

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES ☒ NO ☐

This instrument prepared by:

STATE OF ALABAMA }
COUNTY OF Shelby }
TAX ID # _____

W.E. No. 61700-08-0079-700
Parcel No. 70200531
Transformer No. _____

Larry D. Smith
Alabama Power Company
P. O. Box 2641
Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That David Downard and wife Tammy Downard

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:

- 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.
- 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.
- 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 NE1/4 of the NW1/4 of Section 10,
Township 20 South, Range 1 West more particularly described
in 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~~ their hand(s) and seal(s) this the 10 day of October, 2007.

David Downard
Witness


David Downard (SEAL)
(Grantor)

Tammy Downard
Witness

Tammy Downard (SEAL)
(Grantor)

Witness

By: _____ (SEAL)
As: _____


20080225000074940 1/4 \$20.50
Shelby Cnty Judge of Probate, AL
02/25/2008 01:15:34PM 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:

(Grantor - Name of Corporation/Partnership/LLC)

By: _____
Its: _____

By: _____ (SEAL)
Its: _____

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

INDIVIDUAL NOTARIES

STATE OF ALABAMA }
COUNTY OF Shelby }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that David Downard and wife
Tammy Downard 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 10th day of October, 2007.

[SEAL]

Larry D. Saritt
Notary Public
My commission expires: 2-6-10

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 _____, _____.

Shelby County, AL 02/25/2008
State of Alabama

Deed Tax: \$.50

Notary Public
My commission expires: _____

TRUSTEE/CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF ALABAMA }
COUNTY OF _____ }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that _____
_____, whose name as _____ of _____
_____ 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 _____ day of _____, _____.

[SEAL]

Notary Public
My commission expires: _____

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____

Station to Station: _____

EXHIBIT "A"

20050726000374770 2/2 \$15.00
Shelby Cnty Judge of Probate, AL
07/26/2005 03:01:44PM FILED/CERT

REVISED LEGAL DESCRIPTION FOR ESTATE NO. 6

ESTATE NO. 6

STATE OF ALABAMA
SHELBY COUNTY

I, James M. Ray, a Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and plat (or drawing) have been completed in accordance with the requirements of the Standards for the Practice of Surveying in the State of Alabama, being more particularly described as follows, to-wit: Commence at the Southwest corner of the Northeast one-fourth of the Northwest one-fourth of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama; thence proceed North 88° 52' 45" East along the South boundary of said quarter-quarter section for a distance of 378.88 feet to a 1/2" rebar in place, said point being the point of beginning. From this beginning point continue North 88° 52' 45" East along the South boundary of said quarter-quarter section for a distance of 469.13 feet (set 1/2" rebar); thence proceed North 00° 23' 48" West for a distance of 80.10 feet; thence proceed North 05° 41' 01" East for a distance of 68.97 feet; thence proceed North 16° 43' 30" East for a distance of 174.79 feet; thence proceed North 30° 33' 36" West for a distance of 664.56 feet; thence proceed North 32° 17' 35" West for a distance of 524.47 feet (set 1/2" rebar); thence proceed South 88° 34' 23" West for a distance of 295.86 feet to a 1/2" rebar in place; thence proceed South 13° 25' 57" West for a distance of 608.54 feet to a 1/2" rebar in place; thence proceed South 55° 18' 24" East for a distance of 84.61 feet; thence proceed North 82° 52' 03" East for a distance of 241.91 feet; thence proceed South 30° 45' 38" West for a distance of 355.50 feet; thence proceed South 03° 21' 26" East for a distance of 177.22 feet; thence proceed South 58° 23' 46" East for a distance of 459.59 feet to the point of beginning.

The above described land is located in the Northeast one-fourth of the Northwest one-fourth and the Northwest one-fourth of the Northwest one-fourth of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama and contains 20.19 acres.

According to my survey this the 24th day of June, 2005.

James M. Ray, Ala. Reg. No. 18383
Ray and Gilliland, P. C. Ala. Board Cert. No. CA-0114-LS

20080225000074940 3/4 \$20.50
Shelby Cnty Judge of Probate, AL
02/25/2008 01:15:34PM FILED/CERT

70200531

07 NOV 16 PM 5:10

07:00 15 PM:09

Customer		Location	Agreed Serv. Date	County	Section	Township	Range	Add'l Info	Estimate No.		A SERVICE COMPANY	
Division	Operation	Town	Engineer	LINC#	Date	Substation	X	Y	NJUNS Ticket #	LOC		
ROSEWOOD INC	274 AUTUMN RIDGE			SHEIRY	10	20S	1W			61700-08-00797		
BIRMINGHAM	MEIRO-SOUTH CHELSEA	FROST	11060	9-26-07	CHELSEA		34734		XD3719			

APCO CONTRACTOR TO PERFORM ALL TRENCHING
APCO TO BILL CUSTOMER PER CSP

SHORT CIRCUITS

30 - G= _____

Ø - G= _____

Ø - G Res= _____

ENERGIZED LINE WORK

SUB _____

OCB/OCR# _____

SWITCH# _____

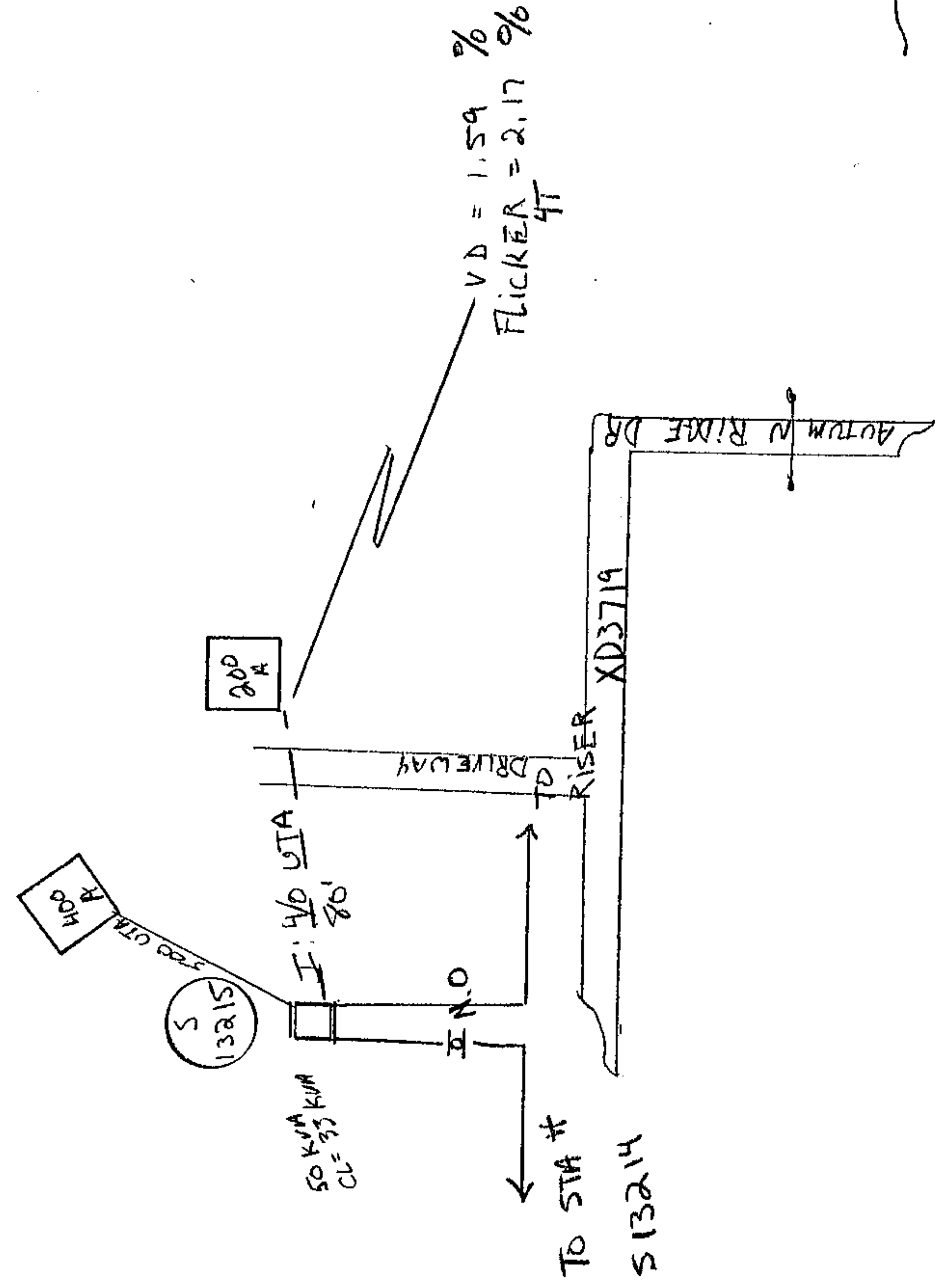
FUSE SIZE _____

"MISS-ALL" # 1-800-292-8525	
DATE CALLED	_____
LOCATION REQUEST #	_____
WATER WORKS	
DATE CALLED	_____

TRANSFER OF ATTACHMENTS	
OTHER	_____
KNOWLEDGE	_____
CHARTER	_____
OTHER	_____
YES	NO

Voltage	Sec.
Pri	7.2
	120
	340
PHONE CO.	KV
Co. Name	
CATV CO.	
Co. Name	
Accessible	
Heavy Traffic	
SW Arm	

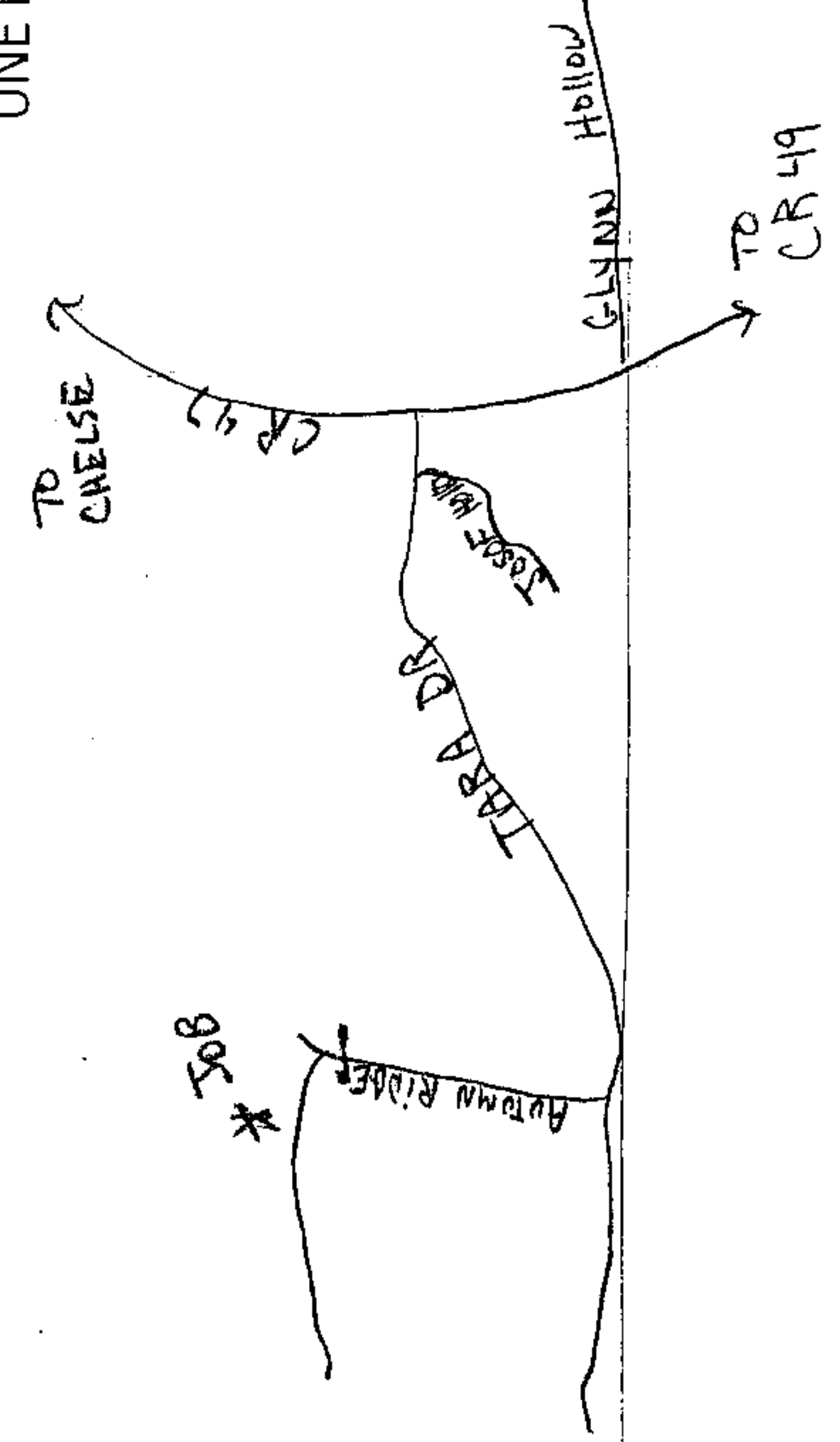
0080225000074940 4/4 \$20.50
nelby Cnty Judge of Probate, AL
2/25/2008 01:15:34PM FILED/CERT



SKETCH 747

target
ZERO
ONE DAY AT A TIME

PERFORM
JSA



SCALE	NTS	Ft. Per Inch
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