

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES X NO

Sta 1-00 to Sta 1-70

STATE OF ALABAMA }
COUNTY OF Shelby }
TAX ID #

W.E. No. AG150-00-A2-09
~~67500-00-06339~~
Parcel No. 70219129
Transformer No. T29145

This instrument prepared by:
Aaron M. Ford
Alabama Power Company
P. O. Box 2641
Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That DAVID R. #102 MADELINE M. BUSBY
Husband & Wife

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"):

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 31st day of December, 2008.

Witness Jane R. Och

Witness Jane R. Och

Witness

David R. Busby (SEAL)
(Grantor)

Madeline M. Busby (SEAL)
(Grantor)

By: (SEAL)

As:



20090212000048770 1/3 \$17.50
Shelby Cnty Judge of Probate, AL
02/12/2009 12:30:31PM FILED/CERT

20090212000048770 2/3 \$17.50
Shelby Cnty Judge of Probate, AL
02/12/2009 12:30:31PM FILED/CERT

20060427000197930 2/3 \$217.00
Shelby Cnty Judge of Probate, AL
04/27/2006 01:08:36PM FILED/CERT

Exhibit "A"

Parcel I

Lot 8 of the unrecorded Subdivision known as Shoal Ridge being a part of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 3 and the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 4, Township 18 South, Range 1 East Shelby County, Alabama; being more particularly described as follows:

Commence at the Northeast corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 3, Township 18 South, Range 1 East; thence run North 85 deg. 56 min. 12 sec. West along the North line of said $\frac{1}{4}$ for 279.57 feet; thence run South 23 deg. 22 min. 29 sec. East for 23.66 feet to a point on a fence and the point of beginning; thence continue on the last described course for 903.04 feet to a point in the centerline of a 60 foot wide easement for access and utilities; thence run South 63 deg. 34 min. 43 sec. West along said centerline for 262.57 feet; thence run North 49 deg. 32 min. 47 sec. West for 732.21 feet; thence run North 71 deg. 27 min. 51 sec. West for 1259.45 feet to a point in the center of a creek; thence run North 18 deg. 10 min. 44 sec. East along said center of creek for 174.67 feet; thence run North 58 deg. 04 min. 53 sec. East along said center of creek for 23.11 feet; thence run South 88 deg. 32 min. 02 sec. East for 518.97 feet; thence run South 3 deg. 29 min. 12 sec. West for 21.00 feet to an old fence; thence run South 85 deg. 56 min. 12 sec. East along said old fence for 1039.12 feet to the point of beginning in the Probate Office of Shelby County, Alabama; being situated Shelby County, Alabama.

Parcel II

A non-exclusive sixty foot wide private access easement the centerline of which is described as follows: Commence at the Northeast corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 3, Township 18 South, Range 1 East, Shelby County, Alabama and run thence North 85 deg. 55 min. 35 sec. West along the north line of said $\frac{1}{4}$ a distance of 476.76 feet to a point; thence run South 75 deg. 09 min. 08 sec. West a distance of 873.71 feet to a point in the centerline of a sixty foot wide access easement and the point of beginning on the centerline of the easement being described; thence run South 70 deg. 31 min. 14 sec. West 636.77 feet to a point; thence run South 70 deg. 20 min. 55 sec. West 427.02 feet to a point; thence run South 63 deg. 34 min. 43 sec. West 976.73 feet to the P.C. of a curve to the left having a central angle of 23 deg. 53 min. 11 sec. and a radius of 175.00 feet; thence run along the arc of said curve an arc distance of 72.96 feet to the P.T. of said curve; thence run South 39 deg. 41 min. 32 sec. West 320.28 feet to the P.C. of a curve to the right having a central angle of 34 deg. 19 min. 29 sec. and a radius of 175.00 feet; thence run along the arc of said curve an arc distance of 104.84 feet to the P.T. of said curve; thence run South 74 deg. 01 min. 01 sec. West 706.79 feet to the P.C. of a curve to the left having a central angle of 48 deg. 59 min. 37 sec. and a radius of 200.00 feet; thence run along the arc of said curve an arc distance of 171.02 feet to the P.T. of said curve; thence run South 25 deg. 01 min. 24 sec. West a distance of 213.53 feet to the centerline of Alabama Highway No. 25 and the end of required easement. Less and except any part of Highway 25 right of way that lies within this description, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

gds

SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Map Center UTM:
1782970 12158871

Map Center LatLon:
-86.532256 33.492914

1 inch equals 201 feet

Customer MADALENE BUSBY	Location 425 SHOAL RIDGE DR	Cmtd. Svc Date 12-19-2008	County Shelby	Section 3	Township 18S	Range 01E	Add'l Info.	Estimate No. A6150-00-A2-09 A6150-40-A1-09
Division SOUTH	District EAST JEFF	Town DUNNAVANT	UserID jroden	Created: 1/21/2009	Substation LEEDS #2 DS35	X- A9813	Y- 264326	MISSALL#

ENERGIZED LINE WORK	Loc 5	Transformer Loading
Sub		CALC LD = 21.4
OCB/OCR		VD = 2.17
Switch#		VDF = 4.30
Fuse Size		



Voltage	
Pri	Sec
7.2	120
240	
Phone Co.	
Cable Co.	
Accessible	Y
Tree Crew	
Rock Hole	
Permits	
R/W	Y
CITY	
COUNTY	
STATE	
OTHER	

NOTE:
CUSTOMER TO PAY \$290.00 FOR U.G. SERVICE
PER CSP 715-110 APP C

