

UTILITY EASEMENT - SUBDIVISION

STATE OF ALABAMA

COUNTY OF Shelby

W.E. # 61700-00-0039-2-00

Parcel # _____

STA 100 TO STA 10+00
ALSO: ALL SERVICES
Guy AT STA 12+00

KNOW ALL MEN BY THESE PRESENTS, That the undersigned Applegate Realty Company

_____, (the "Grantor") for and in consideration of the sum of One and No/100 Dollars (\$1.00), and other good and valuable consideration, to Grantor in hand paid by Alabama Power Company, a corporation, and South Central Bell Telephone Company, a corporation, (collectively, the "Grantees"), the receipt of which is hereby acknowledged, do hereby grant to Grantees, 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 transmission of electric power and communication service above and below 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 real property situated in Shelby County, Alabama (the "Property"), to wit:

All streets, avenues, alleys, public ways, public utility easements and/or additional easements situated within _____

Brookshire Subdivison

Subdivisions, as recorded in Map Book 16 page 65, in the office of the Judge of Probate, Shelby County, Alabama.

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 (5'), 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, both on the areas described above and on lots adjacent thereto, all trees and undergrowth within fifteen feet (15') of the above described lines and electric facilities, as well as the right to cut all dead, weak, leaning or dangerous trees and limbs outside of the said thirty foot (30') strip which might endanger, interfere with or fall upon the said lines and facilities; and also the right to string wires across properties adjacent to said streets, avenues, alleys, public ways and easements.

In the 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 Grantees 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.

In the event it becomes necessary, in the sole opinion of Grantees herein, to install service poles on the property lines between adjacent lots within said subdivision for the purpose of providing electric and telephone service to such lots, the right to install such poles and appliances is hereby granted.

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

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

WITNESS:

This instrument prepared in
Birmingham Div. Real Estate
Dept. of Alabama Power Co.
Birmingham, AL

By Sara Parks

GRANTEE'S ADDRESS
ALABAMA POWER CO.
P.O. BOX 2641
BIRMINGHAM, AL 35291-1980

(Seal)

(Seal)

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed by its President Randall H. Goggans, who is authorized to execute this conveyance, has hereto set its signature and seal, on this the 10th day of March, 1992.

ATTEST:

By: Dottie A. Jensen
Its: 10th March 1992

Applegate Realty Company
By: Randall H. Goggans
Its: President

STATE OF ALABAMA

COUNTY OF Jefferson }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that _____

Randall H. Coggans

whose name(s) 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 executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal, this the 10th day of March, 19 92.

Dottie A. Fennell
Notary Public

My commission expires: 4/10/92

[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 as _____ of _____

_____, 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 _____ day of _____, 19 _____.

Notary Public

My commission expires: _____

[SEAL]

