

Source of Title:

Instrument #20170316000088340

EASEMENT - UNDERGROUND

STATE OF ALABAMA

COUNTY OF SHELBY

W.E. No. A6173-00-BV18

APCO Parcel No. 72239175-001

Transformer No. X7345

This instrument prepared by: Dean Fritz

Alabama Power Company

2 Industrial Park Drive

Pelham, AL 35124

20180831000313790

08/31/2018 08:54:05 AM

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KNOW ALL MEN BY THESE PRESENTS, That Matthew Miranda Dicen and wife, Kim Dicen 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 described below.

The right from time to time to construct, install, operate and maintain upon, under and across the Property described below, all wires, cables, translosures, transformers, conduits, fiber optics, communication lines and other facilities useful or necessary in connection therewith (collectively, the "Facilities"), for the underground transmission and distribution of electric power and communications, along a route selected by the Company which is generally shown on the Company's drawing attached hereto and made a part hereof and which is to be determined by the locations in which the Company's Facilities are installed, such drawing showing the general location of underground facilities in an area ten feet (10') in width and also the right to clear and keep clear a strip of land extending five feet (5') from each side of said 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 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, adjacent to, and above said Facilities.

The easements, rights and privileges granted hereby shall apply to, and the word "Property" as used in this instrument shall mean, the following real property situated in Shelby County, Alabama (the "Property"): A portion of a parcel of land located in the NE¼ of the SE¼ of Section 12, Township 19 South, Range 2 West, more particularly described in Instrument #20170316000088340, in the Office of the Judge of Probate of said county, Alabama.

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 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 said Company, its successors and assigns, forever.

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument on this the 30 day of AUGUST

20 18  
Chris Luster  
Witness

Chris Luster  
Print Name

Chris Luster  
Witness

Chris Luster  
Print Name

Matthew Miranda Dicen (SEAL)  
(Grantor)

MATTHEW MIRANDA DICEN (SEAL)  
Print Name

Kim Dicen (SEAL)  
(Grantor)

Kim Dicen (SEAL)  
Print Name

