

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES ☒ NO ☐

STA 1400 TO STA 24110

This instrument prepared by:

JEFF J. GALLICOTT

Alabama Power Company

P. O. Box 2641

Birmingham, Alabama 35291

STATE OF ALABAMA

COUNTY OF SHELBY

TAX ID #

W.E. No. 61700-00-05004

Parcel No. 70141617

Transformer No. 3-12894

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That GLENN SIDPLE AND WIFE LUCY SIDPLE

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 hands and seal(s) this the 15th day of Nov, 2004.

Witness

Witness

Witness

(Grantor)

(Grantor)

By:

As:

(SEAL)

(SEAL)

(SEAL)



20050204000058140 Pg 1/4 20.50
Shelby Cnty Judge of Probate, AL
02/04/2005 13:06:00 FILED/CERTIFIED

EXHIBIT "A"

PARCEL I:

A parcel of land situated in the SW $\frac{1}{4}$ of Section 28, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 28 and run 590.00 feet in a Westerly direction along the South line thereof to the point of beginning; thence continue for 815.00 feet, more or less, in a Westerly direction along the South line of said Section 28 to its point of intersection with the centerline of Cahaba Valley Creek; thence run Northwesterly, Northeasterly and Easterly along the Creek being Westerly, Northwesterly and Northerly of a traverse line of the meander described as beginning with its point of intersection with the South line of said Section 28 at a point 1385.15 feet West of the Southeast corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 28; thence turn $59^{\circ}10'45''$ from the South line of said Section 28 and run 142.40 feet in a Northeasterly direction along said traverse line to a point; thence turn $78^{\circ}39'$ to the left and run 225.19 feet in a Northwesterly direction along said traverse line to a point; thence turn $30^{\circ}44'$ to the right and run 71.68 feet in a Northwesterly direction along said traverse line to a point; thence turn $9^{\circ}54'$ to the right and run 88.80 feet in a Northwesterly direction along said traverse line to a point; thence turn $7^{\circ}31'$ to the left and run 184.60 feet in a Northwesterly direction along said traverse line to a point; thence turn $27^{\circ}32'$ to the left and run 73.42 feet in a Northwesterly direction along said traverse line to a point; thence turn $69^{\circ}26'$ to the right and run 44.75 feet in a Northeasterly direction along said traverse line to a point; thence turn $34^{\circ}24'$ to the right and run 160.89 feet in a Northeasterly direction along said traverse line to a point; thence turn $26^{\circ}10'$ to the left and run 79.89 feet in a Northeasterly direction along said traverse line to a point; thence turn $29^{\circ}57'$ to the left and run 180.41 feet in a Northeasterly direction along said traverse line to a point; thence turn $22^{\circ}20'$ to the right and run 334.74 feet in a Northeasterly direction along said traverse line to a point; thence turn $32^{\circ}05'$ to the right and run 48.84 feet in a Northeasterly direction along said traverse line to a point; thence turn $35^{\circ}07'$ to the right and run 217.75 feet in an Easterly direction along said traverse line to a point; thence turn $133^{\circ}36'30''$ to the left and run 30.00 feet in a Northwesterly direction to the centerline of said Cahaba Valley Creek to a point; thence continue for 281.08 feet along the last described course to a point; thence turn $3^{\circ}33'$ to the left and run 151.20 feet in a Northwesterly direction to a point; thence turn $4^{\circ}05'$ to the right and run 99.76 feet in a Northwesterly direction to a point; thence turn $2^{\circ}17'30''$ to the right and run 176.41 feet in a Northwesterly direction to a point; thence turn $02^{\circ}17'30''$ to the right and run 176.41 feet in a Northwesterly direction to a point; thence turn $90^{\circ}46'$ to the right and run 522.19 feet in a Northeasterly direction to a point; thence turn $89^{\circ}59'$ to the left and run 209.89 feet in a Northwesterly direction to a point on the Southeast right of way of Cahaba Valley Road; thence turn $89^{\circ}59'$ to the right and run 384.22 feet in a Northeasterly direction along the Southwest right of way of Cahaba Valley Road to a point; thence turn $90^{\circ}30'$ to the right and run 175.98 feet in a Southeasterly direction to a point; thence turn $31^{\circ}16'$ to the right and run 2417.33 feet in a Southerly direction to the point of beginning of the parcel herein described.

PARCEL II:

Commence at the Southeast corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28, Township 19 South, Range 2 West; thence Westerly and along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 76.14 feet; thence $132^{\circ}21'$ to the right a distance of 52.96 feet; thence $11^{\circ}30'15''$ to the left a distance of 54.73 feet; thence $78^{\circ}42'$ to the left a distance of 225.95 feet; thence $30^{\circ}44'$ to the right a distance of 71.63 feet; thence $10^{\circ}02'30''$ to the right a distance of 88.52 feet; thence $7^{\circ}31'$ to the left a distance of 184.60 feet; thence $27^{\circ}56'$ to the left a distance of 23.52 feet; thence $84^{\circ}10'45''$ to the left 27 feet more or less to the center of Cahaba Valley Creek, said point being the point of beginning of the Southerly right of way line of the following described 50 foot right of way for a road, thence continue along last described course 590 feet, more or less, to a point 44.08 feet from the Easterly right of way line of Indian Trail Road, thence $104^{\circ}30'30''$ to the right a distance of 51.64 feet to the Northerly right of way line of said 50 foot right of way for a road; thence $75^{\circ}29'30''$ to the right and parallel with said Southerly boundary line of said 50 foot right of way for a road, 575 feet, more or less, to the center line of said Cahaba Valley Creek, thence Southeasterly along the center line of said creek to the point of beginning.

EXHIBIT "A"

A parcel of land situated in the N $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the SE corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28, Township 19 South, Range 2 West; thence run West along the South line of said $\frac{1}{4}$ Section for 590.00 feet; thence turn $86^{\circ}38'04''$ right and run Northerly for 2419.05 feet; thence turn $31^{\circ}17'49''$ left and run Northwesterly for 175.98 feet to a point on the Southwesterly right of way line of Shelby County Highway No. 119; thence turn $90^{\circ}29'24''$ left and run Southeasterly along said right of way for 384.23 feet; thence turn $00^{\circ}15'31''$ left and run Southwesterly along said road right of way for 219.79 feet to the point of beginning; thence turn $00^{\circ}21'05''$ right and run Southwesterly along said road right of way for 303.03 feet; thence turn $90^{\circ}15'49''$ left and run Southeasterly 209.98 feet; thence turn $89^{\circ}44'19''$ left and run Northeasterly 302.06 feet; thence turn $89^{\circ}59'47''$ left and run Northwesterly for 209.96 feet to the point of beginning; being situated in Shelby County, Alabama.

