

UTILITY EASEMENT - SUBDIVISION

STATE OF ALABAMA }

County of SHELBY }

THIS PERMIT COVERS ALL COMPANY FACILITIES  
LOCATED ALONG THE ROUTE SHOWN  
ON THE ATTACHED DRAWING WITHIN  
THE SUBDIVISION IDENTIFIED HEREIN.

WE # 61700-08-0051-9-00

Parcel 70087636

KNOW ALL MEN BY THESE PRESENTS, That the undersigned GREENBRIAR, LLC  
as grantor(s) (the "Grantor" whether one or more) for and in consideration of One and No/100 (\$1.00), and other good and valuable consideration, to said Grantor in hand paid by Alabama Power Company, a corporation and BellSouth Telecommunications Company, a corporation, (collectively, the "Grantees") the receipt of which is hereby acknowledged, do hereby grant to the Grantees, their successors and assigns, the right to construct, operate and maintain its line of poles and appliances necessary in connection therewith, for the transmission of electric power and communication services, with the right to set intermediate poles in line, and 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 telephone and other wires to said poles and towers and to install wires or cables within the conduits upon, over, under and across the following described 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 the

CEDAR GROVE AT STERLING GATE - PHASE III Subdivisions,

as recorded in Map Book 21, page 46 in the Office of the Judge of Probate, SHELBY County, Alabama.

Said trace of land being located in the NW 1/4 of the NW 1/4 of Section 04, Township 21S, Range 3W.

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 additional easements; and the right to overhand with wires and crossarms, for a distance not to exceed five (5) feet, the property immediately adjacent to said streets, avenues, alleys, public ways, public utility easements and/or additional easements; and also 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 (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 thirty foot (30') strip which, in the sole opinion of Company, might endanger, interfere with or fall upon the poles, lines or other appliances of said Company.

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 improvements on said property adjacent thereto, the Grantees will relocate said service wires on the same property without cost to the owner so as not to interfere with said development and/or improvements, and the right to so relocate said service wires on said property is herein granted.

In the event it becomes necessary, in the sole opinion of the Grantees herein, to install service poles on the property lines between the 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 Company, its successors and assigns, forever.

IN WITNESS WHEREOF, \_\_\_\_\_ have hereunto set \_\_\_\_\_ hand(s) and seal(s), this the \_\_\_\_\_ day of \_\_\_\_\_, 1999.

WITNESS:

(Seal)

(Seal)

THIS INSTRUMENT PREPARED  
BY Don Bailey  
ALABAMA POWER COMPANY  
P. O. BOX 2641  
BIRMINGHAM, AL 35291  
02/06/2002-06359  
JUDGE OF PROBATE  
17.50

02/06/2002-06359  
AM CERTIFIED  
JUDGE OF PROBATE

Inst # 2002-06359

IN WITNESS WHEREOF, the said GREENBRIAR, Ltd. has caused this

instrument to be executed in its name by MARY F. ROENSCH

as its GENERAL PARTNER and its corporate seal to be affixed, on this the 22<sup>ND</sup>

day of MAY, 1999.

ATTEST:

Signature of Witness

Title

Name of Corporation/Partnership/LLC

Signature of Officer, Partner, etc.

Title

Corporate/Partnership/LLC Notary

STATE OF ALABAMA }

County of SHELBY }

I, the undersigned, a Notary Public in and for said County in said State, do hereby certify that MARY F. ROENSCH whose name as GENERAL PARTNER of GREENBRIAR, Ltd. is signed to the foregoing instrument and who are known to me, acknowledged before me on this day that being informed of the contents of the said instrument, he, as such officer and with full authority, executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal, this the 22<sup>ND</sup> day of MAY, 1999.

Notary Public

My commission expires:

04-03-2003

Individual Notary

STATE OF ALABAMA }

County of \_\_\_\_\_ }

I, the undersigned, a Notary Public, State at Large, do hereby certify that \_\_\_\_\_

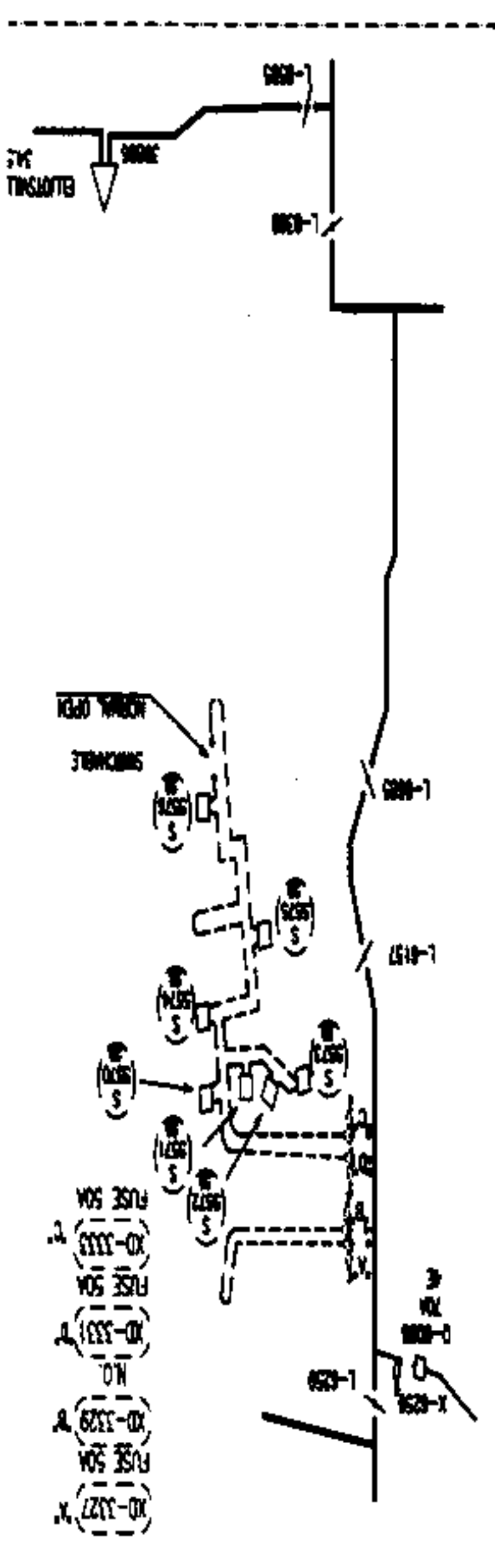
whose name(s) is/are signed to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of the said instrument, they executed the same voluntarily, on the day the same bears date.

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

Notary Public

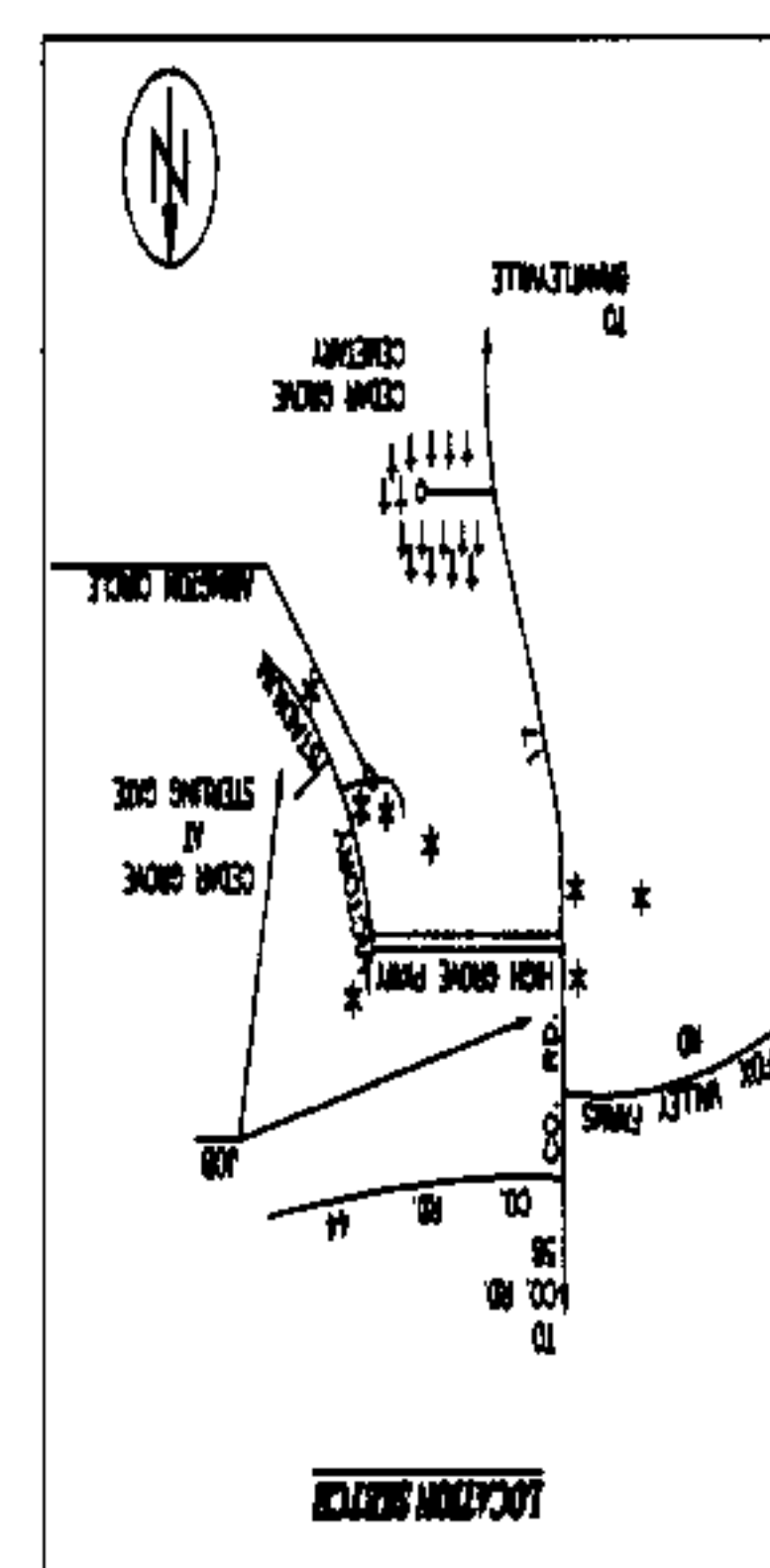
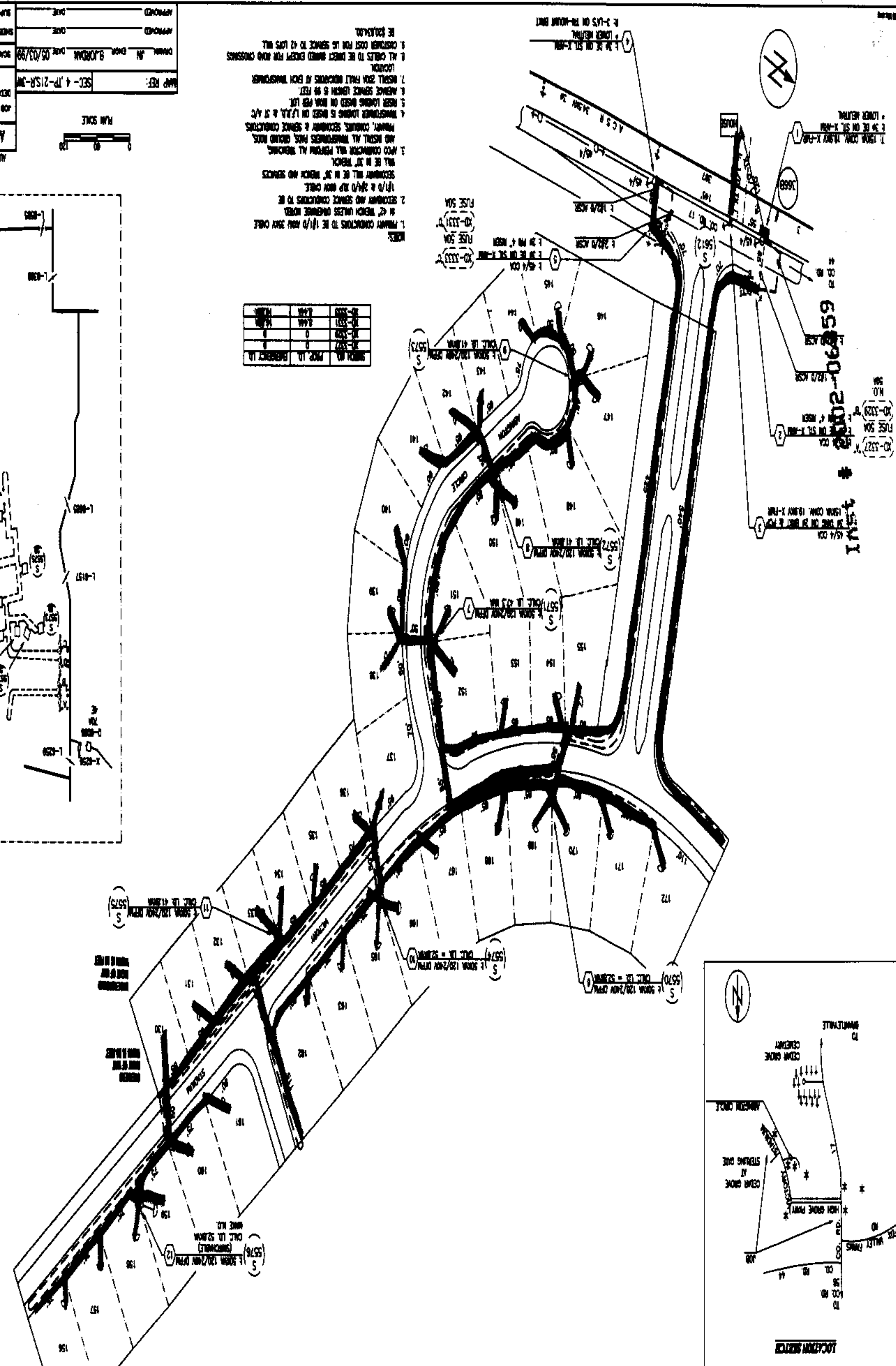
My commission expires \_\_\_\_\_.

APPROVED: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 DRAWN: JH DATE: 05/03/99  
 SCALE: 1"=50'  
 SHEET: 1 OF 1 SHEETS  
 PROJECT: SOUTH REGION DISTRICT  
 PROJECT U.G. SERVICE  
 GROUP: STREETS  
 ALABAMA POWER  
 AUTOMATED DRAWING - WARE NO



1. PRIMARY CONDUCTORS TO BE 1/1" AND 3/4" CABLE  
 2. SECONDARY AND SERVICE CONDUCTORS TO BE  
 1/1" AND 3/4" CABLE  
 3. ALL CONDUCTORS SHALL BE IN 3" TRUNK AND SERVICES  
 4. ALL CONDUCTORS SHALL BE IN 3" TRUNK  
 5. ALL CONDUCTORS SHALL BE IN 3" TRUNK  
 6. ALL CONDUCTORS SHALL BE IN 3" TRUNK  
 7. ALL CONDUCTORS SHALL BE IN 3" TRUNK  
 8. ALL CONDUCTORS SHALL BE IN 3" TRUNK  
 9. ALL CONDUCTORS SHALL BE IN 3" TRUNK  
 10. ALL CONDUCTORS SHALL BE IN 3" TRUNK

| ITEM NO. | DESCRIPTION | QTY  | UNIT |
|----------|-------------|------|------|
| 1        | 1/1" CABLE  | 1.00 | FT   |
| 2        | 3/4" CABLE  | 1.00 | FT   |
| 3        | 1/1" CABLE  | 1.00 | FT   |
| 4        | 3/4" CABLE  | 1.00 | FT   |
| 5        | 1/1" CABLE  | 1.00 | FT   |
| 6        | 3/4" CABLE  | 1.00 | FT   |
| 7        | 1/1" CABLE  | 1.00 | FT   |
| 8        | 3/4" CABLE  | 1.00 | FT   |
| 9        | 1/1" CABLE  | 1.00 | FT   |
| 10       | 3/4" CABLE  | 1.00 | FT   |



02/06/2002-06357  
 10:28 AM CERTIFIED  
 SHELBY COUNTY JUDGE OF PROBATE  
 17.50  
 003 MEL