

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES X NO

5-14-06 2:00
This instrument prepared by:

Matt Fields

STATE OF ALABAMA }

W.E. No. 61700-00-0438-600

Alabama Power Company

COUNTY OF Shelby }

Parcel No. 70180416

P. O. Box 2641

TAX ID #

Transformer No. S15493

Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That EBSCO DEVELOPMENT CO. INC.

as 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 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"):

A parcel of land in the SW1/4 of the NE1/4 of Section 3,
Township 19 South, Range 1 West as is recorded in Deed Record
2001/45086 in the office of the Judge of Probate of Shelby
County, Alabama.

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 ^{its} ~~his/her~~ hand(s) and seal(s) this the 2nd day of October, 2006.

Witness

(Grantor)

(SEAL)

Witness

EBSCO DEVELOPMENT CO. INC.

(SEAL)

(Grantor)

By: [Signature]

(SEAL)

As: V.P. & General Mgr.

Witness



20061212000602710 1/3 \$17.50
Shelby Cnty Judge of Probate, AL
12/12/2006 01:41:18PM FILED/CERT

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

ATTEST (if corporation) or WITNESS:

By: _____
Its: _____

(Grantor - Name of Corporation/Partnership/LLC)
By: _____ (SEAL)
Its: _____
[indicate President, General Partner, Member, etc.]

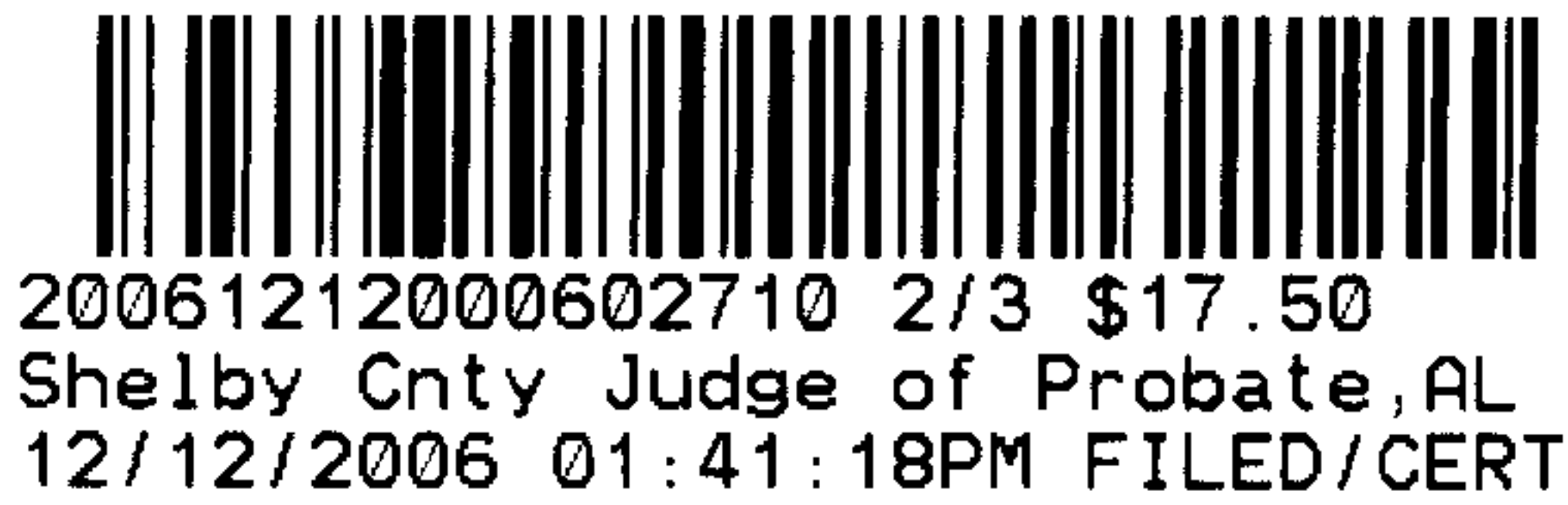
INDIVIDUAL NOTARIES

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 Shelby }

✓ I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that John O. Freeman, Sr whose name as V.P. Gen. Man. of EBSCO Dev. CO. Inc. 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 V.P. + Gen. Man 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 5 day of Oct., 2006.

[SEAL]

Mary Elizabeth
Notary Public
My commission expires: 07/28/07

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____ Station to Station: _____

Shelby County, AL 12/12/2006
State of Alabama

Deed Tax: \$.50

[illegible]

FOR ENERGIZED LINE WORK

OBTAIN ALL WORK PERMITS @ _____

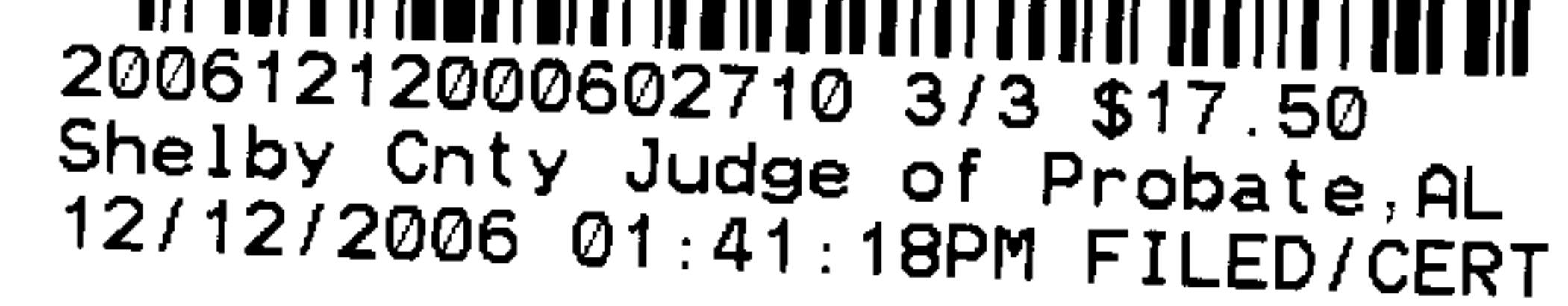
SUBSTATION _____ DOUBLE OAK MTN D.S.

FEDER _____ BREAKER _____ 4016

A hand-drawn map showing the area around Dunnivant. The map includes the following features:

- Roads:**
 - Canada Valley Rd**: A road running vertically on the left side of the map.
 - Dunnivant Valley Rd**: A road running diagonally from the top left towards the bottom right.
 - Bear Creek Rd**: A road running horizontally at the bottom, intersecting Dunnivant Valley Rd.
 - Clayton St**: A road running horizontally on the right side, intersecting Dunnivant Valley Rd.
 - Dunnivant V**: A road running vertically on the right side, intersecting Clayton St.
- Landmarks and Points of Interest:**
 - TO I-58 & BRIMMING**: A label at the top left with an arrow pointing upwards.
 - 280**: A shield-shaped road marker on Bear Creek Rd.
 - MT LAUREL**: A label with a small cross symbol, located near the intersection of Dunnivant Valley Rd and Bear Creek Rd.
 - 208**: A label located near the intersection of Dunnivant Valley Rd and Clayton St.
 - 255**: A label located near the intersection of Dunnivant V and Clayton St.
 - CLAYTON ST**: A label on Clayton St.
 - DUNNIVANT V**: A label on Dunnivant V.
 - 208**: A label located near the intersection of Dunnivant V and Clayton St.
 - 255**: A label located near the intersection of Dunnivant V and Clayton St.
- Other Features:**
 - A large, irregular shape on the right side of the map, possibly representing a body of water or a large field.
 - A small rectangular area with a grid pattern, possibly representing a building or a field.

1 CUSTOMER TO INSTALL CONDUIT FROM
LOCATION #1 TO LOCATION #2
2 CUSTOMER TO INSTALL TRANSFORMER PAD



DATE: _____

ANY CONSTRUCTION FIELD CHANGES
ARE SHOWN IN RED ON THIS PRINT.

0 50 100

TOWN MT LAUREL	COUNTY SHELBY
MAP REF	SEC- ,TP- ,R-

DETAIL DOUBLE OAK COMMUNITY CHURCH
115 OLIVESTAD STREET