

Grant Of Land Easement By Landowner
For Use Of Alabama Power Company
In Providing Electric Service To Landowner's Premises,
And Adjacent Property Of Others
To Which Service Is Being Simultaneously Extended

W.E.# 61700060006100

Parcel #

Sta. 9+60 to Sta. 10+100

STATE OF ALABAMA

COUNTY OF Shelby

1. KNOW ALL MEN BY THESE PRESENTS, That Landowner(s) TPI Restaurants dba Shoney's

(the "Grantor", whether one or more) hereby applies to Alabama Power Company, a corporation (the "Company") for electrical service at 1905 Alabama Highway 119, Pelham, AL. 35124

Grantor is the owner of the land and premises located at the above address, which by the parties are deemed to be legally described herein precisely as described and mapped in Grantor's ad valorem tax assessment for such land and premises in the office of the Tax Assessor of Shelby County, Alabama, as if herein set out in full detail (the "Property"), and generally described as located in the following described parcel:

NE1/4 - SE1/4 Sec. 31
Twsp. 19 S
Range 2 W

2. To provide the requested electric service to Grantor (and adjacent premises of others to which service is being simultaneously extended), Company must, and may, install on the Property from time to time, some or all of the following: electric poles, electric distribution lines, service laterals, metering equipment, transformers, guys, anchors, and equipment related thereto, both above and below ground, and must, and may, accomplish the cutting and trimming of trees both now and in the future to accommodate such facilities.

3. Grantor, in consideration of (a) the construction of the necessary service facilities, (b) the furnishing of electric service at Company's published rates, and, (c) the payment of one dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, (for himself, his heirs, successors and assigns) to Company the right to install, improve, remove, maintain, and replace, upon, over, and under the Property such of the above electric facilities as are appropriate in the opinion of Company, to provide such requested service or services, at locations on Grantor's land (and adjacent premises of others to which service is simultaneously being extended), deemed appropriate for such service or services by Company, and agreed to by Grantor at time of original extension of service or services (together with necessary and reasonable changes therein and extensions thereto to serve the property and premises of Grantor and adjacent premises described above, if any) together with all rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right to clear and keep cleared all trees, undergrowth, growth on, and other obstructions, within a strip of land extending fifteen feet (15') on either side of the center line of the facilities as constructed, that would in the opinion of Company interfere with such facilities, and the right to cut all dead, weak, leaning or dangerous trees or limbs outside the said thirty foot (30') strip which, in the sole opinion of the Company, might endanger, interfere with or fall upon the poles, lines or other appliances of said Company.

Facilities to be installed under this agreement may be utilized in providing electric service to the Grantor and other Company customers located on property adjacent to the Property and with such service to adjacent property being extended and constructed simultaneously with the building of service facilities to Grantor.

The precise location on the property where the facilities are installed shall be conclusively deemed to be the location described in this grant for the placement of all such facilities. It is the intention of the parties that this grant shall be an easement on, under and over Grantor's land and shall be binding in the future on Grantor's successors, heirs and assigns.

4. Company shall have the rights of ingress and egress to and from the easement and the Property of Grantor for the purpose of installing, constructing, operating and maintaining its facilities in accordance with accepted industry standards.

In the event it becomes necessary or desirable for 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, Company is hereby granted the right to relocate its said lines of poles and appliances on lands of Grantor hereinabove described, provided, however, the said Company shall relocate its said lines of poles at a distance not 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.

TO HAVE AND TO HOLD such easement to Company, its successors and assigns, forever.

IN WITNESS WHEREOF, _____ have set _____ hand(s) and seal(s) this the _____ day of _____, 19____

19

W

Inst. # 1992-08140
SHELBY COUNTY JUDGE OF PROBATE
14.50

GRANTEE'S ADDRESS
ALABAMA POWER CO.
15 SOUTH 20TH STREET
BIRMINGHAM, AL 35233

GRANTOR(S)

This instrument prepared in _____ (SEAL)

Birmingham Div. Real Estate

Dept. of Alabama Power Co. (SEAL)

Birmingham, AL

By Sara Parks (SEAL)

(SEAL)

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by its President, J Gary Sharp, who is authorized to execute this conveyance, has hereto set its signature and seal on this the 17th day of December, 19 91.

Attest [Signature] TPI Restaurants d/b/a Shoney's
By: [Signature] Its: Secretary By: [Signature] Its: President

STATE OF Tennessee
~~ALABAMA~~
COUNTY OF Shelby }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that J Gary Sharp, whose name as President of TPI RESTAURANTS, 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, J Gary Sharp 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 17th day of December, 19 91.

[Signature]
Notary Public
My commission expires: MY COMMISSION EXPIRES SEPT. 21, 1993

[SEAL]

STATE OF ALABAMA
COUNTY OF _____ }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that _____ whose name(s) _____ signed to the foregoing instrument and who _____ known to me, acknowledged before me on this day that, being informed of the contents of the instrument, _____ executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 19 _____.

Notary Public
My commission expires: _____

[SEAL]

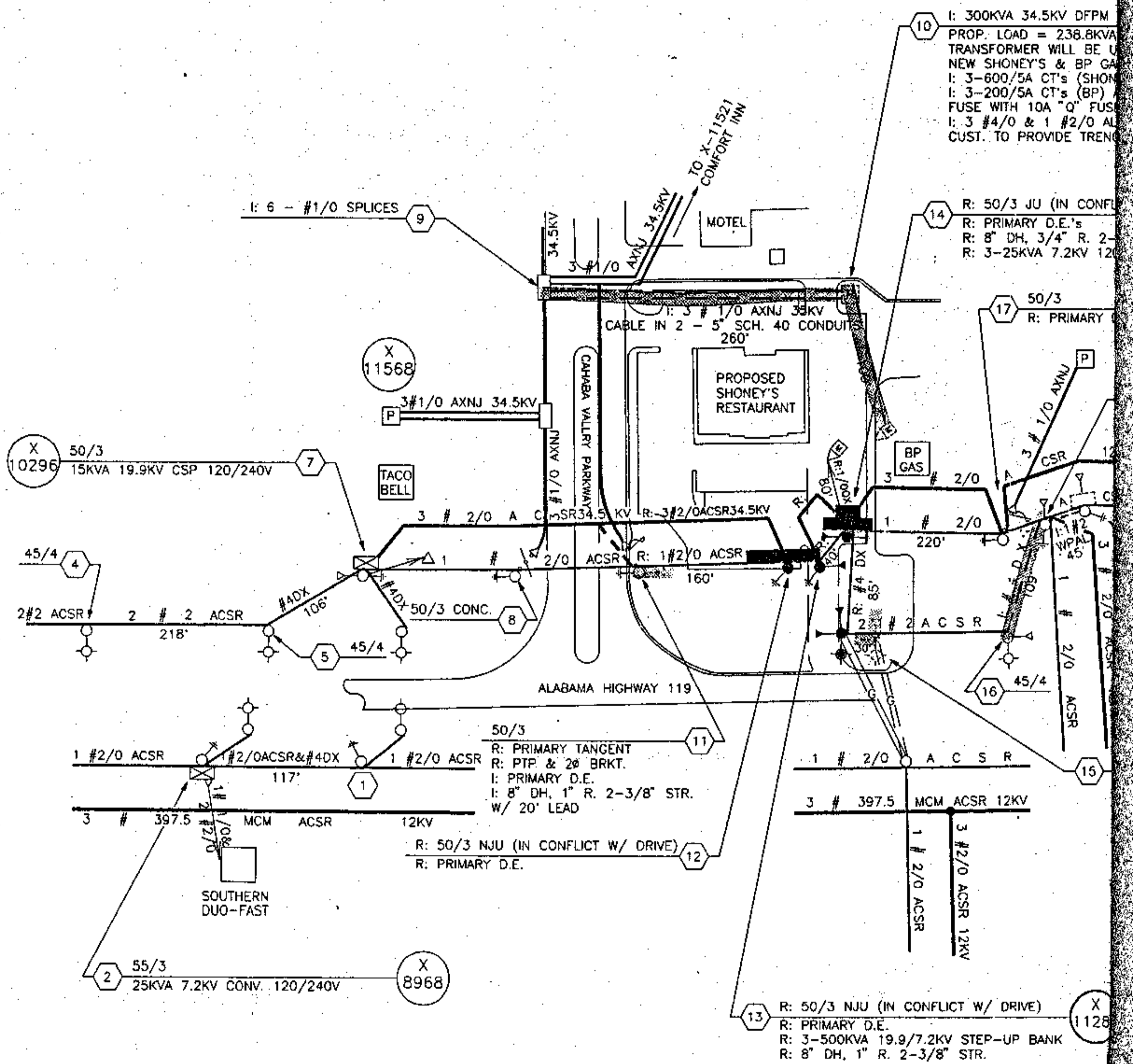
STATE OF ALABAMA
COUNTY OF _____ }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that _____ whose name(s) _____ signed to the foregoing instrument and who _____ known to me, acknowledged before me on this day that, being informed of the contents of the instrument, _____ executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 19 _____.

Notary Public
My commission expires: _____

[SEAL]



Inst # 1992-08440

05/15/1992-08440
02:17 PM CERTIFIED

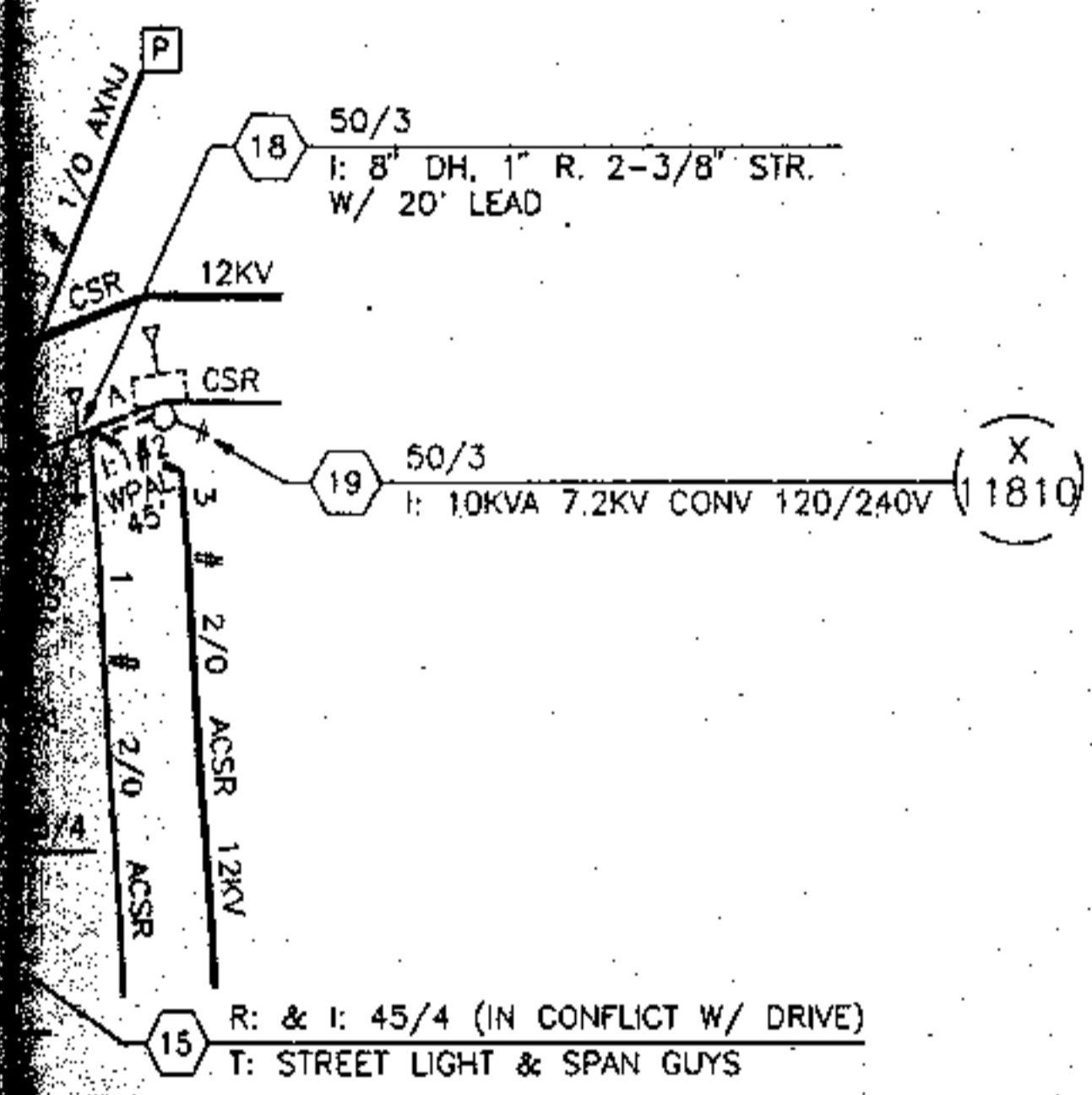
SHELBY COUNTY JUDGE OF PROBATE

004 MCD 14.50

4.5KV DFPV 120/208V
= 238.8KVA @0.8pf
WILL BE USED TO SERVE
S & BP GAS STATION
CT's (SHONEY'S) IN SEC. COMPARTMENT
CT's (BP) AT METERING POLE
10A "O" FUSES
1 #2/0 AL SVC FOR BP
PROVIDE TRENCHING & CONDUIT

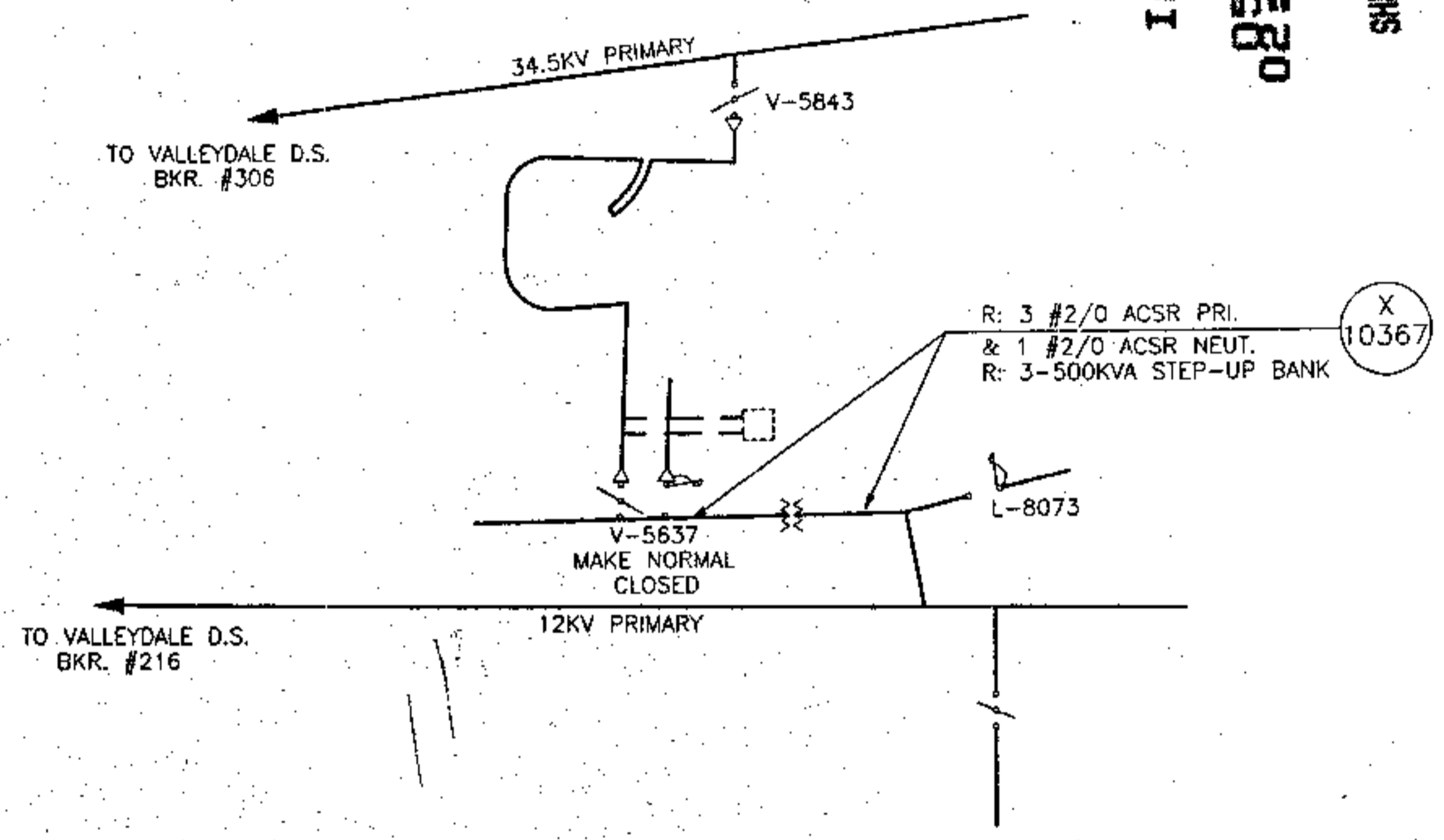
DU (IN CONFLICT W/ PARKING LOT)
RY D.E.'s
3/4" R. 2-3/8" STR.
KVA 7.2KV 120/208V

50/3
R: PRIMARY D.E.

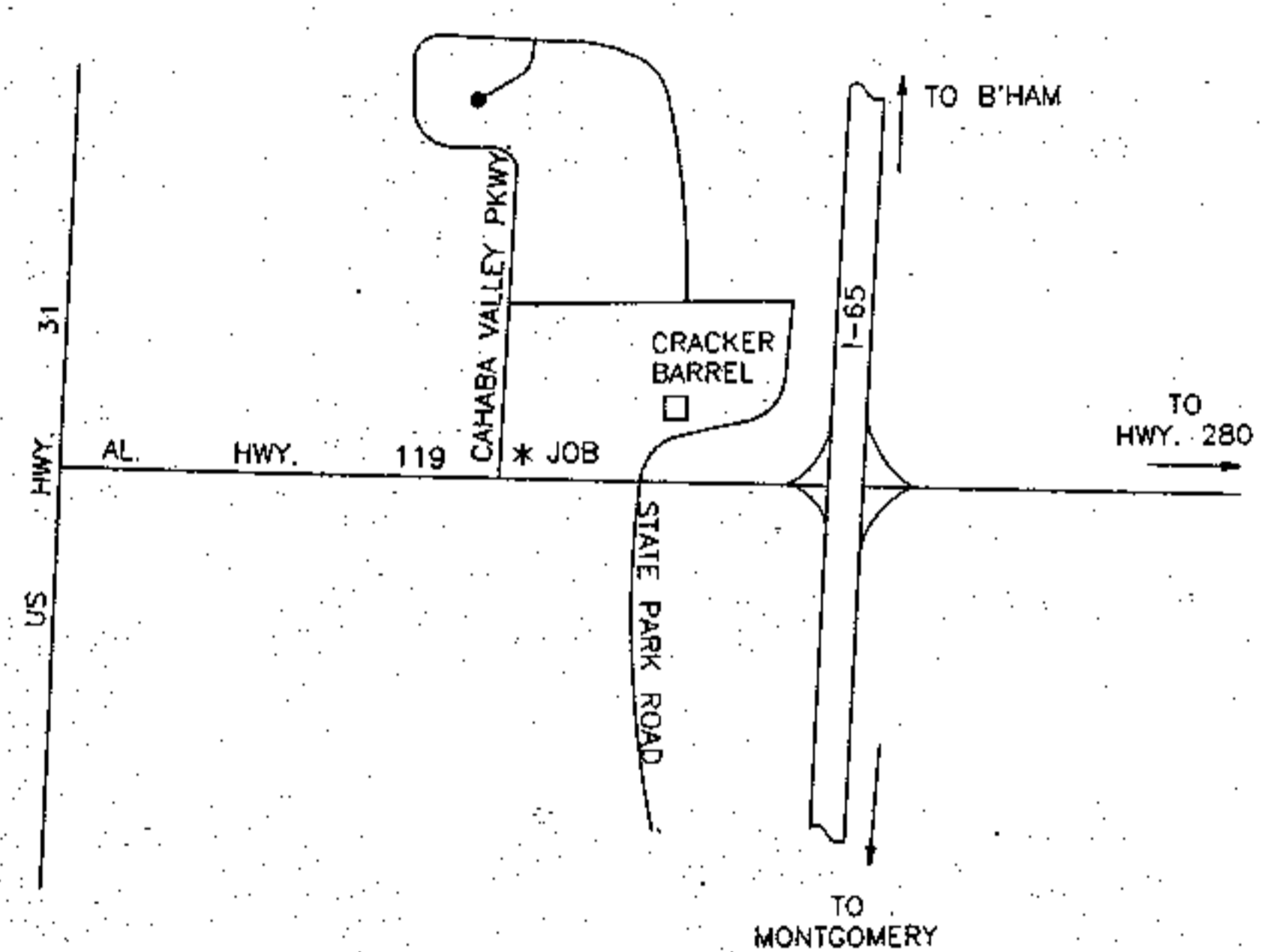


BANK
11281

SECTIONALIZING SKETCH



LOCATION SKETCH



OVERHEAD
RIGHT OF WAY
WIDTH IS THIRTY
(30) FEET

UNDERGROUND
RIGHT OF WAY
WIDTH IS TEN
(10) FEET

STA 9+00 TO STA 9+60
STA 15+00 TO STA 15+00
STA 16+00 TO STA 18+00
ALSO: GUYS AT STA. 11+00,
15+00 & 18+00
Dedicated Roads

0 100 200
PLAN SCALE



MAP REF: 2W-19S-31-1 SEC- 31,TP-19S,R-2W
DRAWN: RONN ENGR. C. COLEMAN DATE 09/18/91
APPROVED _____ DATE _____
APPROVED _____ DATE _____

ALABAMA POWER COMPANY	
JOB	NORTH SHELBY 12KV DISTRIBUTION
DETAIL	PROVIDE 120/280V 3Ø SERVICE SHONEY'S RESTAURANT
SCALE	1" = 100' PLOTTED 11-7-91
SHEET	1 OF 1 SHEETS
SUPERSEDES	C-61700-06-00061-00