

#175

sta 1+00 to sta 2+00

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES ☒ NO ☐

This instrument prepared by:

Bill Childress

STATE OF ALABAMA }

W.E. No. 61700-00-04353

Alabama Power Company

COUNTY OF Shelby }

Parcel No. 70125513

P. O. Box 2641

TAX ID # 23-1-11-3-001-007.020

Transformer No. S-11512

Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That William G. Wood and wife Pamela K. Wood

as grantors (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 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, c 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"):

a parcel of land situated in the NE 1/4 of the SW 1/4 of Section 11, Township 21 South, Range 3 West being more particularly described as follows: Commence at the intersection of the west R/W of Hwy 119 and the center line of Buck Creek; thence run northwest along Creek for 280.74 ft.; thence turn left and run southwest for 358.14 ft. to the point of beginning; thence continue southwest for 206.75 ft.; thence turn left and run southeast for 224.8 ft.; thence turn left and run northeast for 39.54 ft.; thence turn left and run northeast for 117.53 ft. to cul-de-sac; thence turn left and run north for 89 ft.; thence turn left and run northwest for 194.35 ft. to the point of beginning.

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 21st day of October, 2003.

Witness

(Grantor)

Witness

(Grantor)

Witness

By:

As:

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by _____, authorized representative, as of the _____ day of _____, 20____.

ATTEST (if corporation) or WITNESS:

(Grantor - Name of Corporation/Partnership/LLC)

By: _____

By: _____ (SEAL)

Its: _____

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 William H. E. Wood ^{wife} Pamela K. 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 8th day of October, 2003.

[SEAL]

Tracy A. Barton
Notary Public
My commission expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Jan 20, 2004
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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

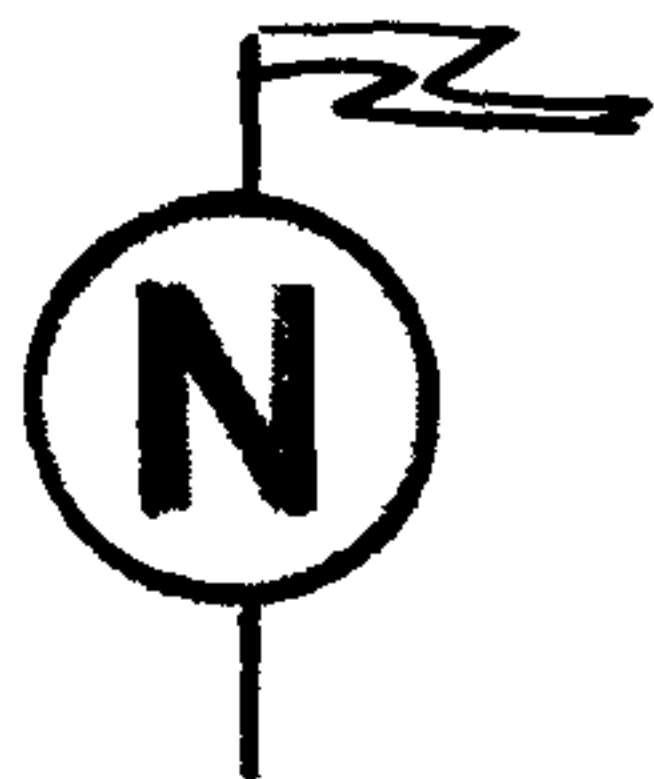
All facilities on Grantor: _____

Station to Station: _____

SKETCH OF PROPOSED WORK — SIMPLIFIED W. E.

20040102000000650 Pg 3/3 17.50
Shelby Cnty Judge of Probate, AL
01/02/2004 09:16:00 FILED/CERTIFIED

Customer WOOD Discount Pharmacy		Location 205 BUCK CREEK ROAD		Agreed Serv. Date 61700-00-0435-3	
Division B'HAM		District SO. REGION		Town ALABASTER	
County SHELBY		Section 11		Township 21-5	
Acquisition Agent		Date R/W Assigned		Date R/W Cleared	
				Map Reference 3W-21-11-3	
				Add'l Info RUSTY WADSWORTH 369-9751	
				LOC 2	
				Transformer Loading 117.55 KVA	



1: 50' POLE
1: PRIMARY RISER
1: PTP-2 ϕ BKT
FUSE RISER
15 AMPS

S7312
*40x
566'

CHEF'S
CAFE

S-11512

1: 150 KVA-
120/208 PDMT

PROP LD =
117.55 KVA

1: 200' 5 AMP
CT - BUSHING
MOUNTED

WOODS
DISCOUNT
PHARMACY

PLAZA CIRCLE

CREEK PLAZA

HWY 119

BUCK

HOT LINE INFO:
NEXT PAGE

Voltage	
Pri	Sec.
35	120/208
PHONE CO.	
Co. Name	
CATV CO.	
Co. Name	
ACCESSIBLE	
YES	
TREE CREW	
NO	
ROCK HOLE	
NO	
PERMITS REQ'D	
R/W	
CITY	
COUNTY	
STATE	
MISSALL	
#	
OTHER	
SCALE	
Ft. Per Inch	

Cnst. Completed By

Date