

1400

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.# 61700-08-0067-4-00

Parcel #

STA 1100 TO STA 2+50
ALSO: STA 2100 TO STA 2+50

STATE OF ALABAMA

COUNTY OF SHELBY

1. KNOW ALL MEN BY THESE PRESENTS, That Landowner(s) VAN LOWERY Construction Co.

(the "Grantor", whether one or more) hereby applies to Alabama Power Company, a corporation (the "Company") for electrical service at 136 KING CREST LANE, 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:

LOT 7 & 8 OF HINDS OR 9th SECTOR OF
WEATHERLY AS RECORDED IN MAP
BOOK 14, PAGE 81 IN THE OFFICE OF
THE JUDGE OF PROBATE

NE 1/4-NE 1/4 Sec. 29
T. 20 S
R. 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 _____.

WITNESS

GRANTOR(S)

GRANTEE'S ADDRESS
ALABAMA POWER CO.
P.O. BOX 2041
BIRMINGHAM, AL 35201
ATT: CORP. REAL ESTATE

This instrument prepared in
the Corporate Real Estate Dept.
of Alabama Power Co.
Birmingham, Alabama (SEAL)
(SEAL)
(SEAL)

11/23/1994-348 By Don Bailey
12:04 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 SNA 14.00 (SEAL)

Inst # 1994-34817

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by its President, VAN LOWERY, who is authorized to execute this conveyance, has hereto set its signature and seal on this the 30th day of September, 1994.

Attest

By: _____

Its: Secretary

By: VAN LOWERY

Its: President

VAN LOWERY Construction Company

STATE OF ALABAMA

COUNTY OF Shelby

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Van Lowery, whose name as President of Van Lowery Construction Company, 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 14th day of October, 1994.

Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.

MY COMMISSION EXPIRES: July 15, 1998.

My commission expires EXPIRED THRU NOTARY PUBLIC UNDERWRITING.

[SEAL]

STATE OF ALABAMA

COUNTY OF Jefferson

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

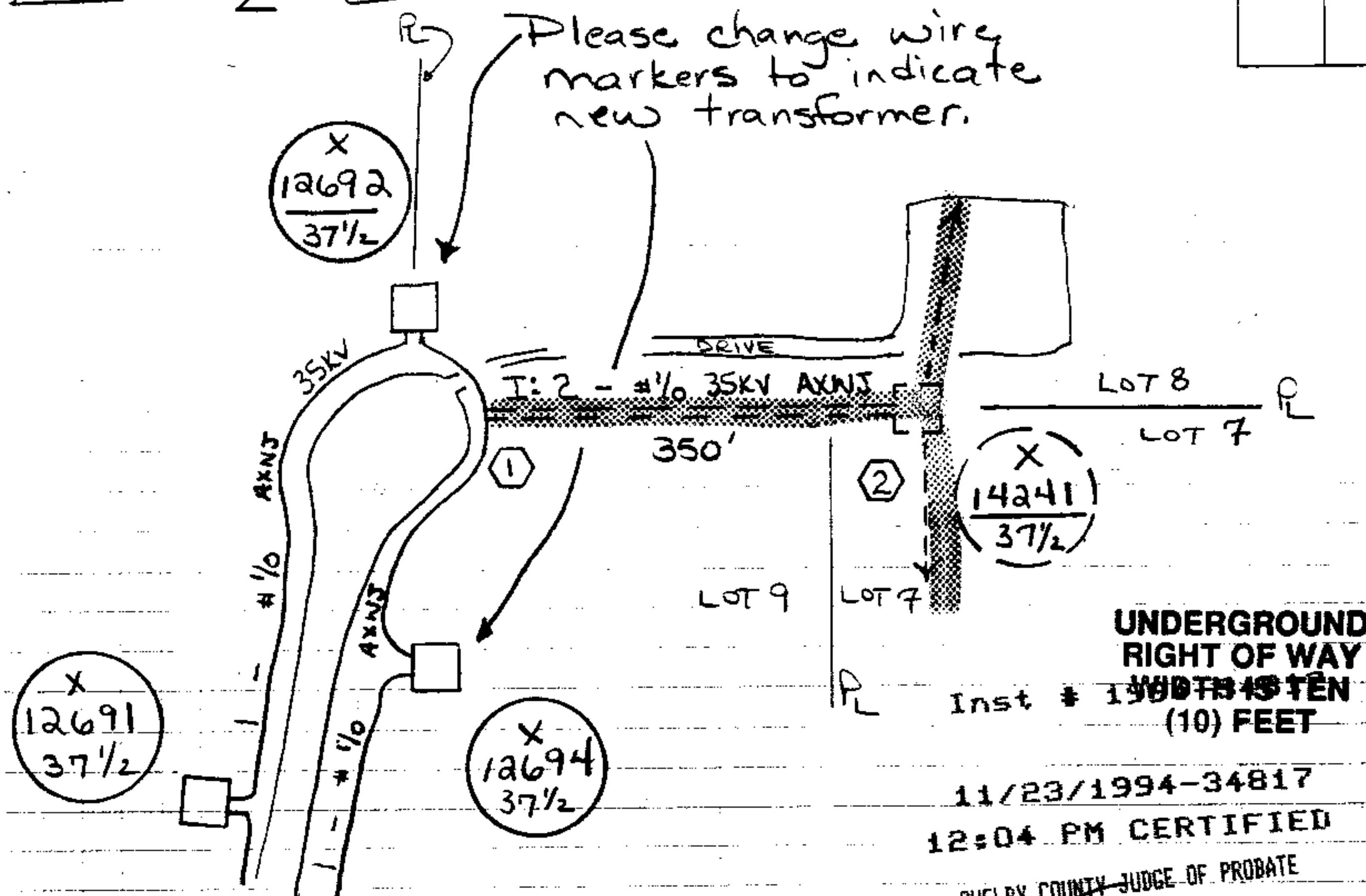
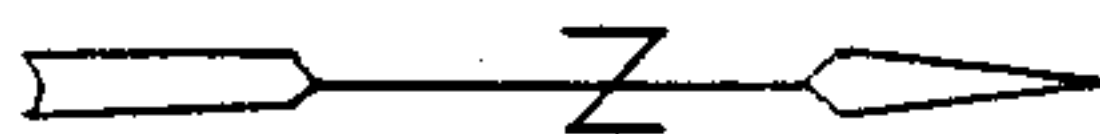
My commission expires: _____

[SEAL]

SKETCH OF PROPOSED WORK — SIMPLIFIED W. E.

Alabama Power 

Customer VAN LOWERY CONST.		Location 136 KING CREST LN		Agreed Serv. Date		Estimate No. 61700-08-0067-4	
Division BIRMINGHAM		District SHELBY		Town PELHAM		Drawn by FORTNER	
County SHELBY		Section 29, 30		Township 20S		Range 2W	
Acquisition Agent VON BAILEY		Date R/W Assigned 6-17-94		Date R/W Cleared 9-30-94		Map Reference	
						LOC	Transformer Loading

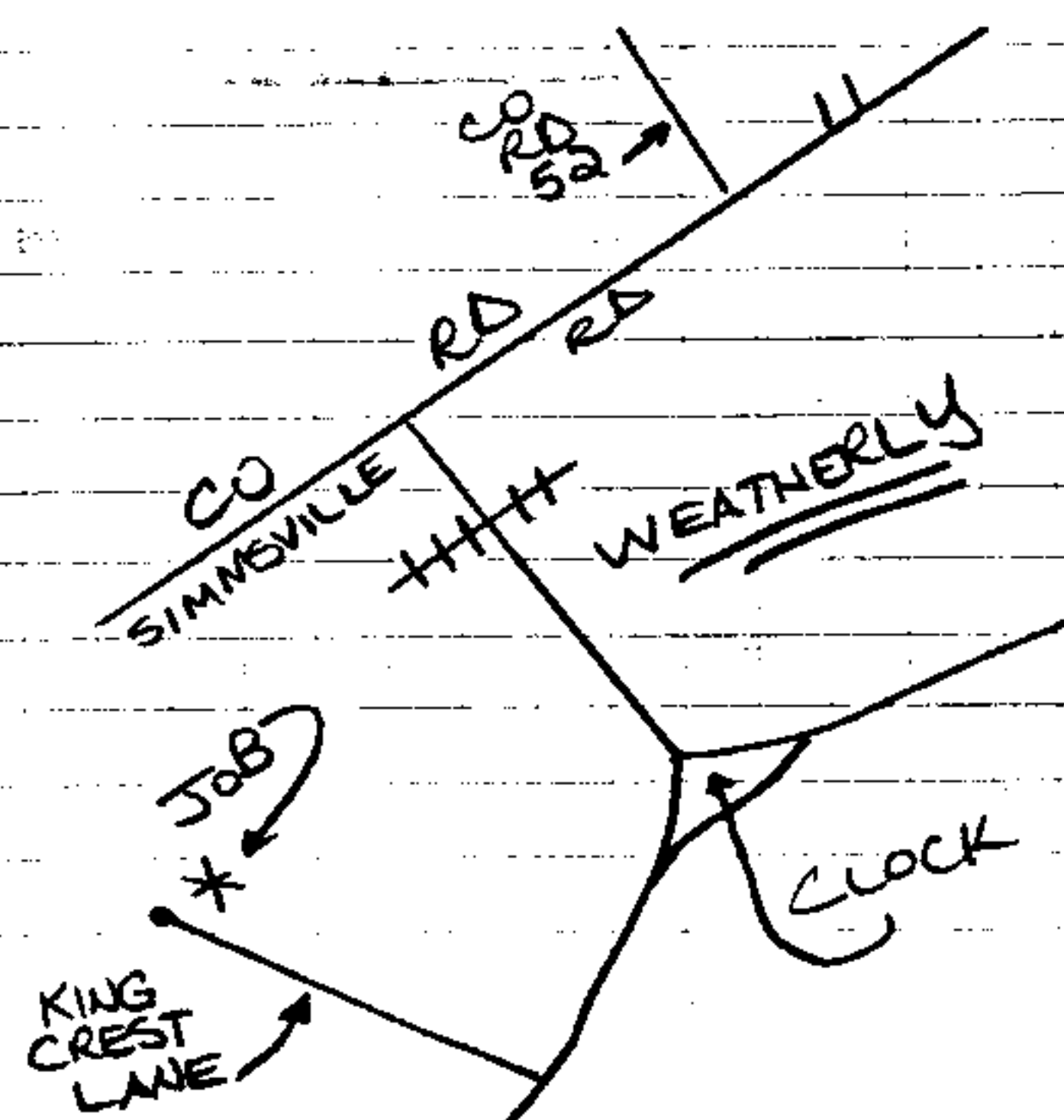


① SPLICE PRIMARY (2)

② I-37 1/2 KVA CONV (19.9)
CL = 23.8

NOTE: DEVELOPER PAID FOR SERVICE TO THESE TWO LOTS (7 & 8) ON WE # 61700-08-00443

LOCATION SKETCH



Voltage	
Pri	Sec.
PHONE CO.	
Co. Name	
CATV CO.	
Co. Name	
ACCESSIBLE	
TREE CREW	
ROCK HOLE	
PERMITS REQ'D	
R/W	
CITY	
COUNTY	
STATE	
MISSALL #	
OTHER	
SCALE	
NTS	
Ft. Per Inch	

Cnst. Completed By

Date