

EASEMENT - DISTRIBUTION FACILITIES

STATE OF ALABAMA

COUNTY OF SHELBY

W.E. No. A6170-13-AB16

APCO Parcel No. 70278574

Transformer No. S3874

This instrument prepared by: Shannon Floyd

Alabama Power Company  
2 Industrial Park Drive  
Attn: Corp RE - Shannon Floyd  
Pelham, AL 35124

500-

20160721000255140

07/21/2016 10:32:26 AM

ESMTAROW 1/3

KNOW ALL MEN BY THESE PRESENTS, That Cole Investment Realty, LLC, an Alabama limited liability company,

as grantor(s), (the "Grantor", whether one or more) for and in consideration of One and No/100 Dollar (\$1.00) and other good and valuable consideration paid to Grantor in hand 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 below.

**Overhead and/or Underground.** The right from time to time to construct, install, operate and maintain, upon, over, under and across the Property described below, all poles, towers, wires, conduits, fiber optics, cables, communication lines, translosures, 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 communications, along a route selected by the Company, as generally shown on the Company's drawing attached hereto and made a part hereof, but which is to be determined by the actual location(s) in which the Company's facilities are installed. The width of the Company's easement will depend on whether the Facilities are underground or overhead: for underground, the easement will extend five (5) feet on each side of said Facilities as and where installed; for overhead Facilities, the easement will extend fifteen (15) feet on each side of the centerline of said Facilities as and where installed. The Company is granted the right to clear, and keep clear, all trees, undergrowth and other obstructions on a strip of land extending five (5) feet from each side of said underground Facilities, and to clear, and keep clear, all trees, undergrowth and other obstructions on a strip of land extending fifteen (15) feet from each side of the centerline of said overhead Facilities and the right in the future to install intermediate poles and facilities on said strip. Further, with respect to overhead Facilities, the Company is also granted the right to trim and cut, and keep trimmed and cut, all dead, weak, leaning or dangerous trees or limbs outside of the thirty (30) foot strip that, in the sole opinion of the Company, may now or hereafter endanger, interfere with, or fall upon any of said overhead 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 said 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, as applicable.

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 located in the NW ¼ of the NW ¼ of Section 30, Township 20 South, Range 2 West, more particularly described in that certain instrument recorded in Instrument Number 20140812000251430 in the office of the Judge of Probate of said County.

In the event it becomes necessary or desirable for the Company from time to time 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 said 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 said Grantor, has caused this instrument to be executed by EUGENE K. COLB

its authorized representative, as of the 16<sup>TH</sup> day of MARCH, 2016.

ATTEST (if required) or WITNESS:

Cole Investment Realty, LLC, an Alabama limited liability company

By: \_\_\_\_\_

By: Eugene K. Colb (SEAL)

Its: \_\_\_\_\_

Its: my member  
[indicate: President, General Partner, Member, etc.]

70278574

All facilities on Grantor: \_\_\_\_\_

Station to Station:

Sta 1+00 to 1+60' on road r/w. Sta 1+60 to  
Sta 2+00 (monthly) increments.

CORPORATION NOTARY

20160721000255140 07/21/2016 10:32:26 AM ESMTAROW 2/3

STATE OF ALABAMA

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public, in and for said County in said State, hereby certify that \_\_\_\_\_, whose name as \_\_\_\_\_ of \_\_\_\_\_, a corporation, 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 this instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

[SEAL]

Notary Public

My commission expires: \_\_\_\_\_

CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF ALABAMA

COUNTY OF Shelby

I, Edith Johnson, a Notary Public in and for said County in said State, hereby certify that Eugene K. Cole, whose name as Managing member of Cole Investment Realty, LLC, a Alabama limited liability company acting in its capacity as managing member of Cole Investment Realty, LLC, a Alabama limited liability company 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 member and with full authority, executed the same voluntarily, for and as the act of said member [acting in such capacity as aforesaid].

Given under my hand and official seal this the 14<sup>th</sup> day of March, 2016.

[SEAL]



Notary Public

My commission expires: 7/10/2019

Map Center UTM: 11QUC Map Center LatLon: 11.000000 103.000000

Customer APCO - HUNTLEY MCAN PKWY TIE	Location District SOUTH VARNONS	Contact, Svc Date 7/21/2016	County 33.369256	Township 20S	Range 02W	Estimate No. A617013AB16	Missall No. Work Date Time Update
Division BIRMINGHAM	Town	Created: 3/7/2016	User/D japutt	Substation	X- Y-		

  

ENERGIZED LINE WORK	
Strip	OCB/OCR
3rd/4th	Fuse Size
Scheme? N	Scheme Name:
918970	240
Phone	Co. Name
AT&T	CATV Co.
CHARTER	Co. Name
Available	Time View
MISSALL Y	Distance (miles)
R/W	City
County	State
Latitude	Longitude
KVA	Volt Drop
FUSE	



**Filed and Recorded  
Official Public Records  
Judge James W. Fuhrmeister, Probate Judge,  
County Clerk  
Shelby County, AL  
07/21/2016 10:32:26 AM  
\$21.50 CHERRY  
20160721000255140**

*J. W. F. Smith*