

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 facilities and the right to excavate for installation, replacement, repair and removal thereof; and also the right to cut and keep clear all trees, underbrush, shrubbery, roots and other growth, and to keep clear any and all obstructions or obstacles of whatever character on, under or above said facilities.

In the event it becomes necessary or desirable for Alabama Power Company to move its lines of poles and appliances in connection with the construction or improvement of any public road or highway in proximity to its said power lines, the said Company is hereby granted the right to relocate its said line of poles at a distance not greater than ten feet outside the boundary of the right of way of any such public road or highway as re-established from time to time.

Notwithstanding any of the aforesaid:

1. To the extent that Company performs any of the work described as described above, Company agrees to return the area within which the work was performed, to substantially the same condition as prior to performance of the work, including but not limited to, landscaping, paving, striping and grading. Company will not perform any work which will affect Grantor's permanent improvements located on the above-described parcel of land.

2. Company agrees not to unreasonably interfere with Grantor's operation of its business within said premises during normal business hours.

3. Company, its subcontractors, agents, representatives, vendors, invitees and employees shall defend and hold harmless the undersigned from and against any and all claims, damages and awards that may be brought or adjudicated (whether to a judgment or not) arising out of any willful, negligent or omissive act(s) on the part of Company, its subcontractors, agents, representatives, vendors, invitees or employees, and from and against any accidents, injuries and damages that Company, its subcontractors, agents, representatives, vendors, invitees or employees may suffer during their performance of work described hereinabove.

TO HAVE AND TO HOLD the same to the said Alabama Power Company, its successors and assigns, forever.

IN WITNESS WHEREOF, the said Taco Bell Corp. has caused this instrument to be executed in its name by James A. Chronley, as its Senior Vice President and attested by Jerry L. Lovejoy, its Assistant Secretary, and its corporate seal to be hereto affixed, on this, the 19th day of February, 1991.

(CORPORATE SEAL)

TACO BELL CORP.

ATTEST:

R. Edward Brannen
Its Assistant Secretary

BY:

James A. Chronley
Its Senior Vice President

Reviewed by SV

SHARON VAN DEN EYKEL

Date 2-19-91

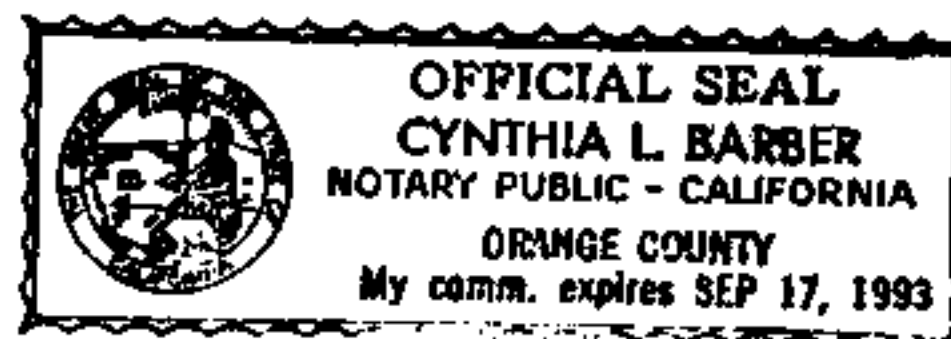
STATE OF CALIFORNIA

COUNTY OF ORANGE

I, Cynthia L. Barber, a Notary Public, in and for said County in said State, hereby certify that James A. Chesley, whose name as Senior Vice President of Taco Bell Corp., 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 as such officer and with full authority executed the same voluntarily for and as the act of said corporation.

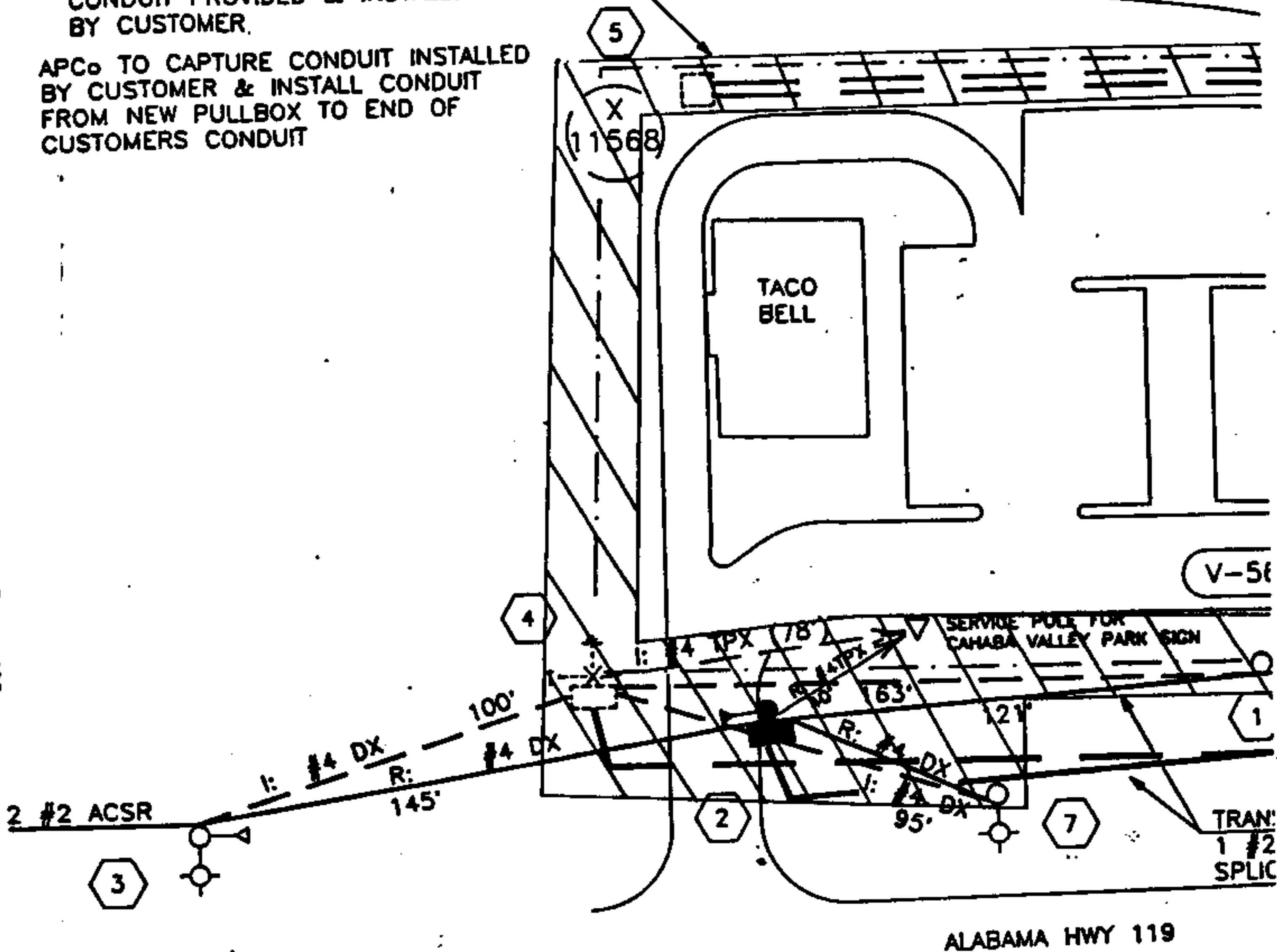
Given under my hand and official seal, this, the 19th day of February, 1991.

Cynthia L. Barber
Notary Public



I: 3 #1/0 AXNJ 35kV CABLE
IN TWO 5" CONDUITS (200')
CONDUIT PROVIDED & INSTALLED
BY CUSTOMER.

APC TO CAPTURE CONDUIT INSTALLED
BY CUSTOMER & INSTALL CONDUIT
FROM NEW PULLBOX TO END OF
CUSTOMERS CONDUIT



CONSTRUCTION NOTES

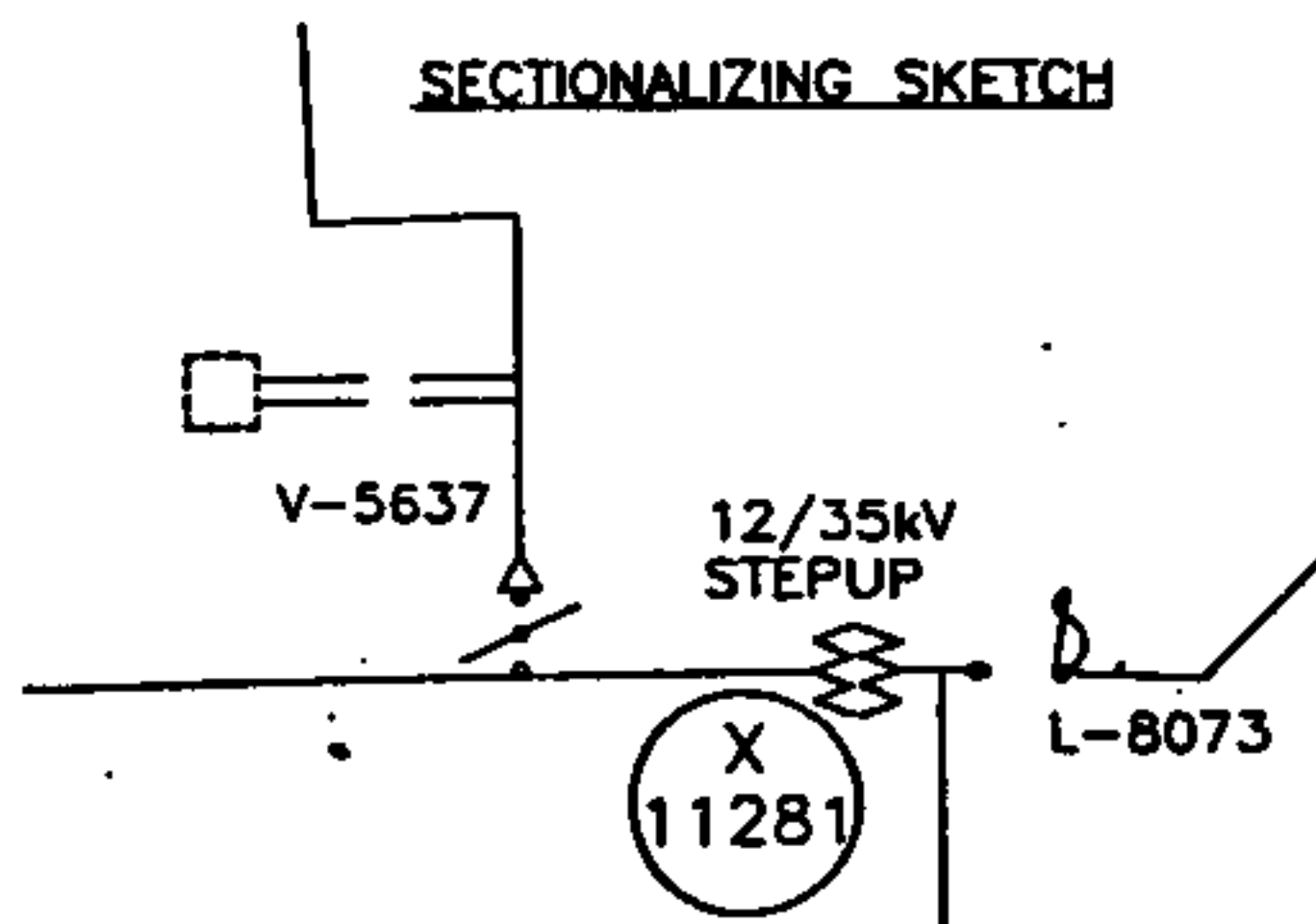
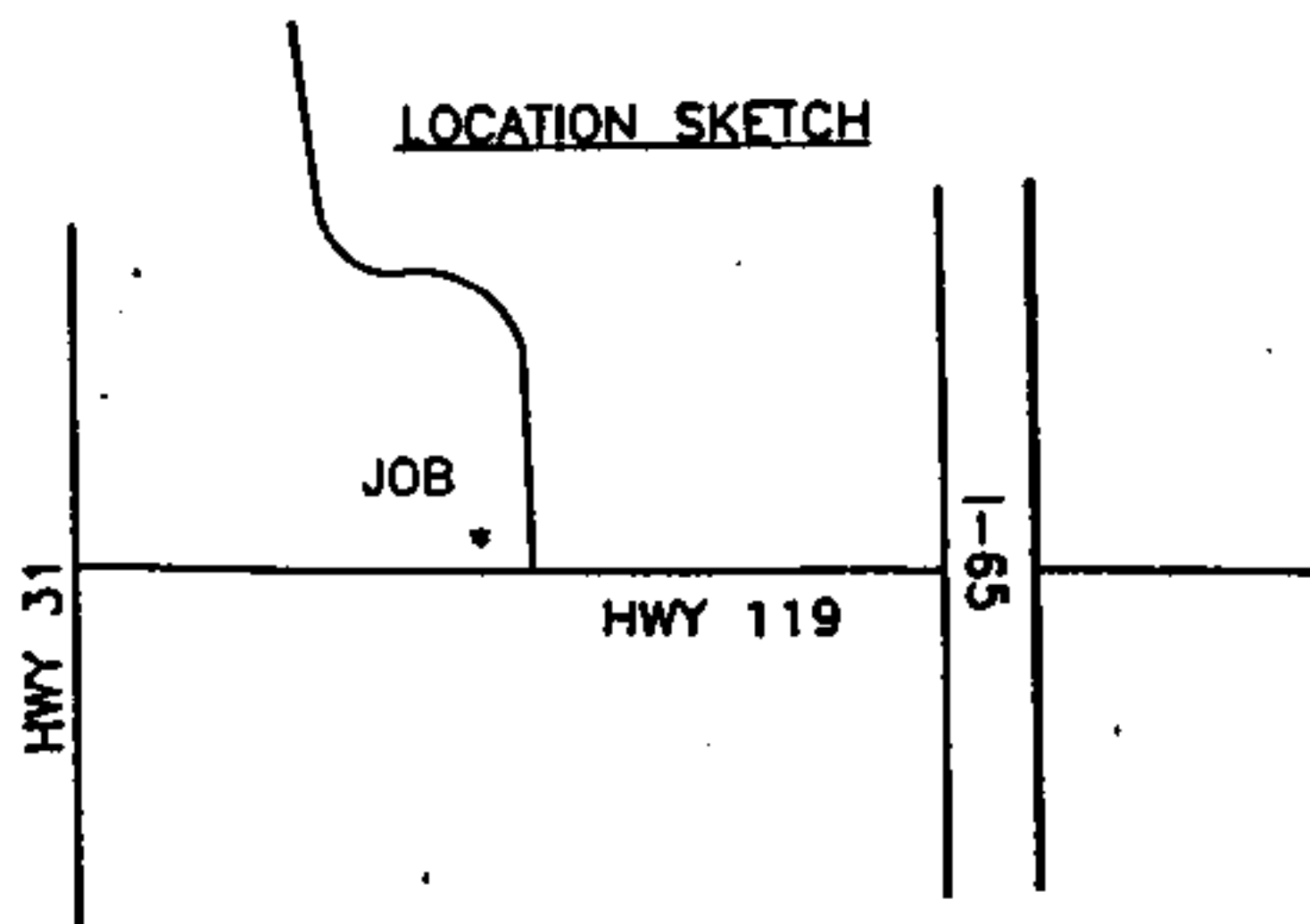
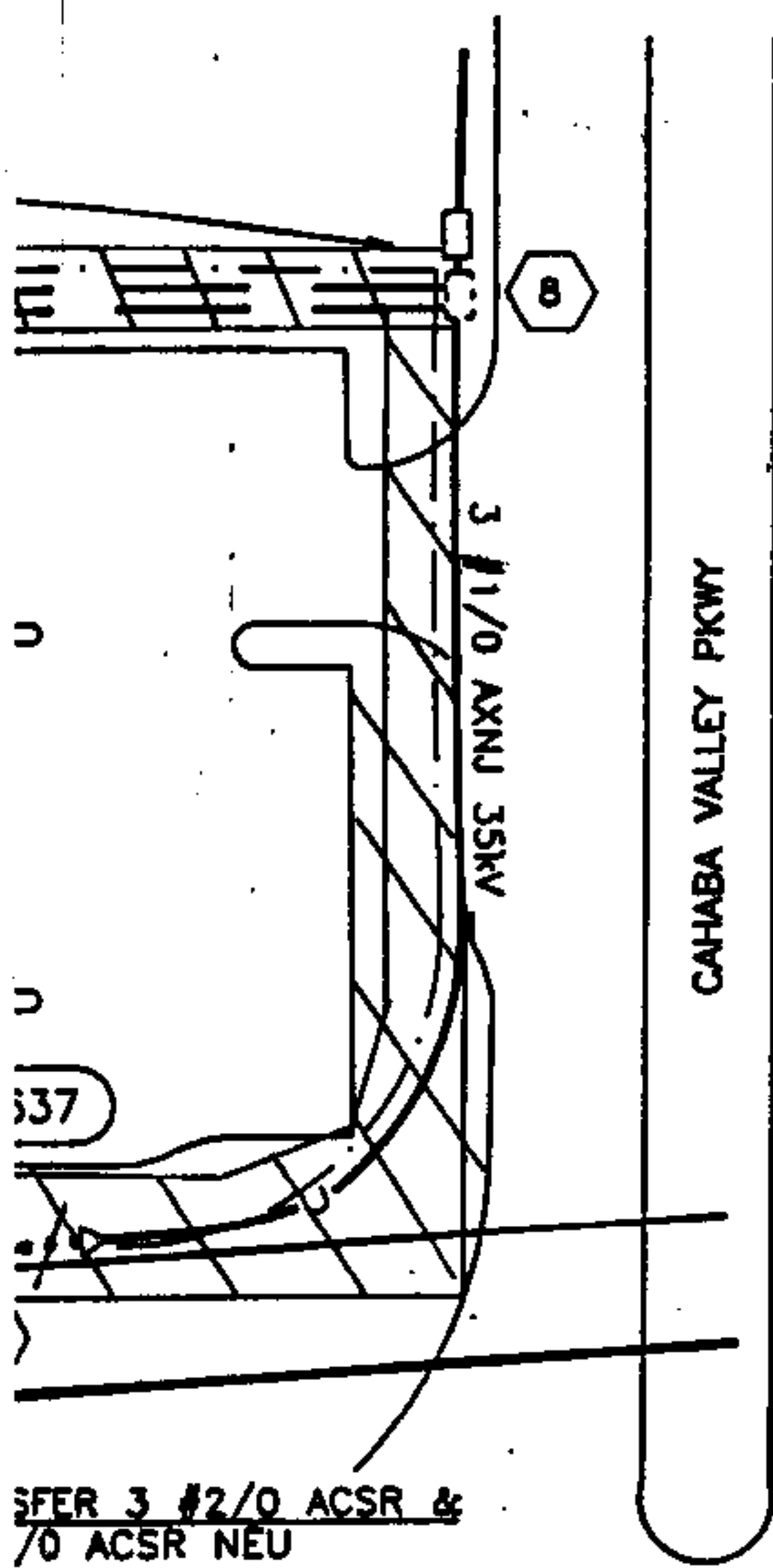
1. 50/3
2. R: 50/3 ('90) NJU
R: 8" DH, 1" RD, 2-3/8" STR
T: 15kVA CSP TO LOC 3
3. 45/4
4. I: 50/3 NJU
I: PRI DE
I: 8" DH, 1" RD, 2-3/8" STR
& 2-144" INS W/ 20' LEAD
T: 15kVA CSP FROM LOC 2

(X)
10296

(X)
10296

5. I: 150kVA 34.5kV 120/208V DFPV
PROP. LD. = 80kVA @ .85PF
I: 3-400/5A CT's IN SEC COMPAS
CALC SERVICE AMPS = 222A
FUSE WITH 8A QA FUSES
7. 45/4
8. I: CONCRETE PULL-BOX
I: 6 - #1/0 SPLICES

EXHIBIT "A"



FOR HOT LINE WORK:
OPEN 216A & PLACE A
HOT LINE TAG ON 216 & 216A

BOOK 350 PAGE 200
ATTENTION
(X 11568)



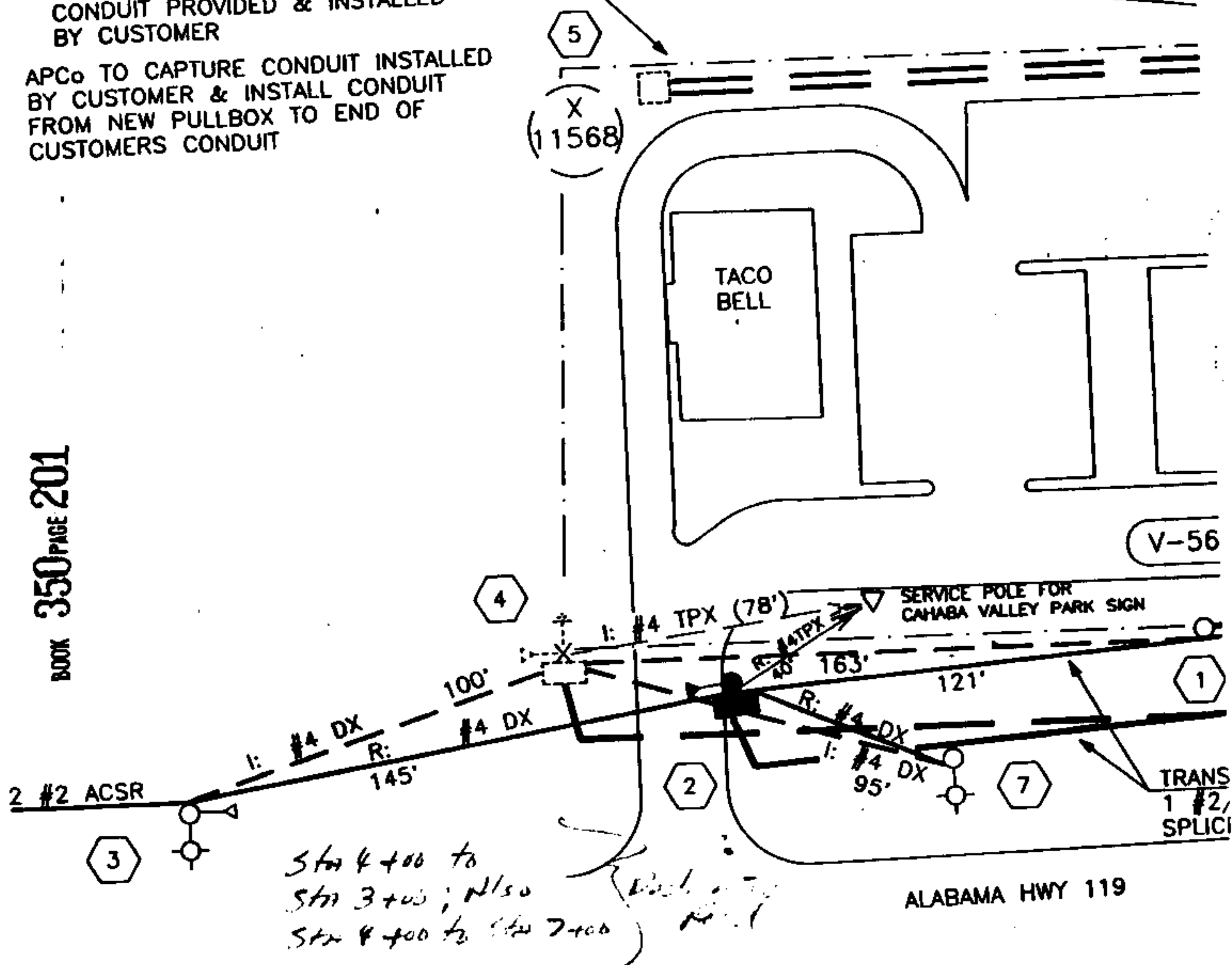
MAP REF: 2W-195-31-1 SEC- 31,TP-195,R-2W
DRAWN: DARRIN EMER: G. COLEMAN DATE 11/14/90
APPROVED: DATE:
APPROVED: DATE:

| ALABAMA POWER COMPANY | |
|---|---------------------|
| JOB: NORTH SHELBY 35KV DISTRIBUTION | |
| DETAIL: PROVIDE SERVICE TO NEW TACO BELL ON HWY 119 | |
| SCALE: 1" = 40' | PLOTTED: 12-18-90 |
| SHEET 1 OF 1 SHEETS | B-81700-00-02680-00 |
| SUPERSEDED | |

1: 3 #1/0 AXNJ 35kV CABLE
IN TWO 5" CONDUITS (200')
CONDUIT PROVIDED & INSTALLED
BY CUSTOMER

APCo TO CAPTURE CONDUIT INSTALLED
BY CUSTOMER & INSTALL CONDUIT
FROM NEW PULLBOX TO END OF
CUSTOMERS CONDUIT

BOOK 350 PAGE 201



CONSTRUCTION NOTES

1. 50/3

2. R: 50/3 ('90) NJU
R: 8" DH, 1" RD, 2-3/8" STR
T: 15kVA CSP TO LOC 3

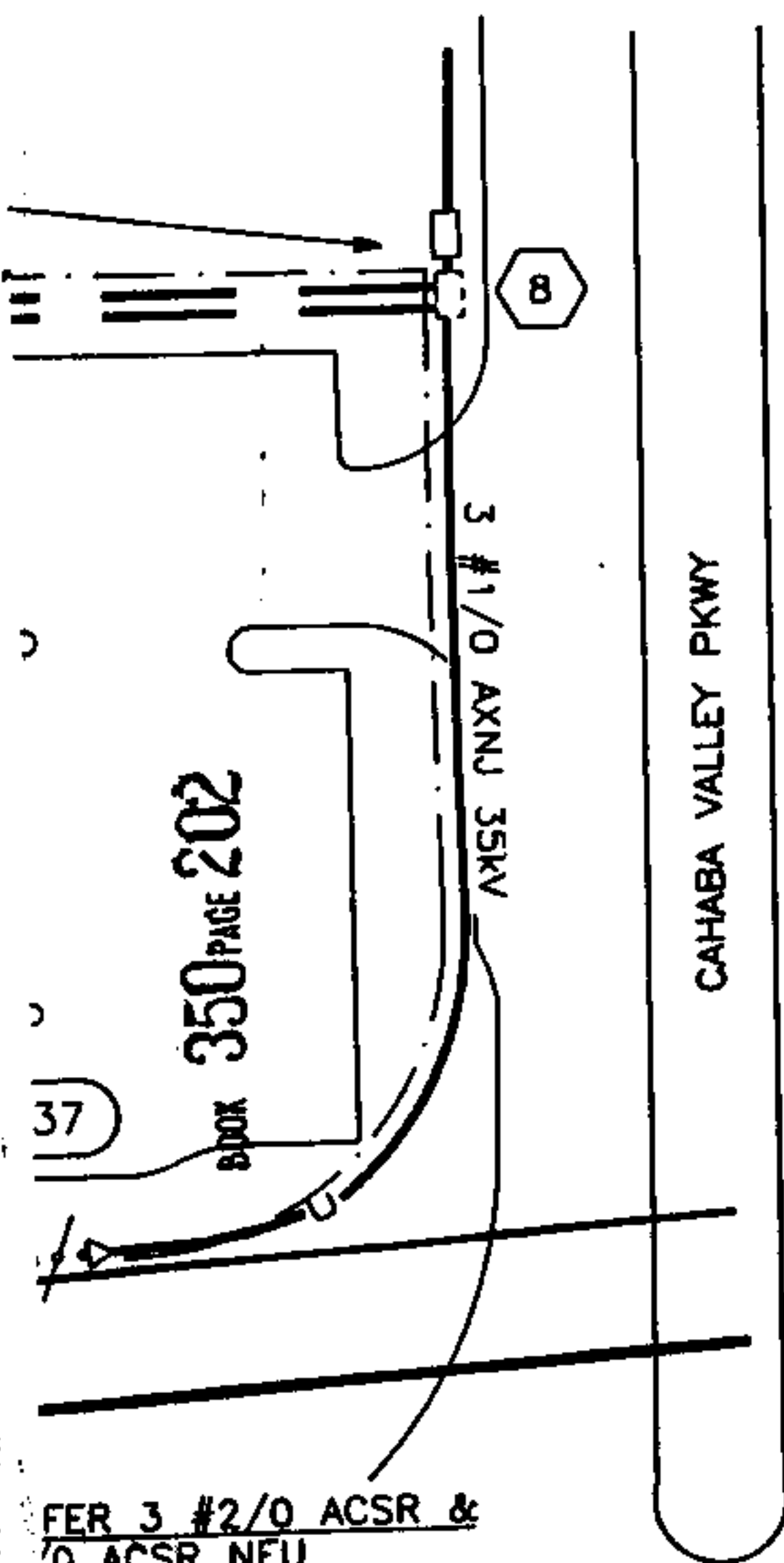
3. 45/4

4. I: 50/3 NJU
I: PRI DE
I: 8" DH, 1" RD, 2-3/8" STR
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5. I: 150kVA 34.5kV 120/208V DFP
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FUSE WITH 8A QA FUSES

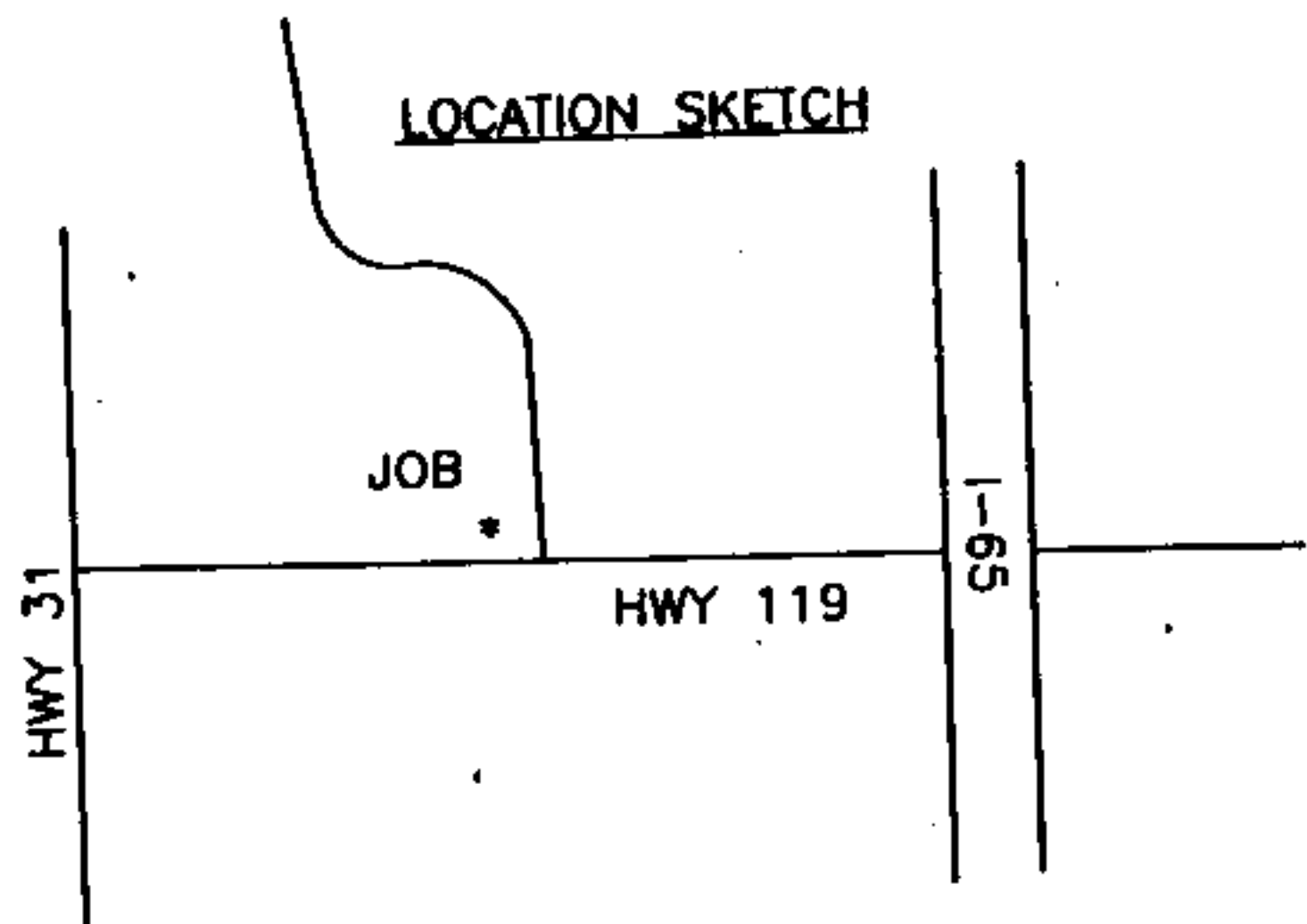
7. 45/4

8. I: CONCRETE PULL-BOX
I: 6 - #1/0 SPLICES



CAHABA VALLEY PKWY

LOCATION SKETCH



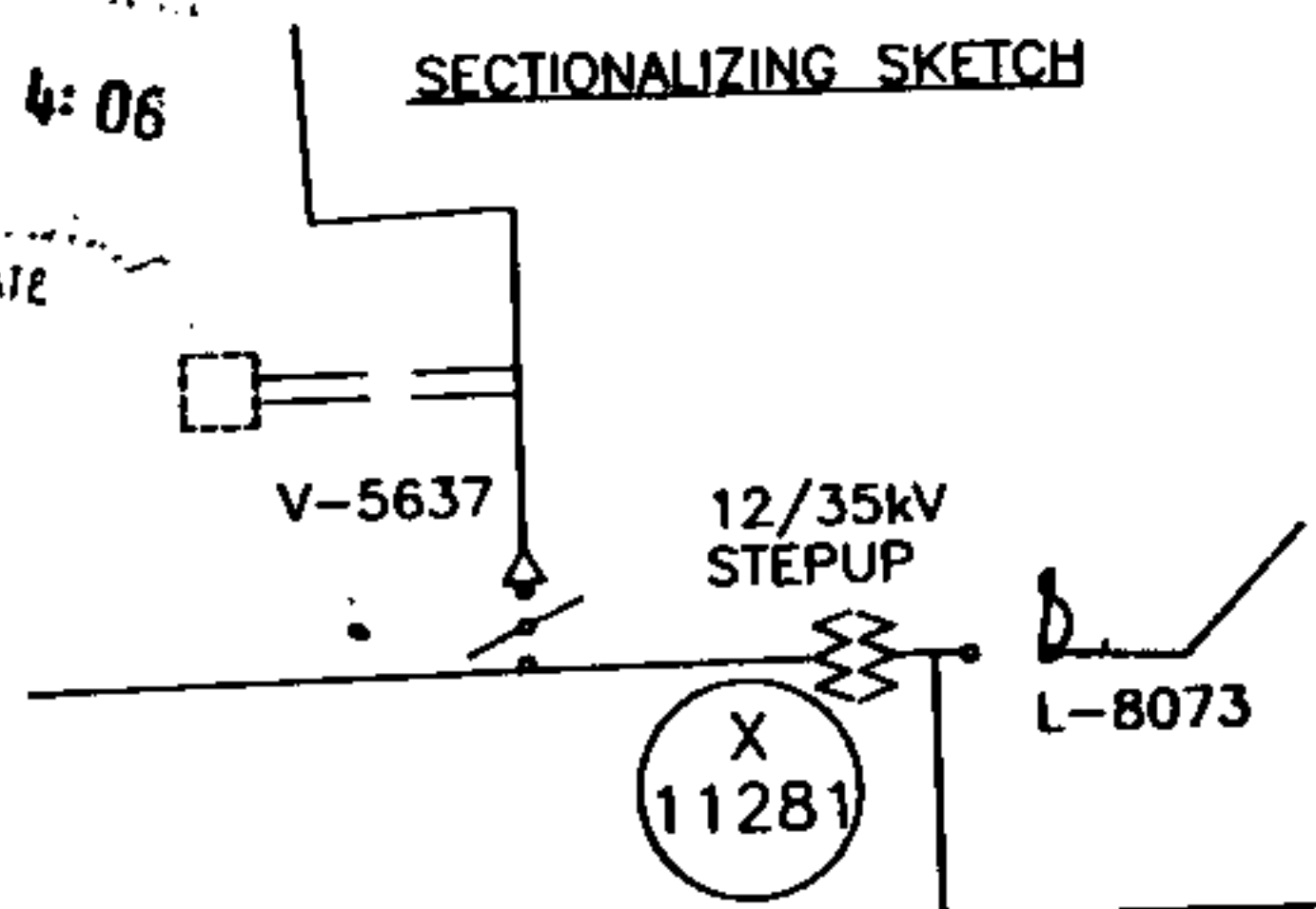
| | |
|--------------|------|
| 1. Dead Tree | 50 |
| 2. V-L | 3000 |
| 3. L-8073 | 300 |
| 4. L-8073 | 100 |
| 5. L-8073 | 100 |
| Total | 3750 |

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

91 JUN 25 PM 4:06

JUDGE OF PROBATE

SECTIONALIZING SKETCH



TO
VALLEYDALE DS
BKR #216

FOR HOT LINE WORK:
OPEN 216A & PLACE A
HOT LINE TAG ON 216 & 216A

INSTRUMENT (X 11568)



MAP REF: 2W-195-31-1 SEC-31, TP-19S, R-2W

DRAWN: DARRIN ENGR. C. COLEMAN DATE 11/14/90

APPROVED _____ DATE _____

APPROVED _____ DATE _____

ALABAMA POWER COMPANY

JOB: NORTH SHELBY 35KV DISTRIBUTION

DETAIL: PROVIDE SERVICE TO NEW TACO BELL ON HWY 119

SCALE: 1" = 40' PLOTTED: 12-19-90

SHEET 1 OF 1 SHEETS

B-61700-00-02000-00

