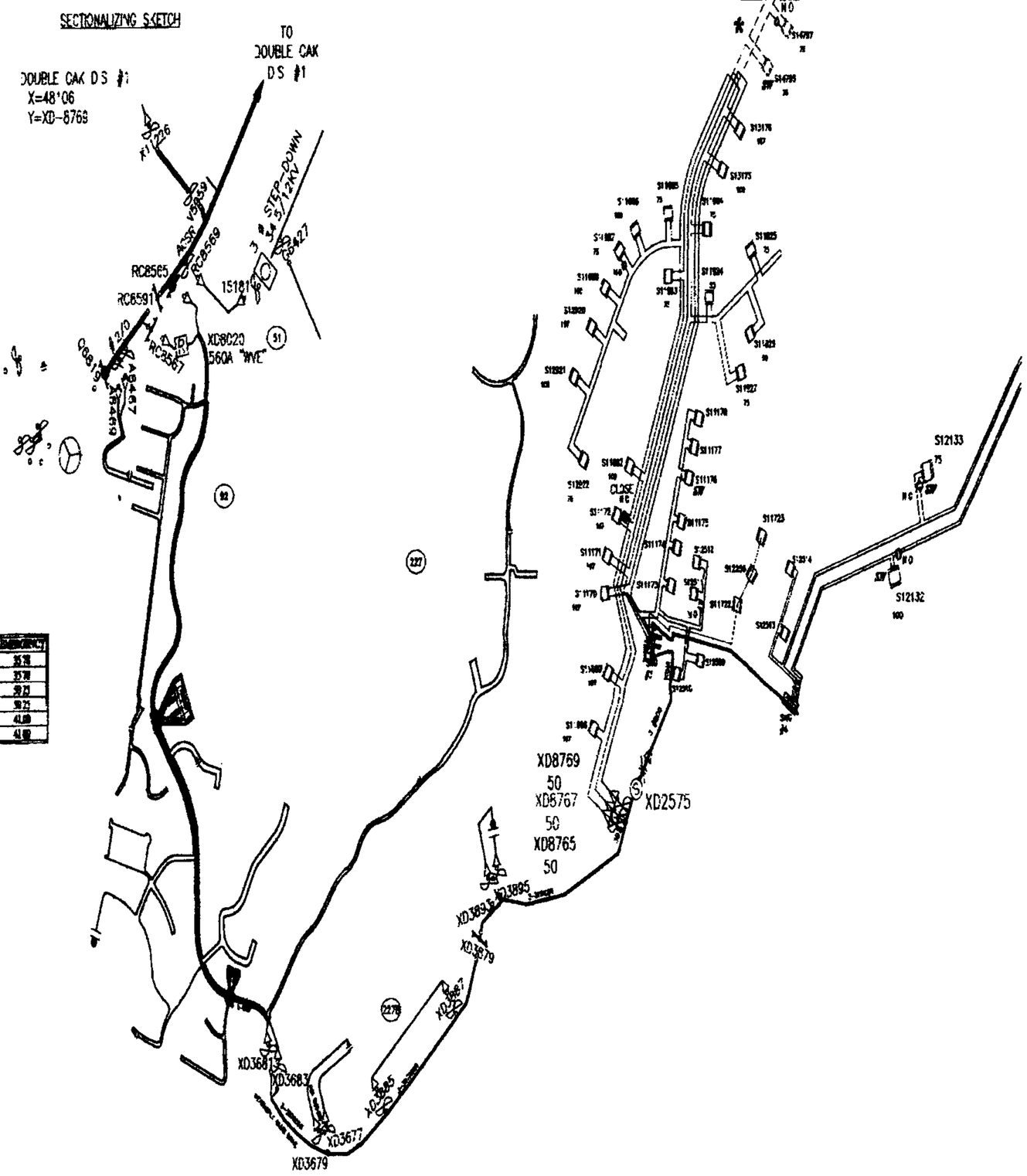
My commission expires: _____

20060828000422260 2/5 $23.50
Shelby Cnty Judge of Probate, AL
08/28/2006 12:16:02PM FILED/CERT

LOCATION SKETCH



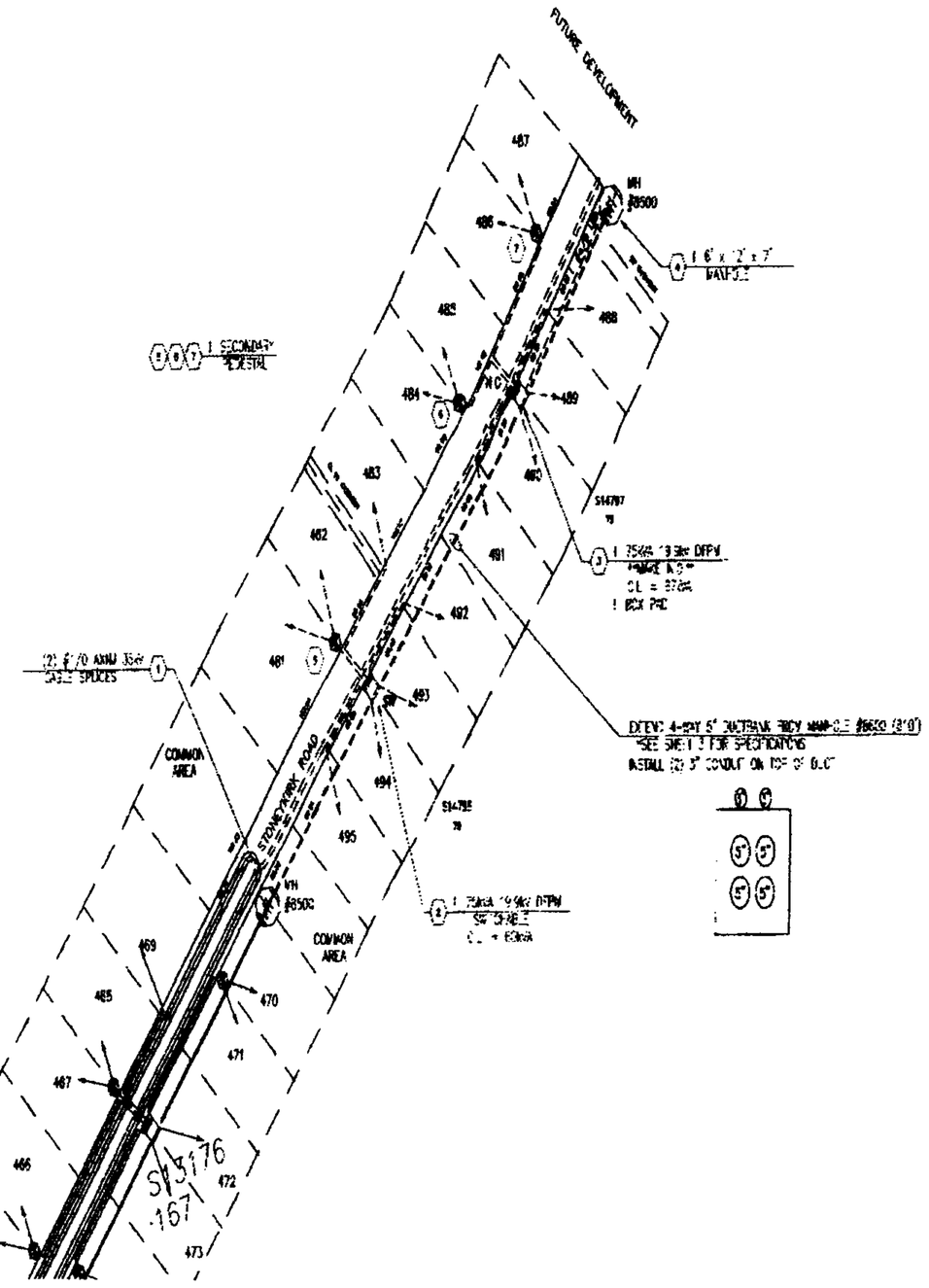
SECTIONALIZING SKETCH



STRUCTURE/RISER LOADING

STRUCTURE	STRUCTURE #	EXISTING	PROPOSED	TOTAL	EMERGENCY
R	XD-8769			28.94	35.78
SWG	XD-8151			7.26	23.78
R	XD-8767			23.32	30.25
SWG	XD-8766			36.93	50.25
R	XD-8765			25.55	41.00
SWG	XD-8155			15.66	41.00

BASED ON 6VA PER LOT



NOTES

1 RISER LOADING BASED ON 6KVA PER LOT
2 TRANSFORMER LOADING BASED ON 1, 2, 3, 4, 5, 37 & 47 AC
3 FLICKER CALCULATED ON A 47 AC
4 PRIMARY CABLE TO BE 15kV 133% 1/0 AAAC 350P CABLE DIRECT BURIED 42" BELOW GROUND
5 ALL ROAD CROSSINGS WILL COMPLY WITH SHELBY COUNTY'S REQUIREMENTS
6 ALL SECONDARY FROM TRANSFORMER TO SECONDARY PEDESTALS TO BE
2 #2/0 AL & 1 #2/0 AL XLPE 600V CABLE
ALL OTHER SECONDARY TO BE 2 #4/0 & 1 #4/0 AL XLPE 600V CABLE
ALL SECONDARY CABLE TO BE BURIED 30" DEEP
7 MAXIMUM VOLTAGE DROP CALCULATED AT LOT 467 IS 3.20%
8 MAXIMUM FLICKER CALCULATED AT LOT 467 IS 3.00%
9 APCO CONTRACTOR TO PERFORM ALL TRENCHING, BEDDING, ALL CABLE, CONDUIT, TRANSFORMER PADS AND GROUND RODS

CONSTRUCTION

DATE:

ANY CONSTRUCTION FIEI
ARE SHOWN IN RED ON

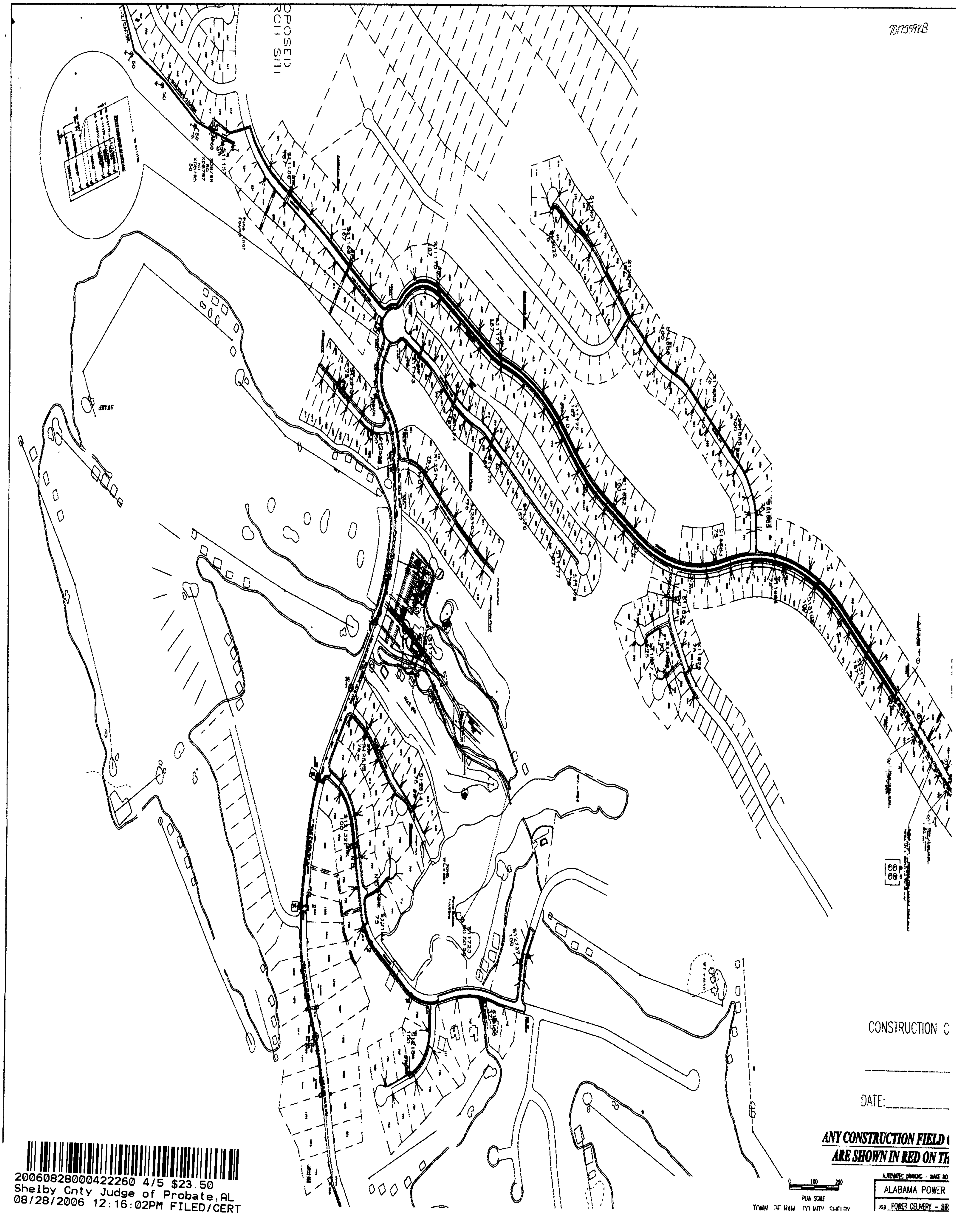
AUTOMATED DRAWING – MA

ALABAMA POV

JOB POWER DELIVERY

0 100 200
PLAN SCALE

TOWN PELHAM COUNTY SHELBY



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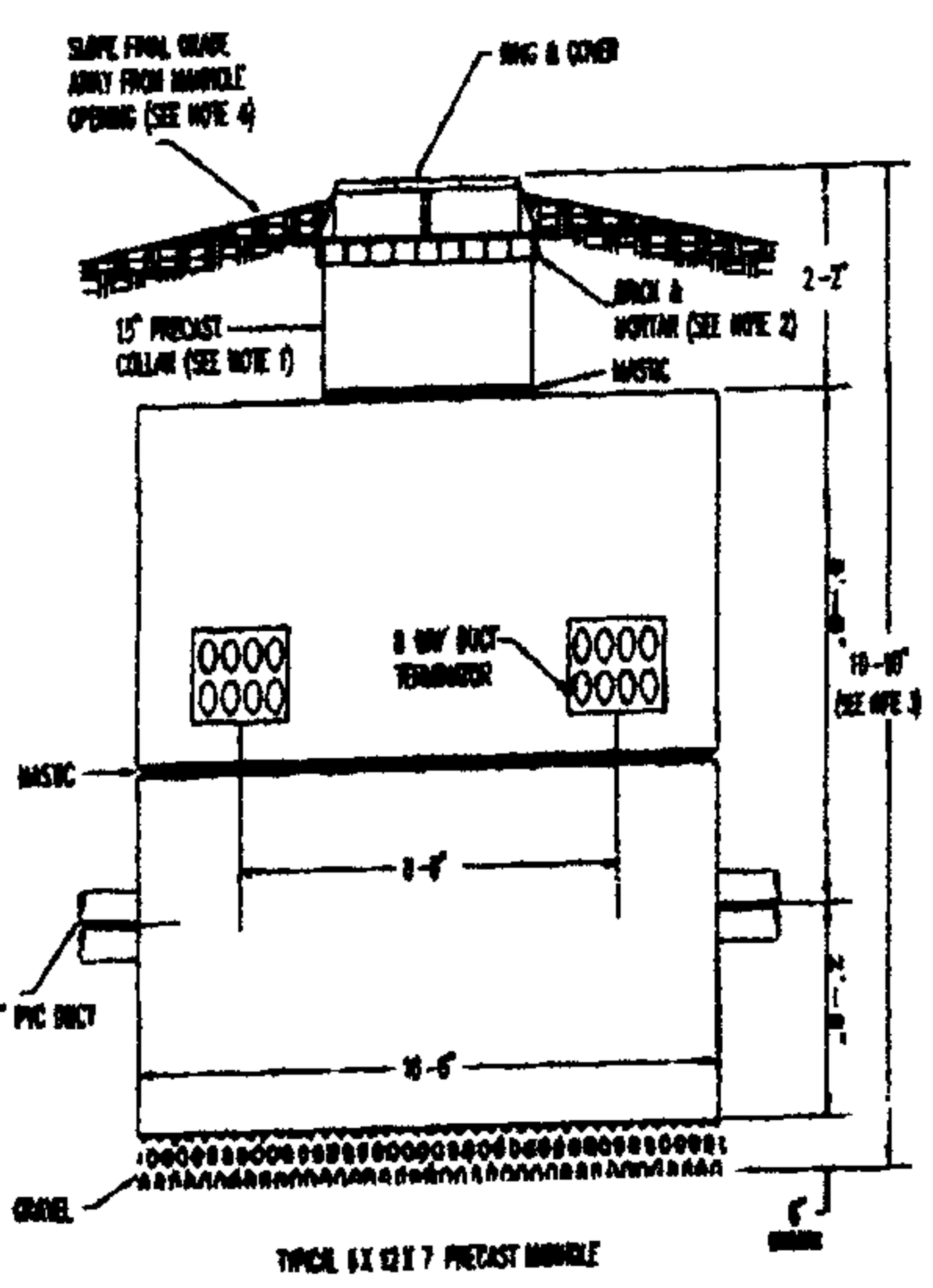
TYPICAL 6x12x7 PRECAST MANHOLE



TYPICAL 6X12X7 PRECAST MANHOLE

GENERAL NOTES

1 PRECAST COLLARS ARE AVAILABLE FROM THE MANUFACTURER IN 6" 9",12" 18" AND 24" HEIGHTS COLLAR HEIGHT SHOULD BE SPECIFIED ON REQUISITION WHEN ORDERING MANHOLES IF NOT SPECIFIED A 15" COLLAR WILL BE PROVIDED

2 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 4 MAXIMUM OF THREE LAYERS OF BRICKS IS ALLOWED

3 DEPTH DIMENSIONS SHOWN ARE TYPICAL SPECIFIC DEPTHS WILL DEPEND ON PRECAST COLLAR HEIGHT USED

4 THE FINAL GRADE SHOULD SLOPE AWAY FROM MANHOLE OPENING IF POSSIBLE TO PREVENT WATER FROM BEING FUNNELED INTO MANHOLE

5 TWO 8 WAY DUCT ENTRANCE TERMINATORS FOR 5" PVC CONDUIT WILL BE FURNISHED ON EACH SIDE WALL AND ONE 12 WAY DUCT ENTRANCE TERMINATOR WILL BE FURNISHED ON EACH END WALL CONTACT THE DISTRIBUTION DEPARTMENT FOR SPECIFYING OTHER DUCT ARRANGEMENTS AND MANHOLE SIZES

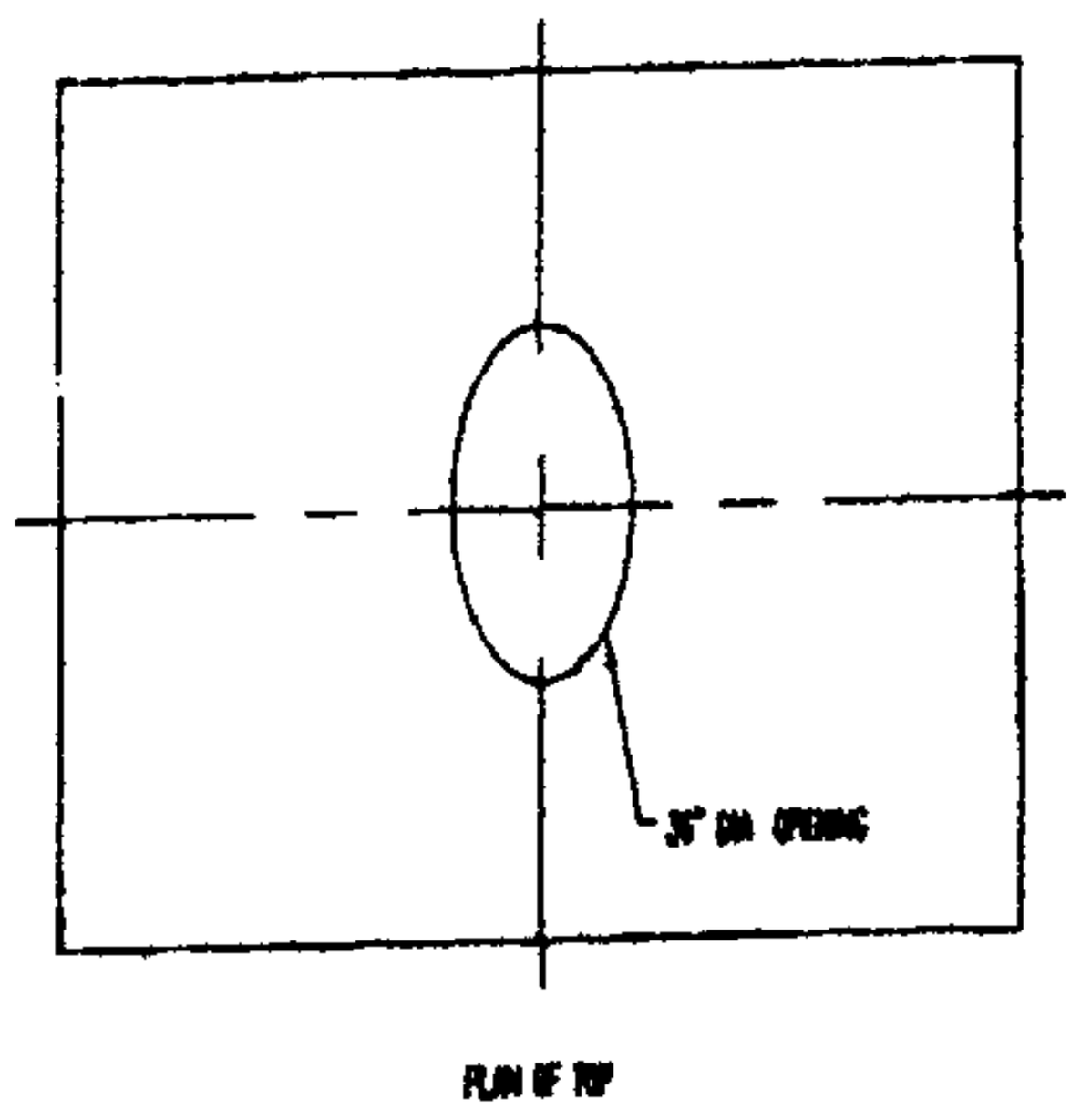
6 PRECAST MANHOLES WILL BE FURNISHED WITH PULLING IRONS CAST IN FLOOR 2/0 COPPER GROUND BUS TWO 14" DIAMETER SUMP HOLES AND THREADED INSERTS FOR MOUNTING OF CABLE RACKS

7 MANUFACTURER WILL DELIVER MANHOLE TO INSTALLATION SITE AND SET MANHOLE IN APCO PREPARED EXCAVATION

8 GROUND RODS MUST BE DRIVEN BEFORE TOP SECTION OF MANHOLE IS SET INTO POSITION

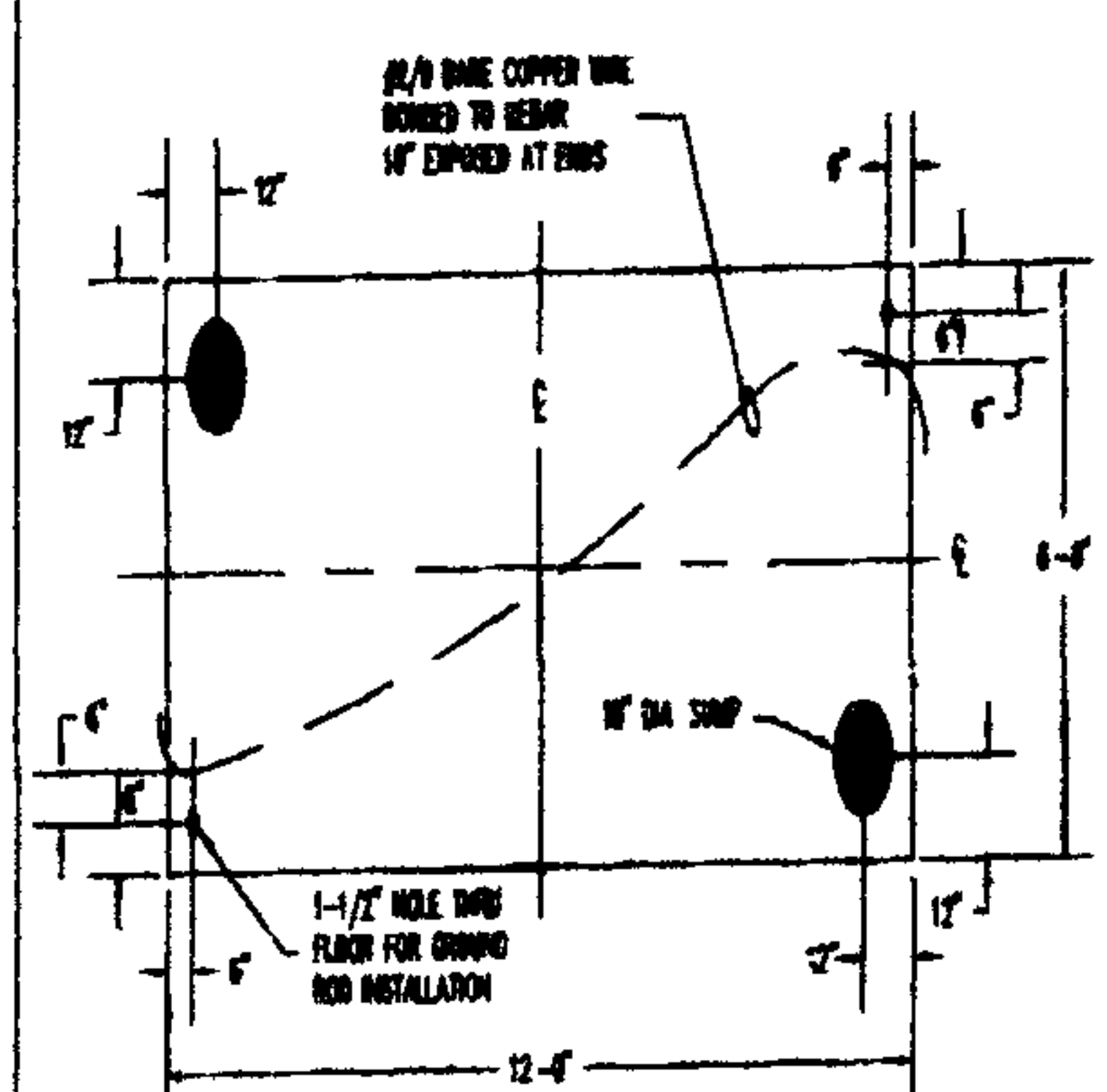
9 A LEVEL SIX TO EIGHT INCH LAYER OF GRAVEL OR CRUSHED STONE MUST BE PROVIDED IN THE BOTTOM OF THE EXCAVATION TO SET THE MANHOLE ON

10 CONDUIT RUNS SHALL BE SLOPED SO AS TO DRAIN INTO MANHOLES



PLAN OF TOP

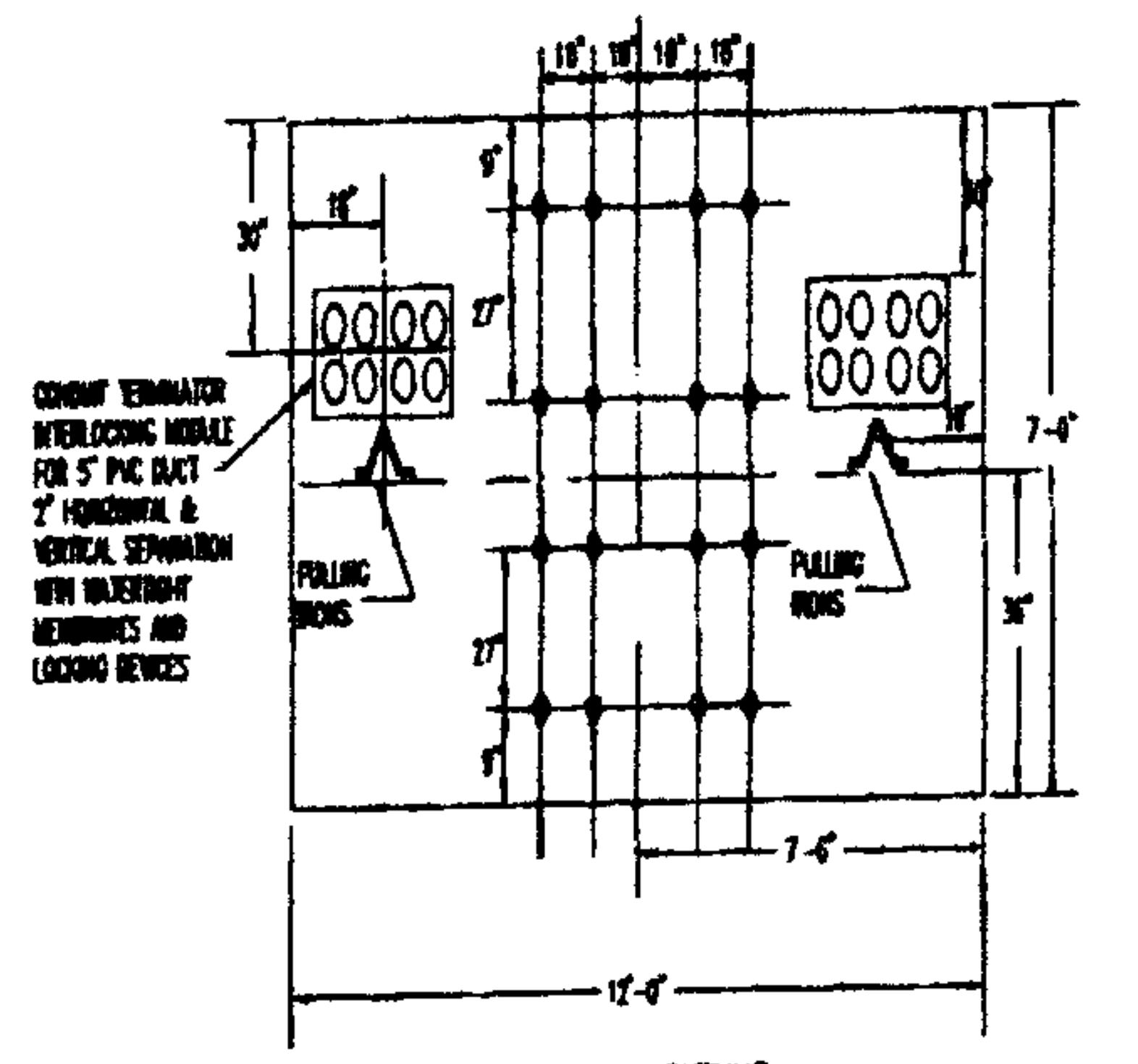
FIGURE 3



FLOOR OUTLINE

(INSIDE DIMENSIONS)

FIGURE 1

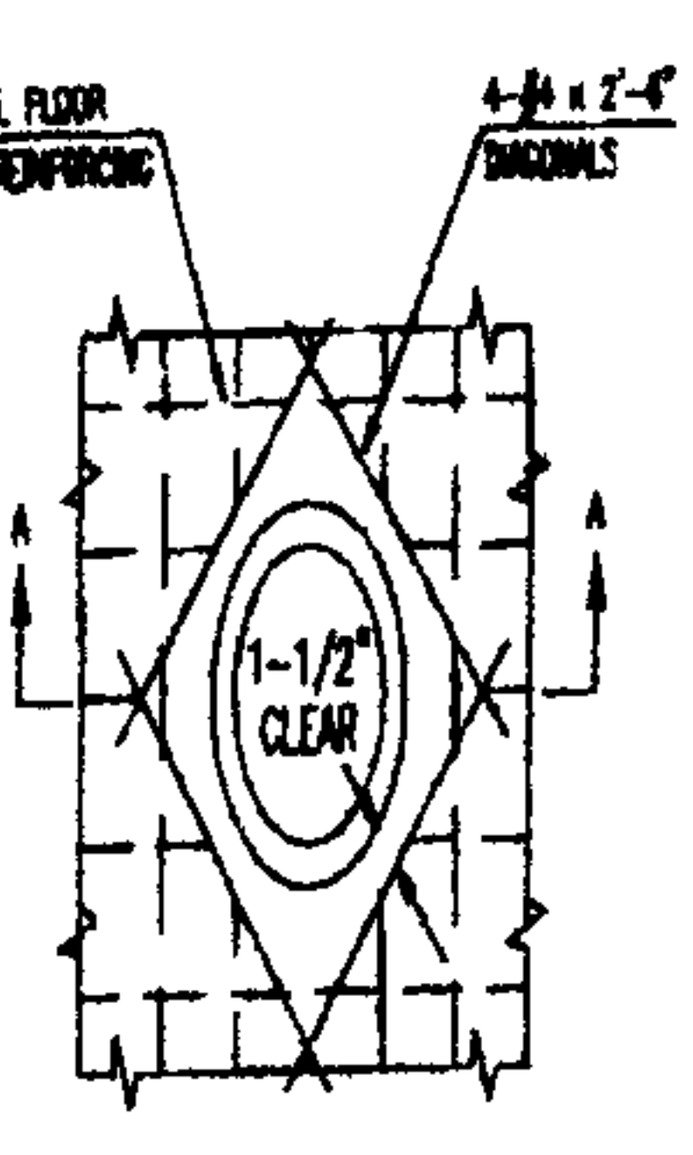


SIDE WALL OUTLINE

(INSIDE DIMENSIONS)

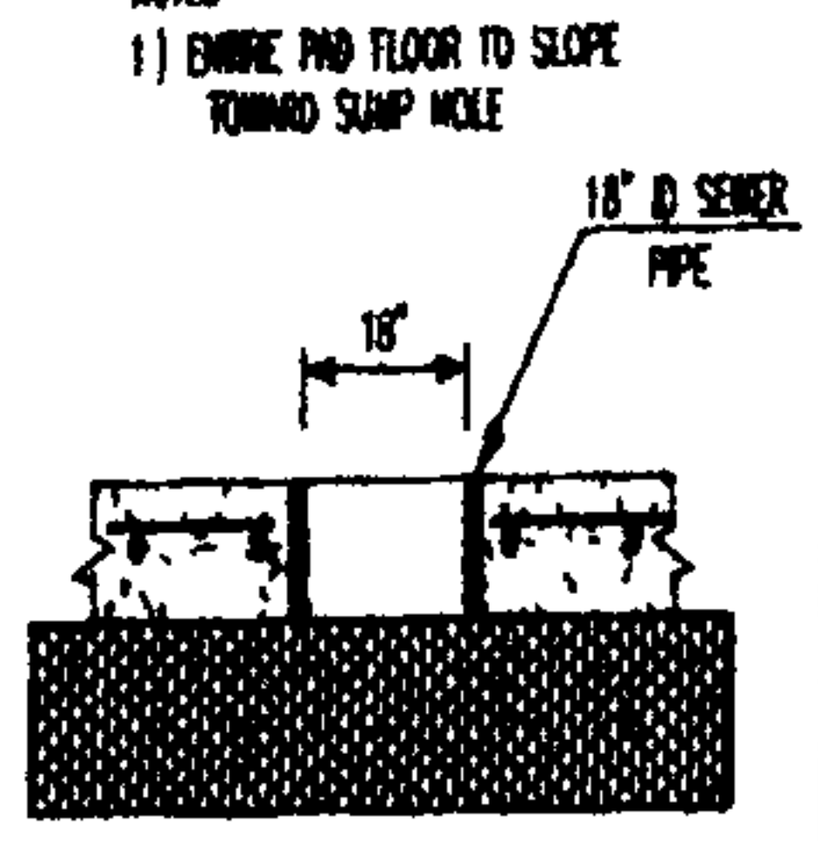
FIGURE 2

SUMP DETAIL
N.T.S.



PLAN 18" ID SUMP

NOTES
1) ENTIRE PAD FLOOR TO SLOPE TOWARD SUMP HOLE



SECTION A-A

FOR CONCRETE ENCASED DUCT INSTALLATION

1 THE CONCRETE USED SHOULD BE 1:3:5 MIX WITH 1/2 INCH OR SMALLER GRAVEL OR CRUSHED STONE AGGREGATE. THIS MIX SHOULD HAVE A NOMINAL COMPRESSIVE STRENGTH OF 2500PSI. THE SLUMP SHOULD BE IN THE RANGE OF 7 INCHES TO 9 INCHES. ALL CONCRETE SHOULD BE POURED WITHIN 1-1/2 HOURS OF MIXING

2 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 CONCRETE AWAY FROM THE TRENCH SIDES TO AVOID DISLODGING SOIL AND ROCKS

3 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

4 USE A VIBRATOR [illegible] TO WORK THE CONCRETE [illegible] CONDUITS [illegible]

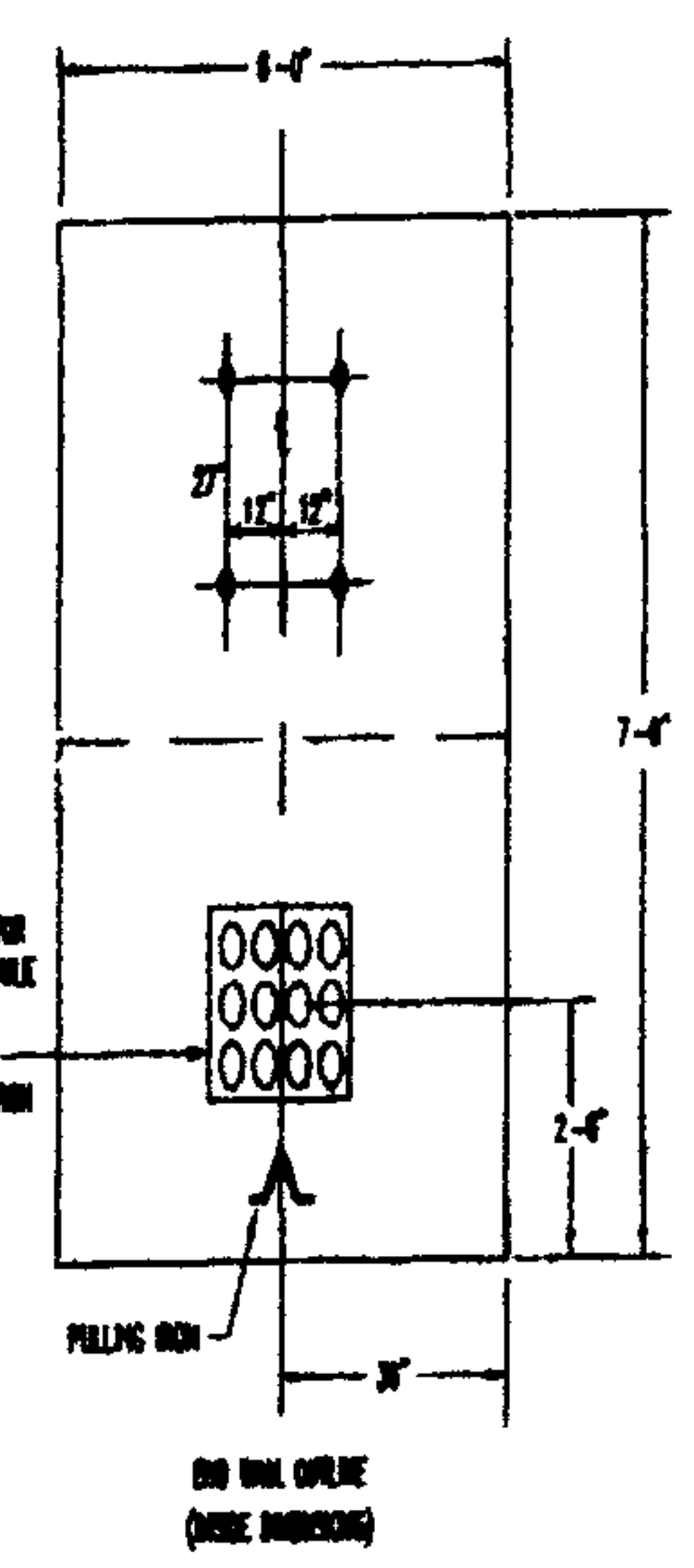
5 THE TRENCH CAN BE BACKFILLED ANY TIME AFTER THE CONCRETE HAS BEEN POURED AND LEVELED. THE CONCRETE SHOULD BE COVERED WITH A MINIMUM OF 4 INCHES OF SELECTED BACKFILL. SPOILS FROM THE TRENCH CAN BE USED FOR THE REMAINING BACKFILL

6 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

7 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

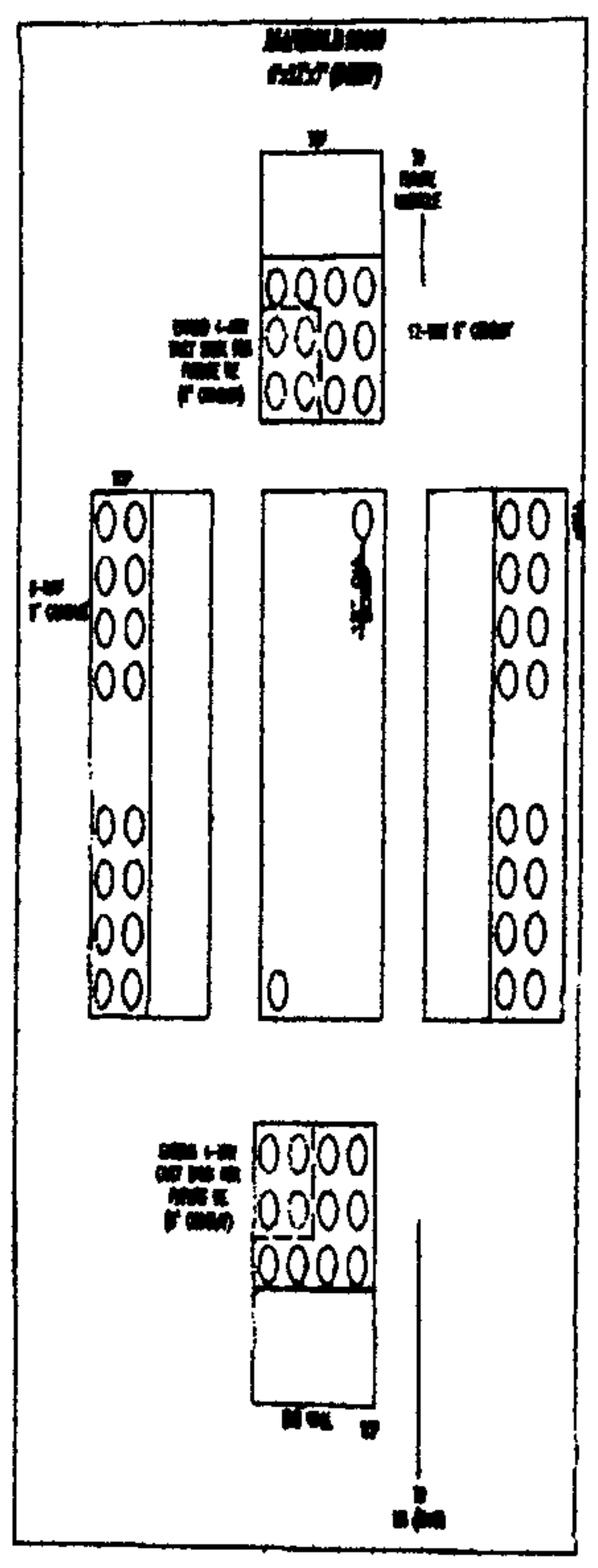
8 DUCT BANKS SHOULD BE INSPECTED BY ALABAMA POWER [illegible] BEFORE BEING COVERED WITH BACKFILL OR ENCASED IN CONCRETE. CONTACT [illegible]

9 PLASTIC SPACERS SHOULD BE USED TO PROVIDE PROPER CLEARANCE (2") BETWEEN CONDUITS AND BETWEEN CONDUITS AND TRENCH FLOOR (3"). SPACER SETS SHOULD BE INSTALLED NOT MORE THAN 8' APART. THE SPACERS SHOULD BE TIED DOWN USING #4 REINFORCING RODS OR EQUIVALENT



END WALL OUTLINE

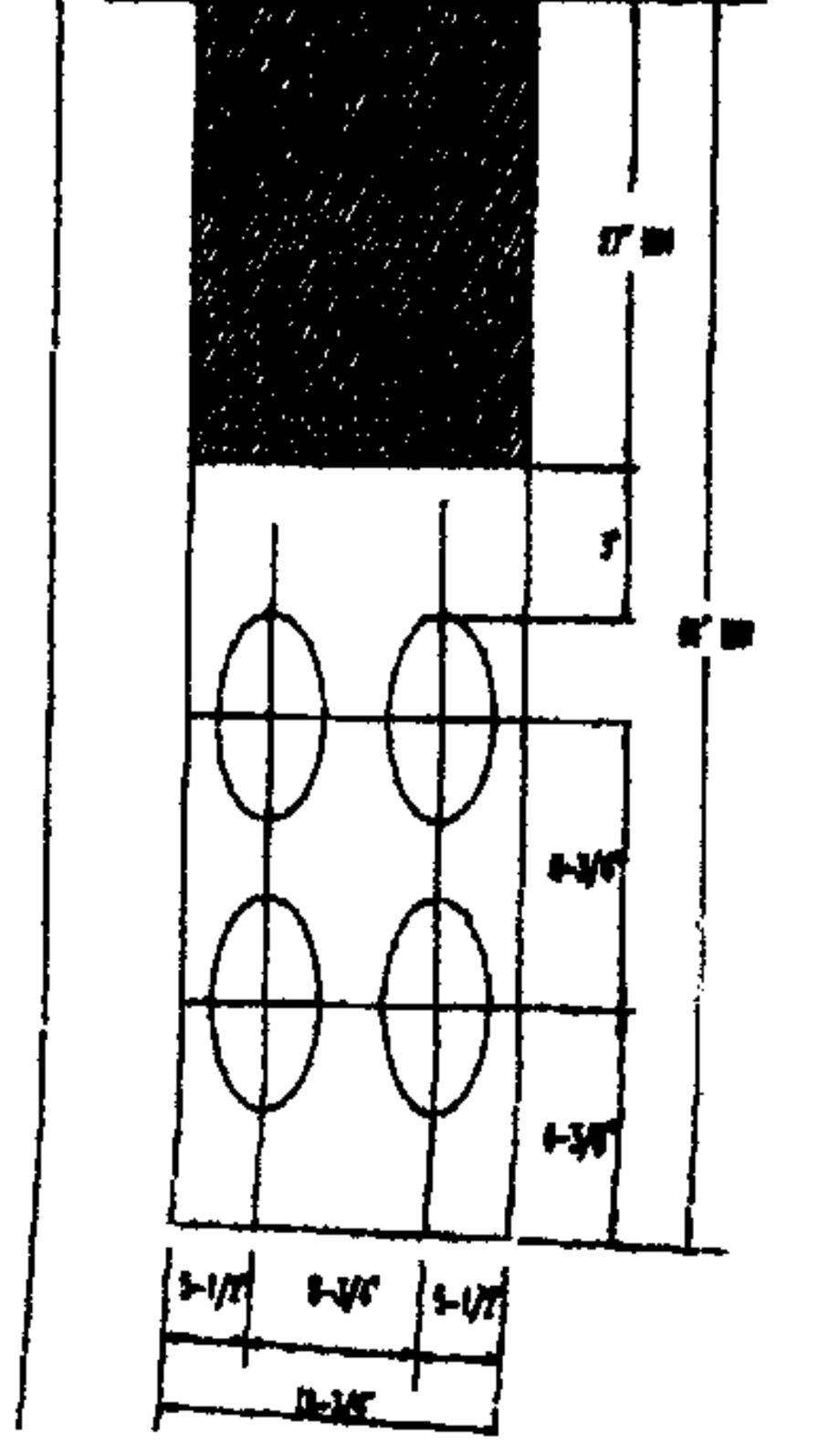
(INSIDE DIMENSIONS)



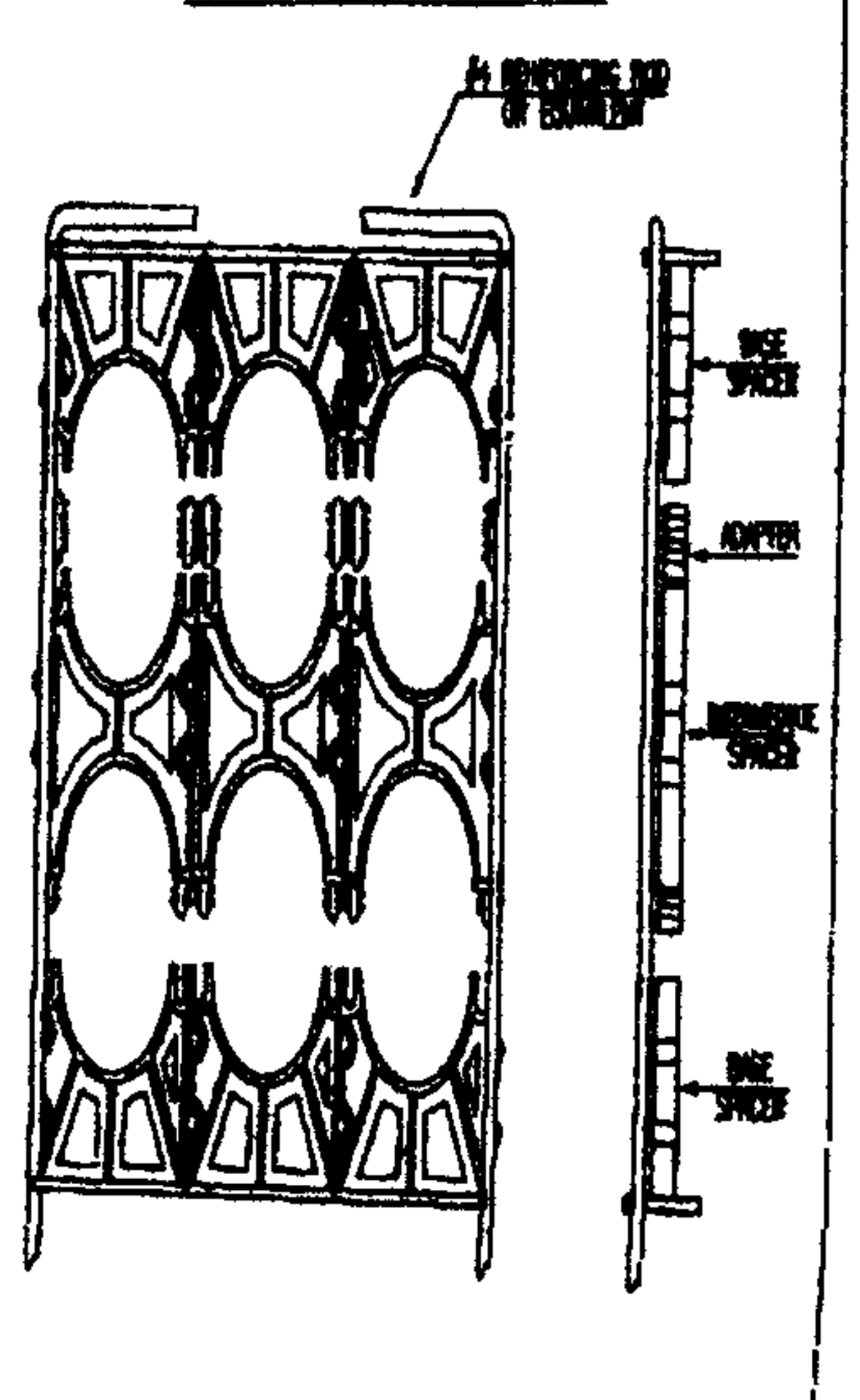
NOTES
1) ALL CONDUIT TO BE TYPE DB
2) CONCRETE TO BE 1:3:5 MIX WITH 1/2" OR UNDER GRAVEL OR CRUSHED STONE AGGREGATE
3) A MINIMUM OF 2" CONCRETE BETWEEN DUCTS AND 3" OF CONCRETE BETWEEN DUCTS AND OUTSIDE SURFACES OF CONCRETE DUCT LINE SHALL BE MAINTAINED. THE TRENCH WALL SHOULD ACT AS THE FORMS FOR THE CONCRETE ENCASEMENT AND SHOULD BE MADE NO WIDER THAN NECESSARY TO PROVIDE THE MINIMUM 3" CONCRETE ENVELOPE
4) PLASTIC SPACERS SHALL BE USED TO PROVIDE PROPER CLEARANCE BETWEEN CONDUITS AND BETWEEN CONDUITS AND TRENCH FLOOR
5) INSTALL A NYLON PULL CORD IN ALL COMPLETE CONDUIT RUNS

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

DETAIL "B"



TYPICAL SPACER ASSEMBLY



PLASTIC SPACERS SHOULD BE USED TO PROVIDE PROPER CLEARANCE (2") BETWEEN CONDUITS AND BETWEEN CONDUITS AND ...

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Shelby Cnty Judge of Probate,AL
08/28/2006 12:16:02PM FILED/CERT

PLAN SCALE

TOWN: PELHAM COUNTY: SHELBY

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ALABAMA POWER CO