

#1800  
**UTILITY EASEMENT - SUBDIVISION**

STATE OF ALABAMA

COUNTY OF Shelby

Sta # 11100 to Sta # 9100  
Guys on Sta # 2-9

W.E. # 61700-00-0205-000

Parcel # 70085614

KNOW ALL MEN BY THESE PRESENTS, That the undersigned McMahon Highlands, LLC

\_\_\_\_\_, (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 \_\_\_\_\_

McMahon Highlands

Subdivisions, as recorded in Map Book \_\_\_\_\_ page \_\_\_\_\_, 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:

10701/2001-42175  
07:35 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CH 18.00

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed by its ~~President~~ Manager,

who is authorized to execute this conveyance, has hereto set its signature and seal, on this the 28th day of December, 2000

ATTEST:

By: \_\_\_\_\_

Its: \_\_\_\_\_

McMahon Highlands, LLC  
By: [Signature] Manager  
Its: President Manager

STATE OF ALABAMA

COUNTY OF

Shelby

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

Del Clayton

whose name he 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 28<sup>th</sup> day of December, 192000.

Notary Public

My commission expires:

2-6-2002

[SEAL]

STATE OF ALABAMA

COUNTY OF

Shelby

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

Del Clayton

whose name as

Manager

of

M E Mahon Highlands, LLC

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.

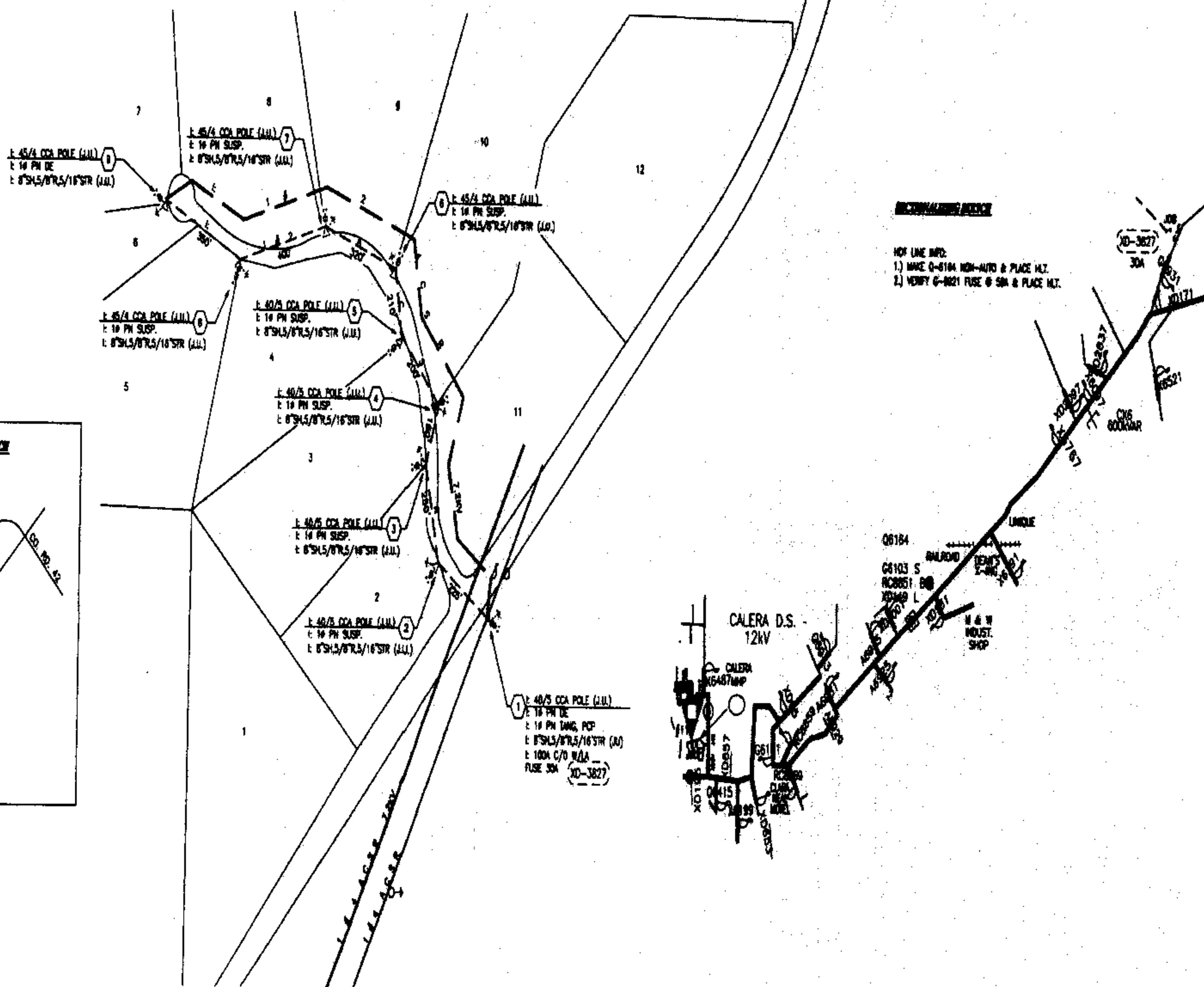
Given under my hand and official seal, this the 28<sup>th</sup> day of December, 192000.

Notary Public

My commission expires:

2-6-2002

[SEAL]



MAP REF: SEC-12, TP-225R-2W		DETAIL: <u>MONTEBELL MOUNTAINS AT SHELBY</u> <u>SPRING TOWN</u>	
DRAWN BY: ENGR. M. MCGAWNEY	DATE: 04/27/00	SCALE: 1" = 200'	PLOTTED: 04/27/00
APPROVED: _____	DATE: _____	SHEET 1 OF 3 SHEETS	C-61700-00-41
APPROVED: _____	DATE: _____	SUPERSEDES: _____	