

#1752

STA. 1400 TO STA. 2475

**EASEMENT - DISTRIBUTION FACILITIES**  
(Metes and Bounds)TO BE RECORDED: YES   /   NO       

This instrument prepared by:

STATE OF ALABAMA )

COUNTY OF SHELBY )

TAX ID # \_\_\_\_\_

W.E. No. 61500-08-00614Parcel No. 70150500

Transformer No. \_\_\_\_\_

MARIL CHANDLER

Alabama Power Company

P. O. Box 2641

Birmingham, Alabama 35291

A. **GRANT** KNOW ALL MEN BY THESE PRESENTS, that RICHARD SCOTT PERKINS AND WIFE JEANNE PERKINS 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 22<sup>ND</sup> day of AUGUST, 2004.

[Signature]  
Witness

[Signature]  
Witness

Witness

[Signature] (SEAL)  
(Grantor)

[Signature] (SEAL)  
(Grantor)

By: \_\_\_\_\_ (SEAL)

As:



20050204000057460 Pg 1/3 17.50  
Shelby Cnty Judge of Probate, AL  
02/04/2005 10:37:00 FILED/CERTIFIED

## EXHIBIT "A"

61500-00-00614

20030530000335950 Pg 4/4 66.00  
 Shelby Cnty Judge of Probate, AL  
 05/30/2003 14:16:00 FILED/CERTIFIED

A parcel of land situated in the SW  $\frac{1}{4}$  of Section 19, Township 18 South, Range 1 East, begin a part of Lot B, according to the survey of Stonegate Realty- Phase Two, as recorded in Map Book 31 page 28 A& B, in the Shelby County, Probate Office, located in Shelby County, Alabama, being more particularly described as follows:

Commence at the SW corner of the SW  $\frac{1}{4}$  of said Section 19 and run North 1 deg. 00 min. 00 sec. West along the West line of said  $\frac{1}{4}$  section for a distance of 942.85 feet to a point; thence run North 89 deg. 00 min. 00 sec. East for a distance of 404.77 feet to the point of beginning, said point being located on the Northwestern right of way of the proposed Stonegate Drive Extension; thence run North 52 deg. 04 min. 56 sec. West for a distance of 323.9 feet, more or less, along the Eastern Boundary of Killion Parcel recorded in instrument number 20030321000173110 in the Shelby County, Probate Office to the 775 contour elevation, said elevation being the proposed full pool elevation of a proposed lake currently under construction; thence run northeasterly along said 775 contour elevation for a distance of 425 feet, more or less, to a point; thence run South 69 deg. 29 min. 18 sec. East for a distance of 483.2 feet, more or less, to a point on the future Northwestern right of way of Stonegate Drive, said point being on a curve to the left having a radius of 530.00 feet and a central angle of 17 deg. 45 min. 02 sec. a chord length of 163.54 feet and a chord bearing of South 19 deg. 58 min. 03 sec. West; thence run along the arc of said curve for a distance of 164.20 feet to a point on a curve to the right having a radius of 470.00 feet, a central angle of 34 deg. 31 min. 39 sec. a chord length of 278.97 feet and a chord bearing of South 28 deg. 21 min. 21 sec. West; thence run along the arc of said curve for a distance of 283.23 feet to point beginning; being situated in Shelby County, Alabama.

**1 inch equals 50 feet**

LatLon Center:  
33.447767392356; -86.6019500381241

**Map Center:**  
**1761-12142**

**SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.**

Customer	Location	Cmted. Svc Date	County:	Section	Township	Range	Add'l Info.	Estimate No.
Scott Perkins	Stonegate Dr, Lot# 48	08/27/04	Shelby	24	18S	01W	Leeds D.S. 35kV x - 264326, y - V9951	61500-08-00614
Division	District	Town	UserID:	Created:	Substation		MISSALL#	
B'ham	South	Leeds	RDFOSTER Linc# 11516	8/17/2004 12:39:38 PM				
<b>Single Line:</b>								

Note: Cust to pay \$1857.50 for  
UG svc per CSP 715-110,  
App' C... (183' pri & 75' svc)

**58**

**NOTE: ON PUBLIC RIGHTS-OF-WAY!**

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

20050204000057460 Pg 3/3 17.50  
Shelby Cnty Judge of Probate,AL  
02/04/2005 10:37:00 FILED/CERTIFIED

