

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES ☒ NO ☐


STA 2+00 TO STA 3+00

This instrument prepared by:

JEFF J. CALLISON

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

W.E. No. 61730-00-00143
Parcel No. 70126504
Transformer No. 5-10642


20040312000127150 Pg 1/4 20.50
Shelby Cnty Judge of Probate, AL
03/12/2004 08:15:00 FILED/CERTIFIED

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Disciples of Christ Church

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, 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 12th day of DECEMBER, 20 03.

Witness _____

Witness _____

Witness _____

(Grantor) (SEAL)

Disciples of Christ Church
(Grantor) (SEAL)

By: John P. Mobley (SEAL)
As: Regional Minister

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by _____ is 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 SHELBY }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that JOHN P. MOBLEY, whose name as REGIONAL MINISTER of DISCIPLES OF CHRIST CHURCH 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 REGIONAL MINISTER 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 12TH day of DECEMBER, 2003.

[SEAL]

Notary Public

My commission expires: 11-17-07

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____

Station to Station: _____

EXHIBIT A

WE # 6173D-00-00143

COPY

Being a parcel of land situated in the North $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Section 13, Township 20 South, Range 4 West and being more particularly described as follows:

Commence at the Southeast corner of the North $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Section 13, Township 20 South, Range 4 West and go in a Westerly direction along the South line of said half a distance of 92.86 feet to a point, said point being on the West right-of-way line of Shadow Lake Road; thence $89^{\circ}49'55''$ to the right along said right-of-way in a Northerly direction a distance of 154.86 feet to the P.C. (point of curve) of a curve to the right having a radius of 482.14 feet and a central angle of $36^{\circ}47'56''$; thence along the arc of said curve and along said right-of-way in a Northeasterly direction a distance of 309.66 feet to the P.T. (point of tangent) of said curve; thence $38^{\circ}09'34''$ to the left (angle measured to tangent) along the Northwestern right-of-way line of Shadow Lake Road in a Northerly direction a distance of 24.46 feet to a point, said point being on the Southwesterly right-of-way line of County Road 52; thence $40^{\circ}32'50''$ to the left along the Southwesterly right-of-way line of said road in a Northwestern direction a distance of 300.98 feet to the POINT OF BEGINNING; thence continue along the last stated course a distance of 151.64 feet to the P.C. (point of curve) of a curve to the left having a radius of 2505.70 feet and a central angle of $0^{\circ}47'33''$; thence along the arc of said curve and along said right-of-way line in a Northwestern direction a distance of 34.66 feet to the P.T. (point of tangent) of said curve; thence $88^{\circ}53'56''$ to the left in a Southwesterly direction a distance of 292.75 feet to a point; thence $90^{\circ}00'00''$ to the left in a Southeasterly direction a distance of 75.67 feet to the P.C. (point of curve) of a curve to the right having a radius of 403.47 feet and a central angle of $13^{\circ}46'57''$; thence $70^{\circ}10'56''$ to the left (angle measured to tangent) in a Northeasterly direction along the arc of said curve a distance of 97.05 feet to the P.T. (point of tangent) of said curve; thence along the tangent of said curve in a Northeasterly direction a distance of 75.78 feet to the P.C. (point of curve) of a curve to the left having a radius of 214.00 feet and a central angle of $11^{\circ}42'13''$; thence along the arc of said curve in a Northeasterly direction a distance of 43.71 feet to the P.C.C. (point of compound curve) of a curve to the left having a radius of 90.00 feet and a central angle of $23^{\circ}10'05''$; thence along the arc of said curve in a Northeasterly direction a distance of 36.39 feet to the P.T. (point of tangent) of said curve; thence along the tangent of said curve in a Northeasterly direction a distance of 72.59 feet to the POINT OF BEGINNING.

Contains 1.00 acres.

Said property located in Shelby County, Alabama.

Inst # 2002-13167

03/20/2002-13167
11:25 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CH 14.00

LOCATION

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