

EASEMENT DISTRIBUTION FACILITIES
(Metes and Bounds)

STATE OF ALABAMA)
COUNTY OF SHELBY)
TAX ID # _____

TO BE RECORDED: YES ☒ NO ☐

W.E. No. 61500-00-04493-00

Parcel No. 70125523

Transformer No. T26015

This instrument prepared by:

ROBERT E. BOWEN
Alabama Power Company
P. O. Box 2641
Birmingham, Alabama 35291

A. **GRANT** KNOW ALL MEN BY THESE PRESENTS, that ROBERT C. FOYTRESS AND WIFE DIANE FOYTRESS 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 design

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, Section C below, along a route to be selected by the Company which is generally shown on the Company's final 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 15 day of Oct, 2003.

Witness Beverly Bendall
Witness Beverly Bendall
Witness _____

(Grantor) Robert C. Foytress (SEAL)
(Grantor) Diane Foytress (SEAL)
By: Robert C. Foytress (SEAL)
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 _____ }

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]

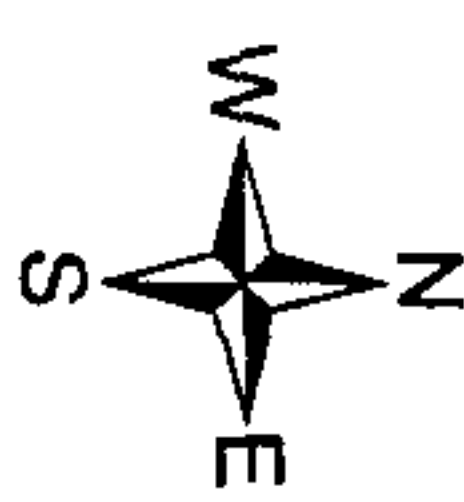
Notary Public
My commission expires: _____

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____

Station to Station: STA 1+50 TO STA 2+150 AL30605 STA 2+00
(SOUTH)

Customer	Robert C Poythress	Location	1858 Mimosa Rd	Entered Svc Date	11/07/03	County	Shelby	Section	27	Township	17S	Range	01E	Add'l Info.	854-9262 (H); 249-0103 (C)	Estimate No.	61500-00-04493
Division	Birmingham	District	Huffman	Town	Dunnivant	UserID:	RDFOSTER	Created:	10/17/2003 1:45:36 PM	Substation	Leeds D.S.	x - 264326, y - A4165				MISSALL#	



Notes:
Cust to pay \$450.00 for 150ft UG svc
per CSP 715-110....
Asplundh to trench & install 3" conduit
in 36" trench...

NOTE: ON PUBLIC RIGHTS-OF-WAY!
TRAFFIC CONTROL IN WORK AREAS WILL COMPLY WITH
FHWA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES
FOR STREETS AND HIGHWAYS (MUTCD), PART VI

SAFETY ANALYSIS
Hazards/Precautions
Work Procedures
Energy Sources
Protective Equipment

Loc #1
40/5 GND
1 PH Tan
1 PH DE
5/16" strand & 3/4" rod w/ insul

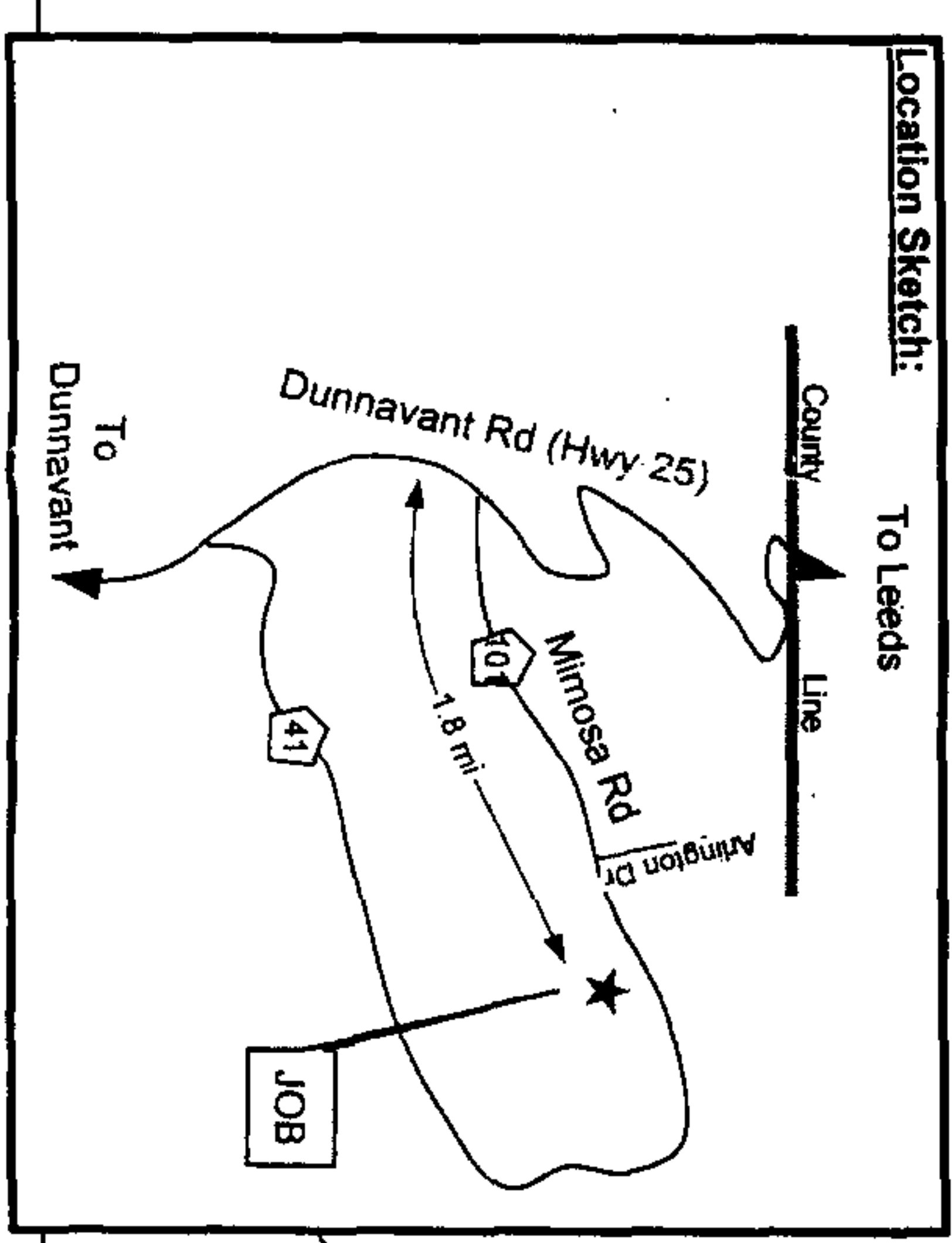
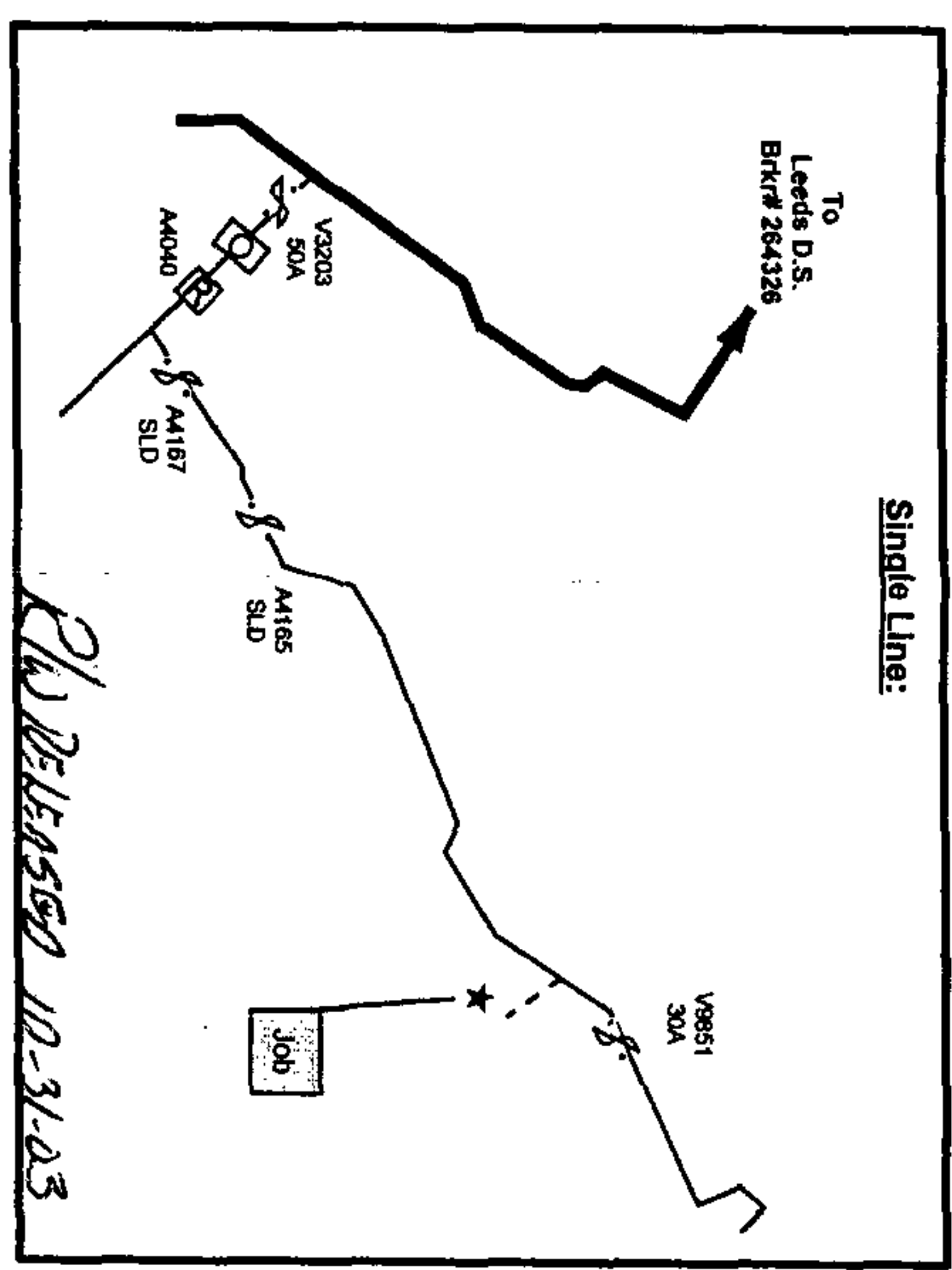
Loc #2
40/5 GND
1 PH DE
5/16" strand & 3/4" rod w/ insul
25 kVA Convt
2" Svc Riser

MIMOSA RD

26015

New
DBLWD
LRWD
3.5THP
200A svc mounted
on pedestal pole

1: 2 # 4/0 & 1 # 1/0 XLP
1: 3" Conduit



Voltage		Pri	Sec
		7.2KV	120/240V
Transformer Loading	Loc	2	
Est Ld = 22.1 KVA (W) 10.7 KVA (S)			
Fwd = 4.7%			
Svc = 3.5%			
Phone Co.		X	
Altel		X	
Cable Co.		X	
Charter		X	
Accessible		X	
Tree Crew		X	
Rock Hole			
Permits			
R/W		X	
CITY			
COUNTY			
STATE			
OTHER			

20030318000164440 Pg 2/2 54.00
Shelby Cnty Judge of Probate,AL
03/18/2003 15:46:00 FILED/CERTIFIED

EXHIBIT "A"
LEGAL DESCRIPTION

20040102000000720 Pg 4/4 20.50
Shelby Cnty Judge of Probate,AL
01/02/2004 09:16:00 FILED/CERTIFIED

PARCEL I:

Begin at the NW corner of the NW 1/4 of the NE 1/4 of Section 34, Township 17 South, Range 1 East; thence run Easterly along the North line thereof for 659.13 feet; thence 89 degrees 36 minutes 36 seconds right run Southerly 659.33 feet; thence 90 degrees 22 minutes 27 seconds right run Westerly 660.95 feet; thence 89 degrees 47 minutes 03 seconds right run Northerly 659.51 feet to the point of beginning.

Also, a 30-foot easement for ingress and egress, situated in the SE 1/4 of the SW 1/4 and in the SW 1/4 of the SE 1/4 in Section 27, Township 17 South, Range 1 East, being more particularly described as follows:

Begin at the SE corner of the SE 1/4 of the SW 1/4 of Section 27, Township 17 South, Range 1 East; thence run Westerly along the South line thereof for 171.06 feet to the Easterly right of way of Shelby County Road #101; thence 114 degrees 10 minutes 56 seconds right run Northerly along said right of way for 32.89 feet; thence 65 degrees 49 minutes 04 seconds right run Easterly 187.47 feet; thence 89 degrees 46 minutes 07 seconds right run Southerly 30.0 feet to the South line of the SW 1/4 of the SE 1/4 of said Section; thence 90 degrees 13 minutes 53 seconds right run Westerly 30.0 feet to the point of beginning.

According to survey of Thomas E. Simmons, RLS #12945, dated February 26, 2003.