

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES X NO _____

This instrument prepared by:

Jeff J. Callicott

STATE OF ALABAMA }
COUNTY OF Shelby }
TAX ID # 13-7-25-4-000-011.001

W.E. No. 61700-08-00515
Parcel No. 70152540
Transformer No. S-13403

Alabama Power Company
P. O. Box 2641
Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Carter Home Builders

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.



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Shelby Cnty Judge of Probate, AL
07/29/2005 02:13:49PM FILED/CERT

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 21 day of MARCH, 2007.

Witness

Witness

Witness

(Grantor)

Carter Home Builders

(Grantor)

By:

As:

Henry Carter
its president

Shelby County, AL 07/29/2005
State of Alabama

Deed Tax: \$.50

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by _____ its authorized representative, as of the _____ day of _____, 20____.

ATTEST (if corporation) or WITNESS:

By: _____
Its: _____

(Grantor - Name of Corporation/Partnership/LLC)
By: _____ (SEAL)
Its: _____
[indicate President, General Partner, Member, etc.]

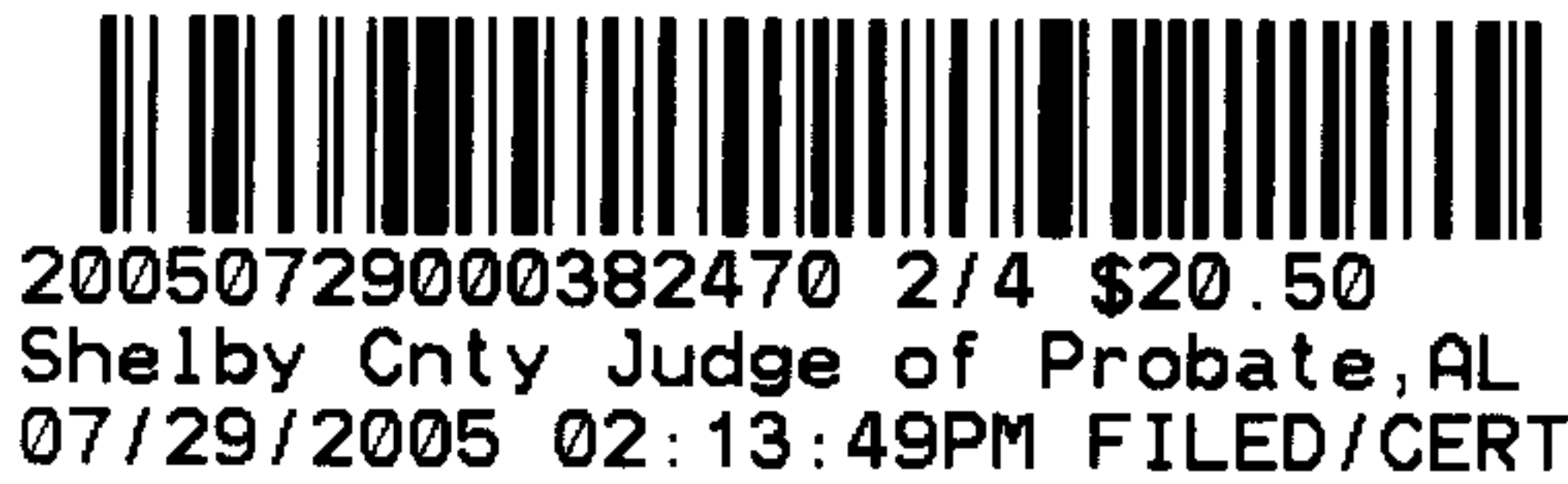
INDIVIDUAL NOTARIES

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: _____

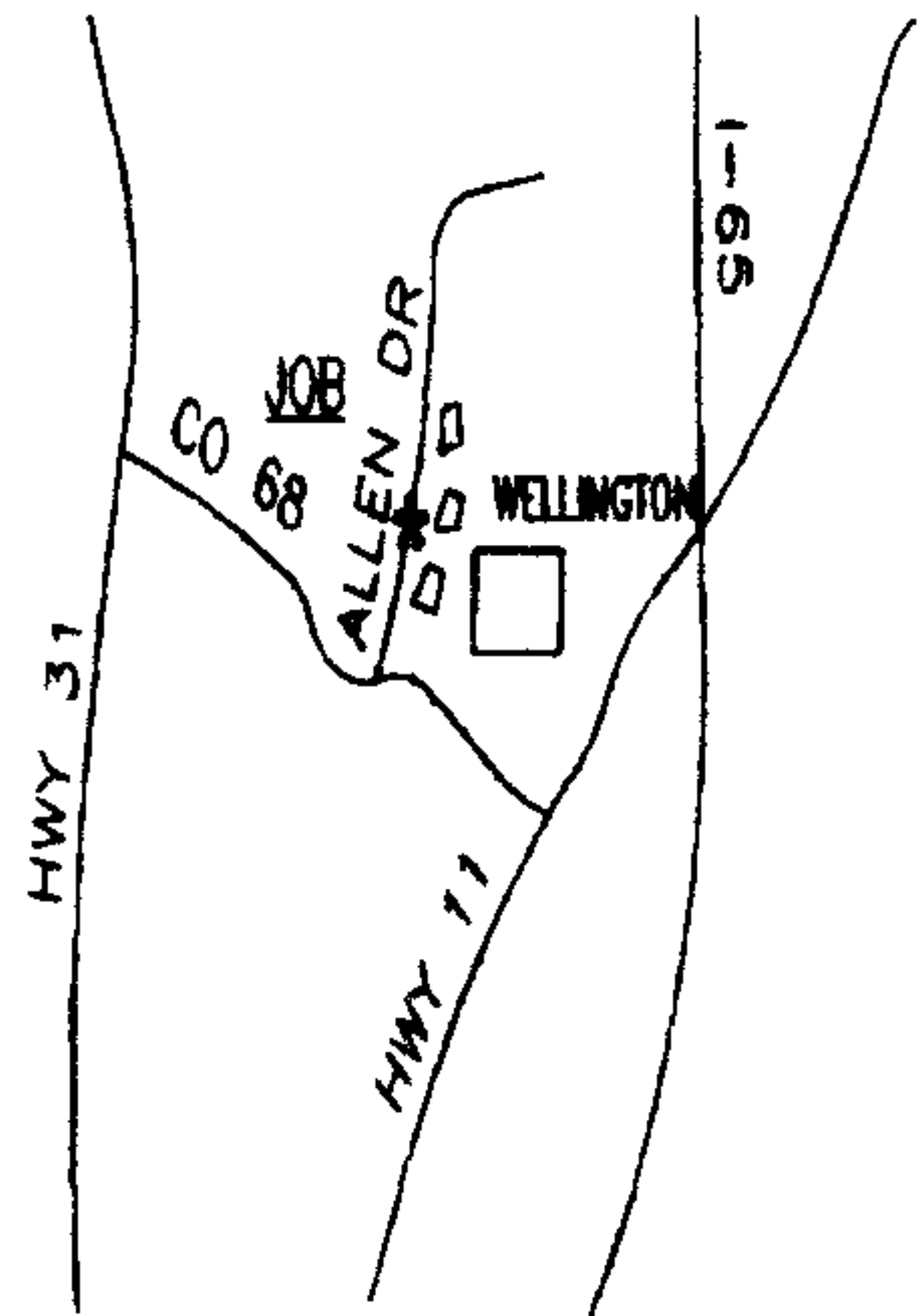
A parcel of land situated in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 20 South, Range 3 West, City of Alabaster, Shelby County, Alabama, being more particularly described as follows: Begin at the SW corner of Lot 1 of Timberleaf Townhomes, as recorded in Map Book 21 page 31, in the Office of the Judge of Probate in Shelby County, Alabama; thence South 89 deg. 59 min. 16 sec. East along the a projection of the South line of said Lot 1 a distance of 382.85 feet; thence South 2 deg. 30 min. 26 sec. East a distance of 63.30 feet to a point on a curve to the left having a central angle of 24 deg. 0 min. 23 sec. and a radius of 521.14 feet, said curve subtended by a chord bearing South 33 deg. 37 min. 29 sec. West and a chord distance of 216.76 feet; thence along the arc of said curve a distance of 218.35 feet; thence South 21 deg. 37 min. 17 sec. West a distance of 101.49 feet to the Northerly right of way of Shelby County Highway 68 and a point on a curve having a central angle of 9 deg. 6 min. 10 sec. and a radius of 1440.04 feet said curve subtended by a chord bearing North 76 deg. 58 min. 13 sec. West and a chord distance of 228.54 feet; thence along the arc of said curve and along said right of way a distance of 228.73 feet to the intersection of said right of way and the Easterly right of way of Allen Drive; thence North 1 deg. 6 min. 31 sec. West along said Allen Drive and leaving said Highway 68 right of way a distance of 286.69 feet to the point of beginning; being situated in Shelby County, Alabama.



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Exhibit A

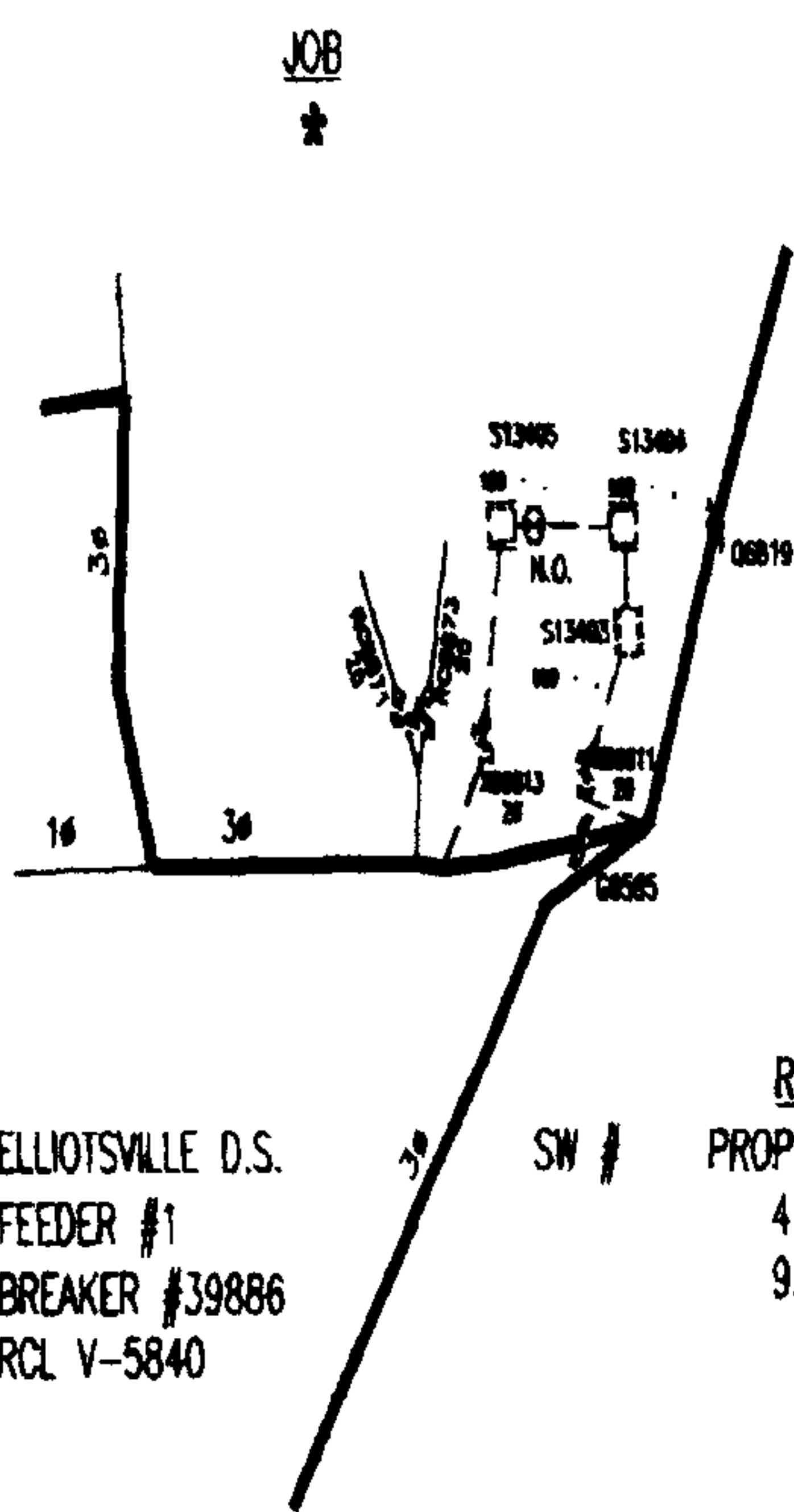
LOCATION SKETCH



70152540

20050729000382470 4/4 \$20.50
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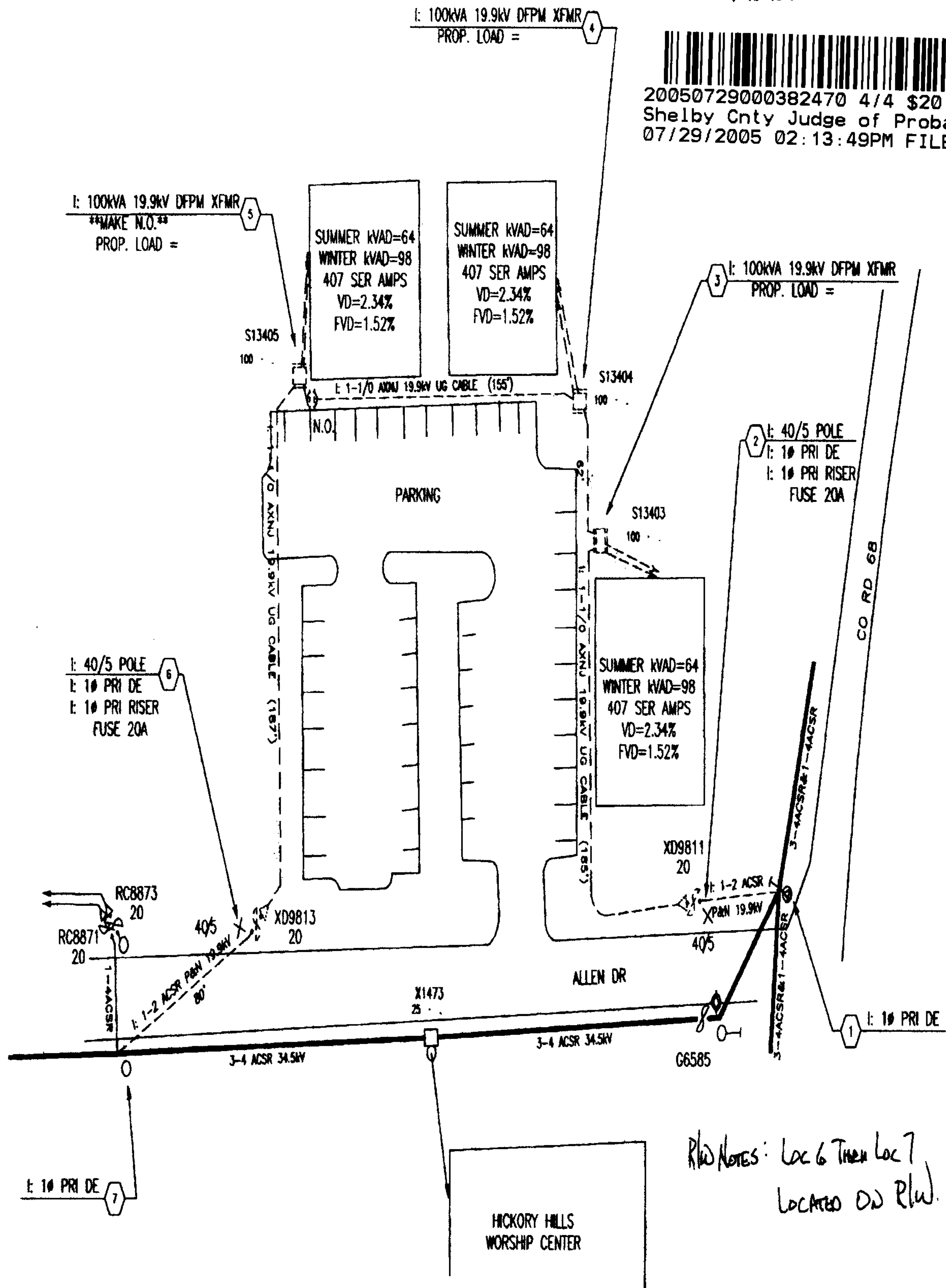
SECTIONALIZING SKETCH



ELLIOTTSVILLE D.S.
FEEDER #1
BREAKER #39886
RCL V-5840

HOT LINE TAG:

1. VERIFY 100A FUSE AT G-6585 & PLACE HLT.
2. OPEN V-5840A & PLACE HLT @ V-5840 & V-5840A.



NOTES:

1. APCO CONTRACTORS TO PROVIDE ALL TRENCHING AND CONDUIT WORK.
2. SERVICES WILL BE 1 #1/0 & 2 #4/0 ALUM 35KV CABLE.

CONSTRUCTION COMPLETE:

DATE: _____

**ANY CONSTRUCTION FIELD CHANGES
ARE SHOWN IN RED ON THIS PRINT.**



ENGINEER: CINDY CROUCH
RADIO #11419

0 100 200

PLAN SCALE
TOWN: PELHAM COUNTY: SHELBY

MAP REF: SEC-25, TP-20S, R-3W

DRAWN: LTC ENGR: CROUCH DATE: 03/08/05

APPROVED: _____ DATE: _____

APPROVED: _____ DATE: _____

AUTOMATED DRAWING - MAKE NO MANUAL REVISIONS

ALABAMA POWER COMPANY

JOB: POWER DELIVERY - BIRMINGHAM SOUTH

DETAIL: PROVIDE SERVICE TO

ALLEN DRIVE APARTMENTS

SCALE: 1" = 100' PLOTTED: 03-15-05

SHEET 1 OF 1 SHEETS

SUPERSERIES