

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES X NO

This instrument prepared by:

STATE OF ALABAMA

COUNTY OF

TAX ID #

W.E. No. 61700-00-0403-500

Parcel No. 70217975

Transformer No.

Alabama Power Company

P. O. Box 2641

Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Donald C. Horton and wife
Terra Horton

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 SE 1/4 of SW 1/4 of Section 36
Township 21S Range 1E as recorded in
20081015000406830
of Probate of Shelby

20090127000025860 1/2 \$14.50
Shelby Cnty Judge of Probate, AL
01/27/2009 11:59:53AM FILED/CERT

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 11th day of December, 2008.

Witness

Witness

Shelby County, AL 01/27/2009

State of Alabama

Deed Tax: \$.50

By: Donald C. Horton (SEAL)

As:

Sketch of Proposed Work - Simplified W. E.



2024 7975

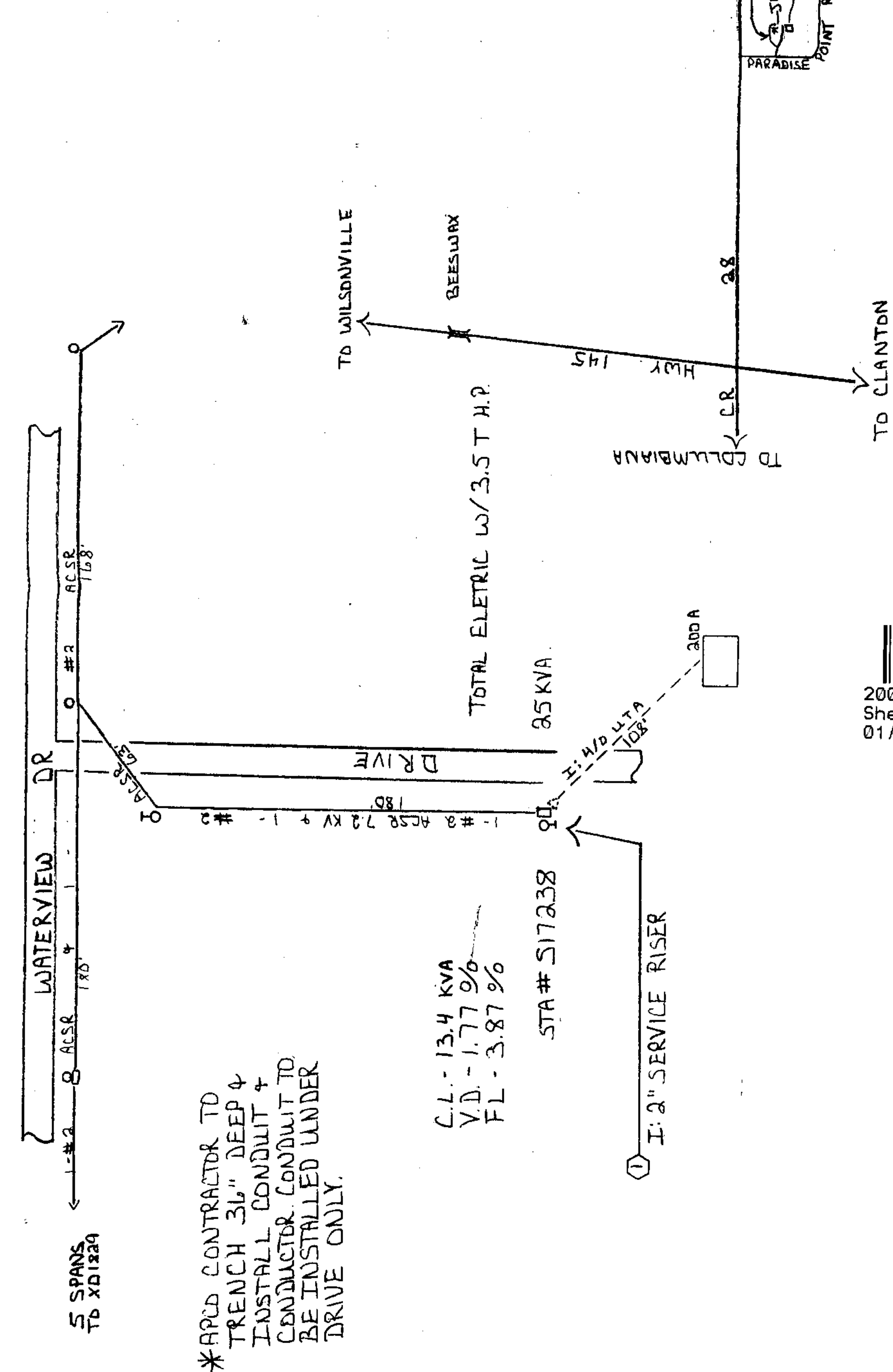
Customer	CHRIS HORTON	Location	180 WATERVIEW DR	Agreed Serv. Date	12-31-08	County	SHELBY	Section	39	Township	21S	Range	D1E	Add'l Info	NA	Estimate No.	617DD-DD-D4038
Division	BIRMINGHAM	Operation	METRO-SOUTH	Town	COLUMBIANA	Engineer	B. PHILLIPS	UNC#	17064	Date	12-2-08	Substation	COLUMBIANA	X	Y	NJUNS Ticket #	NA
																Transformer Loading	

SHORT CIRCUITS	30 - G=	0 - G=	0 - G Res=
	497	497	207

ENERGIZED LINE WORK	SUB	CDLUMBIANA
	OCB/OCR#	Q6070
	SWITCH#	
	FUSE SIZE	

"MISS-ALL" # 1-800-292-8525	DATE CALLED	LOCATION REQUEST #
WATER WORKS	DATE CALLED	
TRANSFER OF ATTACHMENTS	YES	NO
OTHER		
KNOWLEDGE		
CHARTER		
OTHER		

Voltage	Pri	Sec.
7.2	120	
KV	240	
PHONE CO.	Co. Name	
CATV CO.	Co. Name	
Accessible Heavy Traffic SW Amp		
TREE CREW		
PERMITS REQ'D	R/W	
	CITY	
	COUNTY	
	STATE	
OTHER	NA	
SCALE	60	
Ft. Per Inch		



20090127000025860 2/2 \$14.50
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