

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES ☒ NO ☐

20030612000367860 Pg 1/4 20.50
Shelby Cnty Judge of Probate, AL
06/12/2003 08:42:00 FILED/CERTIFIED

STATE OF ALABAMA }
COUNTY OF Shelby }
TAX ID # _____

W.E. No. 61500-00-00473-00
Parcel No. 70117212
Transformer No. T25466

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

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That James E. Roberts A MARRIED MAN

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 (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, trans closures, transformers, anchors, guy wires and other Facilities useful or necessary in connection therewith (collectively, "Facilities"), for the overhead and/or underground transmission and distribution of electric power, and also the right to clear and keep clear a strip of land extending five feet (5') to either side of the center line of underground Facilities and fifteen feet (15') to either side of the center line of overhead Facilities; further, the right in the future to install and utilize intermediate poles in line for overhead Facilities and 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 for overhead Facilities that, in the sole opinion of the Company, might now or may hereafter endanger, interfere with or fall upon any of the overhead Facilities.

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, poles, towers or other Facilities now or hereafter located adjacent to the Property described in Section C below along a route to be selected by the Company generally shown on the Company's final location drawing, and also the right to clear and keep clear all trees, undergrowth, and other obstructions on property in which Grantor has an interest within fifteen feet (15') of the center line of the lines of such poles, towers or other Facilities.

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 (collectively, "Guy Wire Facilities") along a route to be selected by the Company generally shown on the Company's final location drawing; and also 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 any of the Guy Wire Facilities.

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"):

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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 20th day of January, 2003.

Witness _____

(Grantor) James E. Roberts (SEAL)

Witness _____

(Grantor) _____ (SEAL)

Witness _____

By: _____ (SEAL)
As: _____

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by James E. Roberts,
its authorized representative, as of the 20th day of January, 2003.

ATTEST (if corporation) or WITNESS:

By: _____
Its: _____

(Grantor - ~~Name of Corporation/Partnership/LLC~~)
James E. Roberts (SEAL)
By: _____
Its: _____
[indicate President, General Partner, Member, etc.]

INDIVIDUAL NOTARIES

STATE OF ALABAMA }
COUNTY OF Shelby }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that James E. Roberts
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 20th day of January, 2003

[SEAL]

Mary Christina Evans
Notary Public
My commission expires: NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: JULY 23, 2003
BOADED THRU NOTARY PUBLIC UNDERSTANDS

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: _____

Station to Station: STA 1+200 TO STA 2+200 ALSO GUY STA 2+00

2002110000575360 Pg 2/2 69.00
Shelby Cnty Judge of Probate, AL
11/18/2002 15:08:00 FILED/CERTIFI

EXHIBIT A

A part of the NW ¼ of the NE ¼ of Section 33, Township 17 South, Range 1 East, being more particularly described as follows: Begin at the Southeast corner of the NW ¼ of the NE ¼ of said Section 33 for a point of beginning; thence run North along the East line of said ¼ ¼ section for a distance of 520.00 feet; thence turn 88 degrees 57 minutes 35 seconds left and run Westerly and parallel with the South line of said ¼ ¼ section a distance of 1020 feet, more or less, to the centerline of Southern Railroad right of way; thence run Southerly along the center line of said Railroad 530 feet, more or less, to the South line of NW ¼ of the NE ¼ thence run East along the South line of said ¼ ¼ Section 1000.02 feet to the point of beginning;

Subject to a 35 foot easement for ingress and egress and utilities along the Easterly boundary of said property; LESS AND EXCEPT right of way to Southern Railroad; being situated in Shelby County, Alabama.

Also, a strip of land 35 feet wide, located in said Southwest ¼ of the Northeast of Section 33, Township 17 South, Range 1 East, situated in Shelby County, Alabama, more particularly described as follows: 17 ½ feet of each side of the following described centerline: Commence at the Northeast corner of said ¼ ¼ section and run thence Westerly along the North line thereof a distance of 100.0 feet to the point of beginning of the right of way centerline herein described; thence turn left and run Southerly and parallel to the East line of said ¼ ¼ Section for a distance of 35 feet, more or less, to an intersection of the right of way center line herein described with the center line of a paved County Road which runs in a general East and West direction, said point of intersection being the end of the right of way center line herein described; being situated in Shelby County, Alabama

Mining and Mineral rights Excepted.

