

APC Document #: 72286459-001

**EASEMENT – DISTRIBUTION FACILITIES**

STATE OF ALABAMA

COUNTY OF SHELBY

This instrument prepared by: Ashley Downing

Alabama Power Company  
P.O. Box 2641, BIN: 12N-0982  
Birmingham, AL 35203

KNOW ALL MEN BY THESE PRESENTS That the undersigned HARALD L. SMYER, married (hereinafter known as "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, do hereby grant to said Alabama Power Company, its successors and assigns (hereinafter the "Company"), the following easements, rights, and privileges:

**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, trans closures, transformers, anchors, guy wires, other facilities useful or necessary in connection therewith, and, for underground facilities, the right to install a meter adapter junction box ("Adapter") in the general vicinity of the existing meter enclosure on the Grantor's structure to facilitate the delivery of underground electric service to the Grantor (collectively, "Facilities"), for the overhead and/or underground transmission and distribution of electric power and communications, along a route selected by the Company, as determined by the location(s) in which the Company's facilities are to be installed. The width of the Company's right of way will depend on whether the Facilities are underground or overhead: for underground, the right of way will extend five (5) feet on all sides of said Facilities as and where installed; for overhead Facilities, the right of way will extend fifteen (15) feet on all sides of said Facilities as and where installed.

The Company is further granted all the rights or privileges necessary or convenient for the full enjoyment and use of said right of way for the purposes above described, including, without limitation, the right of ingress and egress to and from said Facilities, as applicable, the right to excavate, and the right to remove or make saw cuts through paved areas for installation, replacement, repair and removal of said Facilities, the right to install, maintain, and use anchors and guy wires on land adjacent to said right of way, the right in the future to install intermediate poles and facilities on said right of way, and also the right to cut, remove, and otherwise keep clear any and all trees, undergrowth, structures, obstructions, or obstacles of whatever character, on, under and above said right of way, as applicable. 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 aforementioned right of way that, in the opinion of the Company, may now or hereafter endanger, interfere with, or fall upon any of said overhead Facilities.

Once installed, the Grantor assumes ownership and responsibility for the Adapter.

The easements, rights and privileges granted hereby shall burden the "Easement Area", which is located within the real property more generally described in Deed Book 221, Page 928, in the Office of the Judge of Probate of the above-named county in Alabama.

If, in connection with the construction or improvement of any public road or highway, it becomes necessary or desirable for the Company to move any of the Facilities, Grantor hereby grant 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 undersigned Grantor has executed this instrument on this the 22 day of June, 2023.

Slarka Byrns  
Witness Signature (non-relative)

Slarka Byrns  
Print Name

Mary E. Oram  
Witness Signature (non-relative)

Mary E. Oram  
Print Name

[Signature]  
Grantor Signature

HARALD L. SMYER  
Print Name

\_\_\_\_\_  
Grantor Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
For Alabama Power Company Corporate Real Estate Department Use Only

W.E. #: A6150-72-A722-Birmingham Tax ID #: 03-6-24-0-000-043.000 & 03-6-24-0-000-043.013

1/4, 1/4 STR: NE 1/4 SE 1/4, NW 1/4 SE 1/4 of Section 24, Township 18 South, Range 01 West

All Facilities on Grantor: [ ] Electronically Filed: [ ]

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A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California

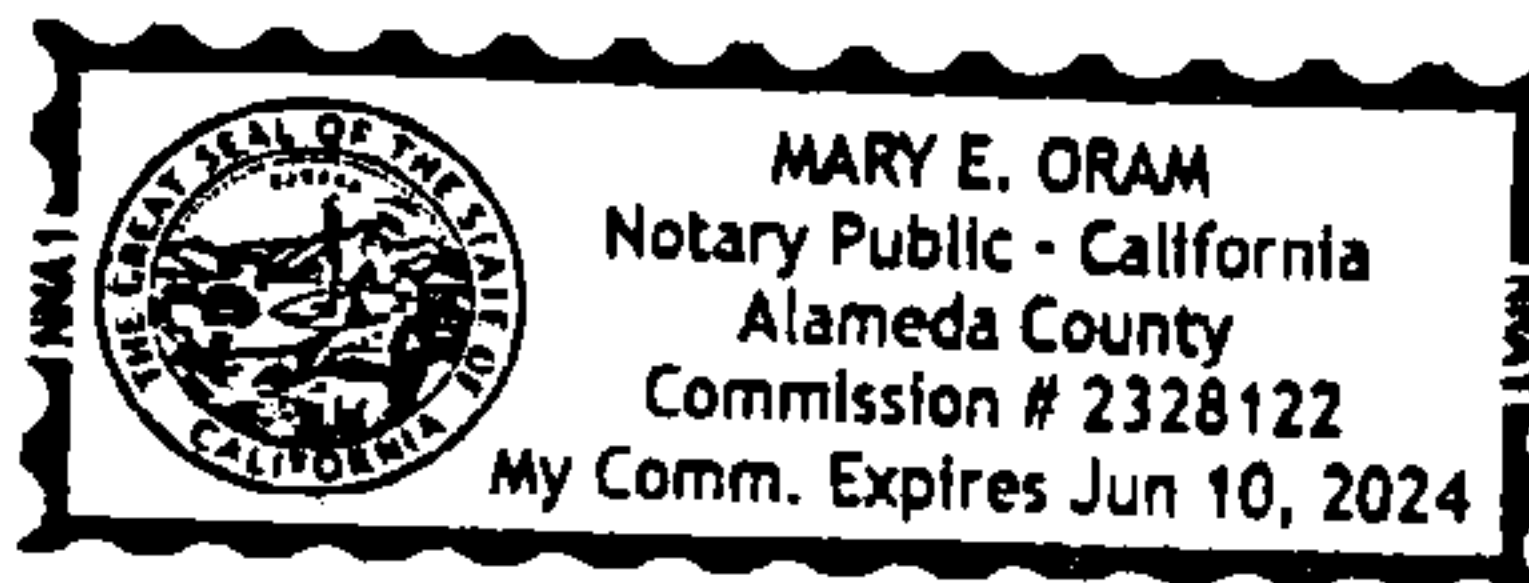
COUNTY OF Alameda

I, Mary E. Oram, a Notary Public, in and for said County in said State, hereby certify that

HAROLD L. SMYER, married whose name 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, executed the same voluntarily.

Given under my hand and official seal this the 22<sup>ND</sup> day of June, 2023.

[SEAL]



Mary E. Oram  
Notary Public

My commission expires: June 10, 2024

STATE OF \_\_\_\_\_

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

I, \_\_\_\_\_, a Notary Public, in and for said County in said State, hereby certify that

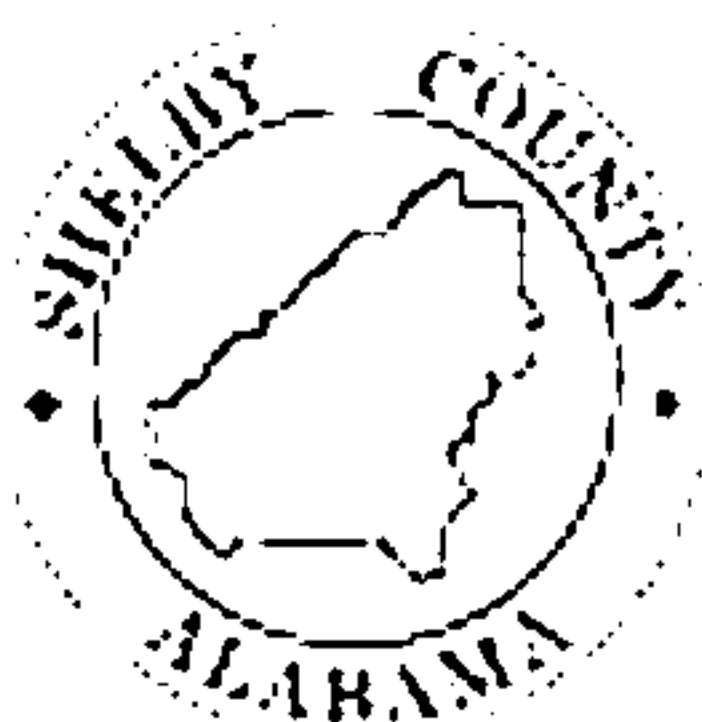
\_\_\_\_\_ whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of the instrument, executed the same voluntarily.

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

[SEAL]

\_\_\_\_\_  
Notary Public

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



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
11/14/2023 02:13:18 PM  
\$26.00 BRITTANI  
20231114000334270

Allie S. Bayl