

#1800

EASEMENT - DISTRIBUTION FACILITIES (Lot and Block)

TO BE RECORDED: YES X NO

This instrument prepared by:

Don D. Bailey

STATE OF ALABAMA } COUNTY OF SHELBY } TAX ID # 09-1-12-0-000-007.000

W.E. No. 61700-00-0653-1-00 Parcel No. 70092029 Transformer No. X-4217

Alabama Power Company P. O. Box 2641 Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That JOHN P. MOONEY & WIFE, Rhonda R. Mooney

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, a corporation, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to Alabama Power Company, its successors and assigns (the "Company"), the easements, rights and privileges described and designated in Section B below.

B. RIGHTS The easements, rights and privileges granted hereby are as follows:

- 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 Company's final location drawing... 2. Line Clearing. The right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs that, in the sole opinion of the Company, might now or may hereafter endanger, interfere with or fall upon the electric transmission or distribution lines... 3. Guy Wires and Anchors. The right to implant, install and maintain anchor(s) of concrete, metal or other material on and under the Property described in Section C below, and to construct, extend and maintain guy wires from such anchor(s) to structures now or hereafter erected adjacent to such Property or property adjacent thereto...

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 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"):

Lot of Block of Subdivision as recorded in Map Book page and being located in the SE 1/4 of the NW 1/4 of Section 12, Township 19S Range 1W and recorded in Deed Book 1498, page 6855 all being recorded in the Office of the Judge of Probate in said County.

D. ADDITIONAL PROVISIONS. In the event it becomes necessary or desirable for the Company to move any of the Facilities in connection with the construction or improvement of any public road or highway in proximity to the Facilities, Grantor hereby grants to the Company the right to relocate the Facilities and, as to such relocated Facilities, to exercise the rights granted above; provided, however, the Company shall not relocate the Facilities on the Property at a distance 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. 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.

TO HAVE AND TO HOLD the same to the Company, its successors and assigns, forever.

IN WITNESS WHEREOF, the undersigned Grantor(s) has/have set his/her/their hand(s) and seal(s) this the 10th day of NOVEMBER, 2001.

Shelia Kaeris (Witness)

John P. Mooney (Grantor) (SEAL)

Rhonda Dunlap (Witness)

Rhonda R. Mooney (Grantor) (SEAL)

(Witness)

Inst # 2002-18707 By (SEAL)

04/23/2002-18707 08:57 AM CERTIFIED SHELBY COUNTY JUDGE OF PROBATE 003 MSB 18.00

IN WITNESS WHEREOF, the said Grantor, has caused this Instrument to be executed by \_\_\_\_\_  
its authorized representative, as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

ATTEST (if corporation) or WITNESS:

\_\_\_\_\_  
(Grantor - Name of Corporation/Partnership/LLC)

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

By: \_\_\_\_\_ (SEAL)  
Its: \_\_\_\_\_

[Indicate President, General Partner, Member, etc.]

**INDIVIDUAL NOTARIES**

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

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

[SEAL]

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

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

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

[SEAL]

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

**TRUSTEE/CORPORATION/PARTNERSHIP/LLC NOTARY**

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 \_\_\_\_\_ [as \_\_\_\_\_]  
], 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/she, as such \_\_\_\_\_ and with full authority, executed the same voluntarily for and as  
the act of said \_\_\_\_\_ [acting in such capacity as aforesaid].

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

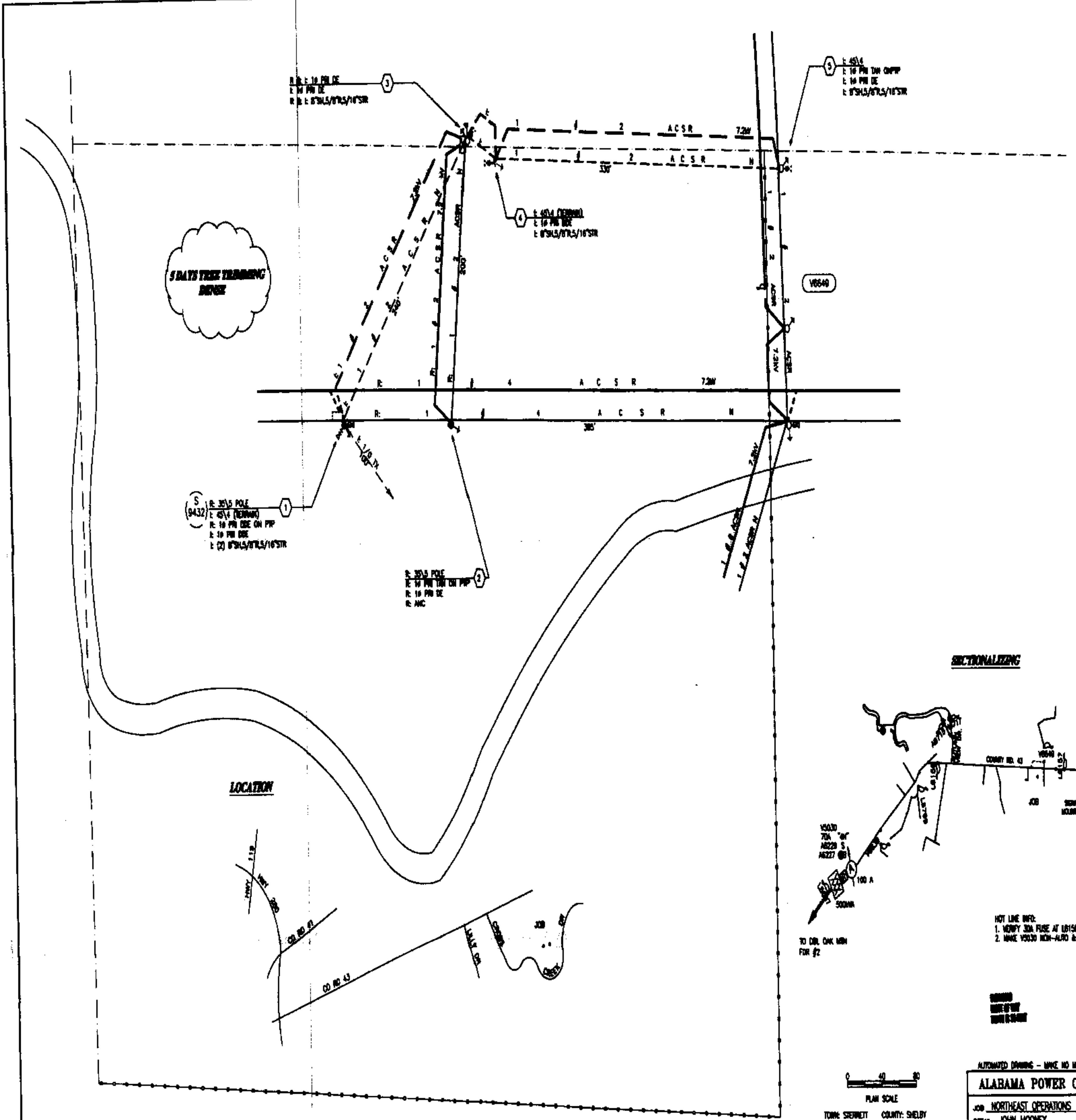
[SEAL]

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

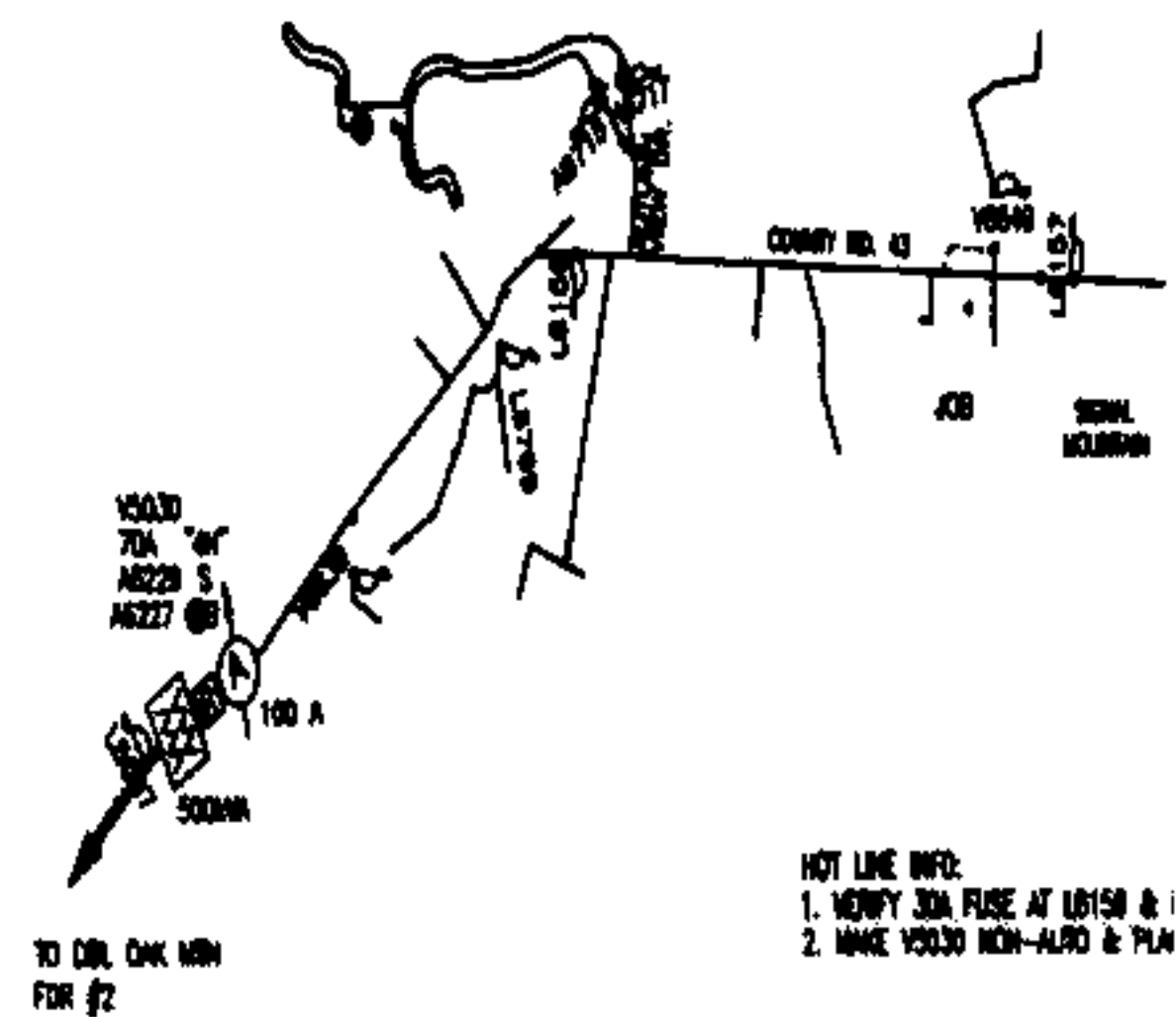
**For Alabama Power Company Corporate Real Estate Department Use Only**

All facilities on Grantor: X

Station to Station: STA 1400 TO STA 5400 Also:  
STA 1400 TO STA 14100  
Guys AT STA 1400, 3400, 4400 & 5400



**SECTIONALIZING**



TOWNSHIP: SHERBET COUNTY: SHELBY  
 MAP REF: SEC- TP- R-  
 DRAWN: CM ENGR: J. CALICOTT DATE: 11/01/01  
 APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

AUTOMATED DRAWING - MAKE NO MANUAL  
**ALABAMA POWER COM**  
 JOB: NORTHEAST OPERATIONS  
 DETAIL: JOHN MOONEY  
 65 CROSS CREEK DRIVE-5  
 SCALE: 1" = 40'  
 SHEET 1 OF 1 SHEETS  
 SUPERSEDES: C-61700-0

Inst # 2002-18707  
 04/23/2002-18707  
 08:57 AM CERTIFIED  
 SHELBY COUNTY JUDGE OF PROBATE  
 003 NSB 18.00