

This instrument prepared in
Birmingham Div. Re 1601
Dept. of Alabama Power Co
Birmingham, AL

EASEMENT - DISTRIBUTION FACILITIES

By Sara Parks

STATE OF ALABAMA }

COUNTY OF Shelby }

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Rick D. Yates and wife,
Karen K. Yates

as grantor(s), (the "Grantor", whether one or more) for and in consideration of One and No/100 Dollars (\$1.00), and other good and valuable consideration, to Grantor in hand paid by Alabama Power Company (the "Company"), a corporation, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to the Company, the easements, rights and privileges described and designated in Section B below, together with the right to permit other persons, partnerships and corporations to use and exercise such easements, rights and privileges in common with the Company.

B. RIGHTS The easements, rights and privileges granted hereby are as follows (if less than all of 1-3 are granted, then *check and initial applicable paragraphs*):

1. **Overhead and/or Underground.** The right from time to time to construct, install, operate and maintain, upon, over, under and across the Property described in Section C below, along a route to be selected by the Company which is generally shown on the attached drawing (which shows the general location of underground facilities, if any, by cross-hatching indicating an area not greater than ten feet (10') in width), all poles, towers, wires, conduits, fiber optics, cables, transclosures, transformers, anchors of concrete, metal or other material, guy wires and other materials, appliances, facilities and other apparatuses of whatever type, whether now or in the future existing or known which are useful or necessary in connection therewith (collectively, "Facilities"), for the overhead and/or underground transmission and distribution of electric power and for overhead and/or underground communication service, and also the right to clear a strip extending fifteen feet (15') to either side of the center line of the lines of poles and keep it cleared of all trees, undergrowth or other obstructions; further, the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the 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 the Company.

2. **Line Clearing.** The right to cut and trim and to keep cut and trimmed, and remove all dead, weak, leaning or dangerous trees or limbs, which, in the Company's sole discretion, now or may hereafter endanger or interfere with the electric transmission lines, telephone lines, poles, towers or other facilities of the Company or others now constructed, or which may hereafter be constructed, on or adjacent to the Property described in Section C below, and also the right to clear a strip extending fifteen feet (15') to either side of the center line of the lines of poles and keep it cleared of all trees, undergrowth or other obstructions.

3. **Guy Wire and Anchor.** The right to implant, install and maintain anchor(s) of concrete, metal or other material at point(s) on the Property described in Section C below, and to construct, extend and maintain guy wires from such anchor(s) to structures now erected or hereafter to be erected on such Property or property adjacent thereto (collectively, "Guy Wire Facilities").

Initial

Initial

In addition to the easements, rights and privileges granted in all or any of 1, 2, or 3 above, Grantor hereby grants to the Company all easements, rights and privileges necessary or convenient for the full enjoyment and use thereof, including without limitation the right of ingress and egress to and from the Company's Facilities and Guy Wire Facilities, as applicable, and the right to excavate for installation, replacement, repair and removal thereof; and also the right to cut, remove and otherwise keep clear any and all structures, obstructions or obstacles of whatever character, on, under and above said Facilities and Guy Wire Facilities, as applicable.

C. PROPERTY DESCRIPTION The easements, rights and privileges granted hereby shall apply to, and the word "Property" as used in this instrument shall mean, the following described real property situated in Shelby County, Alabama (the "Property"):

<u>In the office of the Judge of Probate of</u> <u>Shelby, Alabama</u>	<u>GRANTEE'S ADDRESS</u>
<u>in the County of Shelby, as is recorded in</u> <u>Township 30S, Range 1W, Section 17,</u>	<u>ALABAMA POWER CO.</u>
<u>houses to the west of the line of the road leading to</u>	<u>P.O. 5642641</u>

A parcel of land in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 17,

Township 30S, Range 1W, as is recorded in 1993 at 32081

D. GENERAL In the event it becomes necessary or desirable for the Company to move any of its Facilities in connection with the construction or improvement of any public road or highway in proximity to its Facilities, Grantor hereby grants to the Company the right to relocate its Facilities on said Property, provided, however, the Company shall relocate its Facilities at a distance no 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. In the event that none of options 1 through 3 in Section B above are marked, then Grantor hereby grants all easements, rights and privileges described in such option 1. This grant and agreement shall be binding upon and shall inure to the benefit of Grantor, the Company and each of their respective heirs, personal representatives, successors and assigns and the words "Company" and "Grantor" as used in this instrument shall be deemed to include the heirs, personal representatives, successors and assigns of such parties.

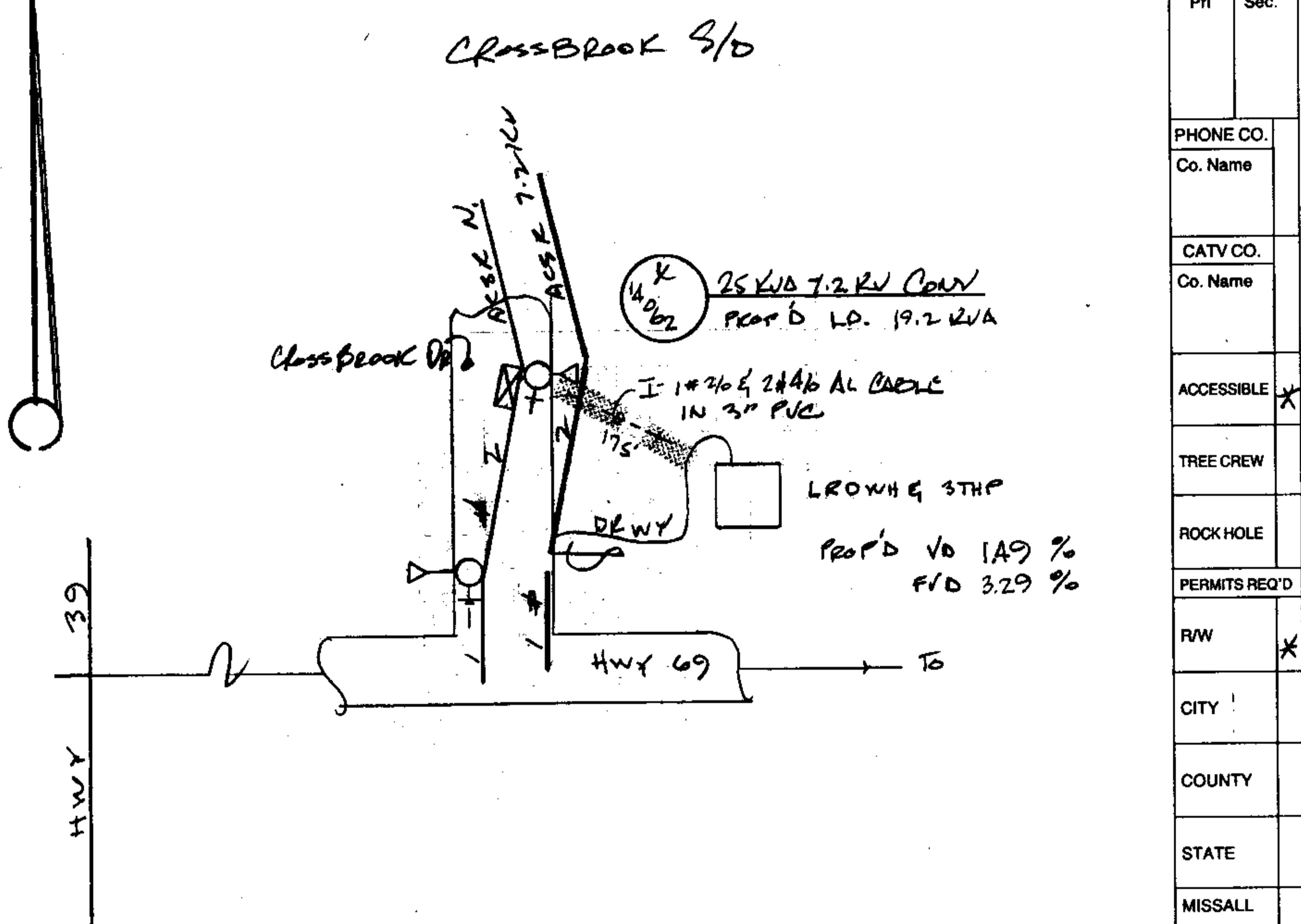
01/20/1995
08:24 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

TO HAVE AND TO HOLD the foregoing easements, rights and privileges to the Company, its successors and assigns, forever.

SKETCH OF PROPOSED WORK — SIMPLIFIED W. E.

Alabama Power 

Customer	Rick Yates	Location	CrossBrook DR	Agreed Serv. Date	11/18/94	Estimate No.	61720-00-01324-00
Division	B'HAM	District	COLUMBIANA	Town	CHELSEA	Drawn by	H Bozeman 10/25/94
County	SHELBY	Section	17	Township	20S	Range	1W
Acquisition Agent	<i>BB</i>	Date R/W Assigned	10-26-94	Date R/W Cleared	11-14-94	Map Reference	74760-4
		LOC		Transformer Loading			



NOTE: LEONARD JOINER - CUSTOMER
WOULD LIKE U.G. TO GO THRU
WOODED SECTION LIKE SKETCH
DEPICTS. CUSTOMER REQUEST
TRENCH TO KEEP PATH WIDTH
NARROW AS POSSIBLE
RICK YATES - 678-7420

Inst # 1995-01626

01/20/1995-01626
08:24 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 14.00