

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

#175

STATE OF ALABAMA

COUNTY OF SHELBY

TAX ID # 12-7-26-0-000-011.003

TO BE RECORDED: YES ☒ NO ☒

70150462

W.E. No. 61730-00-01704?

Parcel No. 61730-00-01724

Transformer No. S-12837

STA 2+00 TO STA 4+220
GUY 17 STA 2+00, 3+00, & 4+00
This instrument prepared by:

JEFF J. CALLICOTT

Alabama Power Company

P. O. Box 2641

Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That SHANNON L. HAMMETT & WIFE, MICHELLE HAMMETT

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 4TH day of OCTOBER, 2004.

Witness

Witness

Witness

(Grantor)

(Grantor)

By:

As:

(SEAL)

(SEAL)

(SEAL)



20050203000055540 Pg 1/3 17.50
Shelby Cnty Judge of Probate, AL
02/03/2005 12:53:00 FILED/CERTIFIED

61730-00-01704

20030604000346050 Pg 2/2 36.50
Shelby Cnty Judge of Probate,AL
06/04/2003 10:35:00 FILED/CERTIFIED

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL I:

Commence at the Southwest corner of the Southwest quarter of Southwest quarter of Section 26, Township 20 South, Range 4 West, Shelby County, Alabama and run thence North 00 degrees 00 minutes 00 seconds East along the West line of said quarter-quarter a distance of 472.49 feet to a found rebar corner and the point of beginning of the property, Parcel -1, being described; thence run North 89 degrees 45 minutes 52 seconds East a distance of 472.64 feet to a found rebar corner; thence run South 00 degrees 00 minutes 52 seconds West a distance of 379.78 feet to a found rebar corner on the northerly margin of Shelby County Highway No. 13 in a curve to the left having a central angle of 09 degrees 01 minutes 10 seconds and a radius of 2,825.00 feet; thence run Northeasterly along the arc of said right of way curve an arc distance of 461.14 feet to a found rebar corner; thence run North 34 degrees 38 minutes 52 seconds West a distance of 213.12 feet to a found rebar corner; thence run North 00 degrees 20 minutes 04 seconds East a distance of 475.19 feet to a set rebar corner; thence run North 89 degrees 39 minutes 45 seconds West a distance of 784.70 feet to a found rebar corner; thence run South 00 degrees 00 minutes 00 seconds East along the West line of same said quarter-quarter a distance of 529.55 feet to the point of beginning.

According to the survey of Joseph E. Conn, Jr., dated November 7, 2002.

SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Map Center:
1661-12074

LatLon Center:
33.2603258583883; -86.9329988444036

ALABAMA POWER
A DOWNEY COMPANY

Customer MICHELLE HAMMETT			Location 6469 HWY 13 - HELENA				Agreed Serv. Date 10-1-04		Estimate No. 61730-00-01704			
Region BIRMINGHAM SOUTH			Oper. Cntr. PELHAM		Town/City HELENA		UserID: REJORDAN		Created: 9/16/2004 10:46:11 AM			
County: Shelby 40-20-26-3		Section 26	Township 20S	Range 04W	Add'l Info (CELL) 529-8135 SHANNON HAMMETT: 298-3158							
Acquisition Agent			Date R/W Assigned		Date R/W Cleared		Spatial Reference		LOC		Transformer Loading	
Voltage	Phone Co	CATV Co	Accessible	Tree Crew	Rock Hole		R/W	City	County	State	Miss All	Other
19.9KV	YES	NO	YES	YES	NO	Permits	YES	NO	NO	NO	YES	NO

