

3931

UTILITY EASEMENT - SUBDIVISION - CORPORATION

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, That the undersigned RUX CARTER

REAL ESTATE COMPANY, INC.,, a corporation, for and in consideration of the sum of ONE AND NO/100 Dollars (\$ 1.00 ), to it in hand paid by Alabama Power Company, a corporation, and Southern Bell Telephone and Telegraph Company, a corporation, the receipt whereof is acknowledged, does hereby grant to said Alabama Power Company and Southern Bell Telephone and Telegraph Company, their successors and assigns, the right to construct, operate and maintain lines of poles and towers and appliances necessary in connection therewith, for the transmission of electric power and communication service, with the right to string thereon from time to time electric power and communication wires and cables, together with the right to install, maintain, and operate underground conduits, cables, or other facilities for the purpose of conducting communication wires underneath the surface of the ground and the right to permit other corporations and persons to attach wires and cables to said poles and towers and to install wires or cables within conduits upon, over, under, and across the following described land situated in Shelby County, Alabama:

All streets, avenues, alleys, public ways, public utility easements and/or said additional easements within Riverview Subdivision, as recorded in Map Book 4, page 63, in Office of Judge of Probate, Shelby County.

Together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from said lines; and including the right to install guys and anchors within twenty feet of aforesaid poles on property immediately adjacent to said streets, avenues, alleys, public ways, public utility easements and/or said additional easements; and to overhang with wires and crossarms, for a distance not to exceed five feet, the property immediately adjacent to said streets, avenues, alleys, public ways, public utility easements, and/or said additional easements; and the right to cut, trim and keep clear all trees

and undergrowth within ten (10) feet of the above described lines and the right to cut danger timber within falling distance of said lines; and also the right to string service wires across properties adjacent to said streets, avenues, alleys, public ways and easements.

In event said service wires strung across properties adjacent to said streets, avenues, alleys, public ways, and/or public utility easements interfere with future building development and/or improvement on said properties adjacent thereto, the Alabama Power Company and/or Southern Bell Telephone and Telegraph Company will relocate said service wires on the same properties without cost to the owner so as not to interfere with said development and/or improvement, and the right to so relocate said service wires on said properties is hereby granted.

TO HAVE AND TO HOLD the same to the said Companies, their successors and assigns, forever.

IN WITNESS WHEREOF, the said RUX CARTER REAL ESTATE COMPANY, INC. has caused this instrument to be executed in its name by Rux Carter, as its President and attested by Jane Carter, its Secretary, and its corporate seal to be affixed, on this the 2nd day of June, 1961.

ATTEST:

Jane F. Carter  
Secretary

RUX CARTER REAL ESTATE COMPANY, INC.  
By: Rux Carter  
Its President

STATE OF ALABAMA

COUNTY OF SHELBY

I, Wales W. Wallace, Jr., a Notary Public, in and for said County in said State, hereby certify that Rux Carter, whose name as President of RUX CARTER REAL ESTATE COMPANY, INC., 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 the instrument, he, 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 2 day of June, 1961.

Wales W. Wallace, Jr.  
Notary Public

FILED 3 JUNE 1961

STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within 215 was filed for record in this office on the 2 day of June at 10 o'clock and recorded in Book 215 at page 663 on the 6 day of June 1961. Mortgage Tax 52 Deed Tax 52 has been paid.

Conrad M. Fowler  
Judge of Probate

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