

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES X NO

This instrument prepared by:

STATE OF ALABAMA }

W.E. No. 61700-00-0296-500

Alabama Power Company

COUNTY OF Shelby }

Parcel No. 70157267

P. O. Box 2641

TAX ID #

Transformer No.

Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Long Branch LLC

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 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"):

See Exhibit "A" attached hereto and made a part hereof for a legal description of the property involved.



20050801000387500 1/5 \$23.50
Shelby Cnty Judge of Probate, AL
08/01/2005 03:25:02PM 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 13th day of July, 2005.

Witness

(Grantor)

Witness

(Grantor)

Witness

By: Scott Johnson
As: His Managing Member

Shelby County, AL 08/01/2005
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_____.

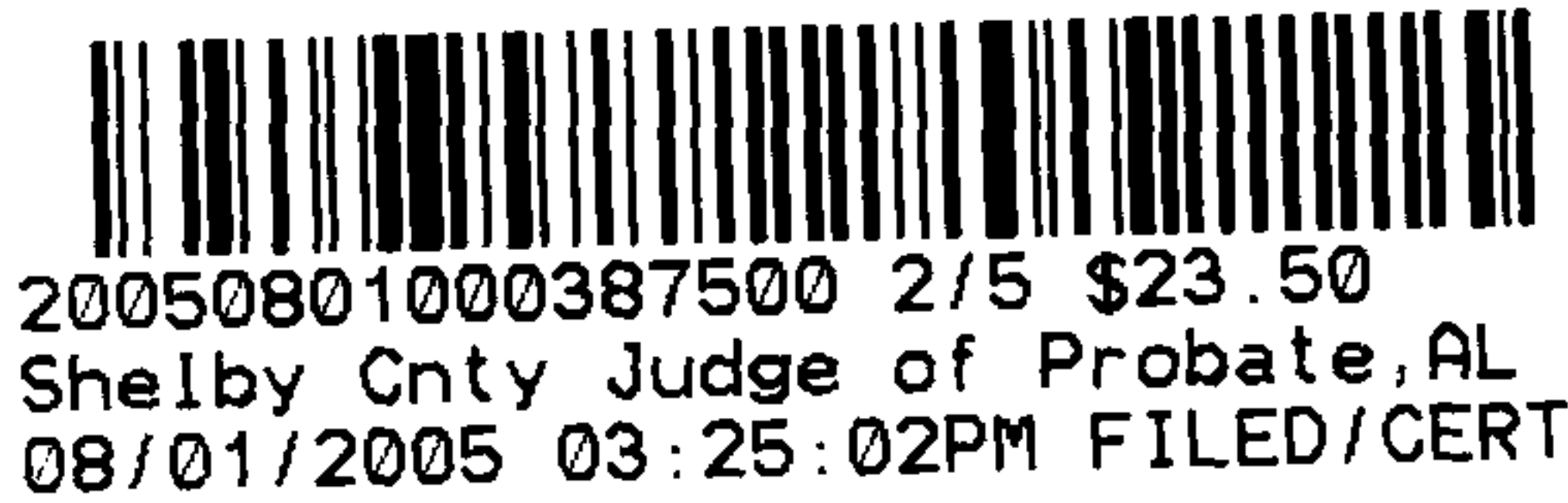
ATTEST (if corporation) or WITNESS: _____
(Grantor - Name of Corporation/Partnership/LLC)
By: _____ By: _____ (SEAL)
Its: _____ Its: _____
[indicate President, General Partner, Member, etc.]

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 Scott Johnson whose name as Managing Member of Long Branch LLC 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 Managing Member 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 13th day of July, 2005.

[SEAL] Notary Public
My commission expires: 2-6-06

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____ Station to Station: _____


Exhibit "A"

20040519000264760 Pg 3/3 18.00
Shelby Cnty Judge of Probate, AL
05/19/2004 10:57:00 FILED/CERTIFIED

Legal Description

A parcel of land situated in the SW 1/4 of the SE 1/4 and the SE 1/4 of the SE 1/4 of Section 18 and the SW 1/4 of the SW 1/4 of Section 17; all in Township 22 South, Range 1 West, Shelby County, Alabama, and being more particularly described as follows:

Begin at the Northwest corner of the SW 1/4 of the SE 1/4 of said Section 18, said point being the POINT OF BEGINNING; thence North 88 degrees 14 minutes 09 seconds East a distance of 1,362.65; thence North 88 degrees 31 minutes 53 seconds East, a distance of 1,380.10 feet; thence South 00 degrees 36 minutes 36 seconds East, a distance of 218.17 feet; thence South 89 degrees 59 minutes 34 seconds East, a distance of 215.42 feet; thence North 00 degrees 36 minutes 36 seconds West, a distance of 220.00 feet; thence North 89 degrees 31 minutes 13 seconds East a distance of 965.86 feet; thence South 00 degrees 09 minutes 15 seconds East, a distance of 1,307.79 feet; thence South 89 degrees 40 minutes 51 seconds West, a distance of 1,172.44 feet; thence South 86 degrees 47 minutes 47 seconds West a distance of 2,164.65 feet; thence North 31 degrees 32 minutes 51 seconds West a distance of 1,137.12 feet; thence North 00 degrees 20 minutes 16 seconds East, a distance of 379.01 feet to the POINT OF BEGINNING; being situated in Shelby County, Alabama.


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ALABAMA POWER
A SOUTHERN COMPANY

[illegible]

Voltage	
Pri	Sec.
7.2KV	12/240
PHONE CO.	
Co. Name	Y
CATV CO.	
Co. Name	N
ACCESSIBLE	Y
TREE CREW	N
ROCK HOLE	N
PERMITS REQ'D	
R/W	N
CITY	N
COUNTY	N
STATE	N
MISSALL #	N
OTHER	
SCALE	
100	
Ft. Per Inch	

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Shelby Cnty Judge of Probate, AL
08/01/2005 03:25:02PM FILED/CERT

Date _____

PARTS

29
D8024
JA "L"
1401 S
345 B

CALERA D.S.
FDR # 3
BAKER # 2598

CALERA D.S.
12KV

CALERA
MHP
XD1201

#11
MHP
XD1133

5 XD3995

1055

6 OKVAR
CALERA
SEWAGE PLANT

V5048
V6501 S B L
G6139
X6789

XD953
XD1303
A6459
A6461
A6867
X6165

Q6164
400A "JOSELYN TRIMOD"
G6103 S
RC8851 B

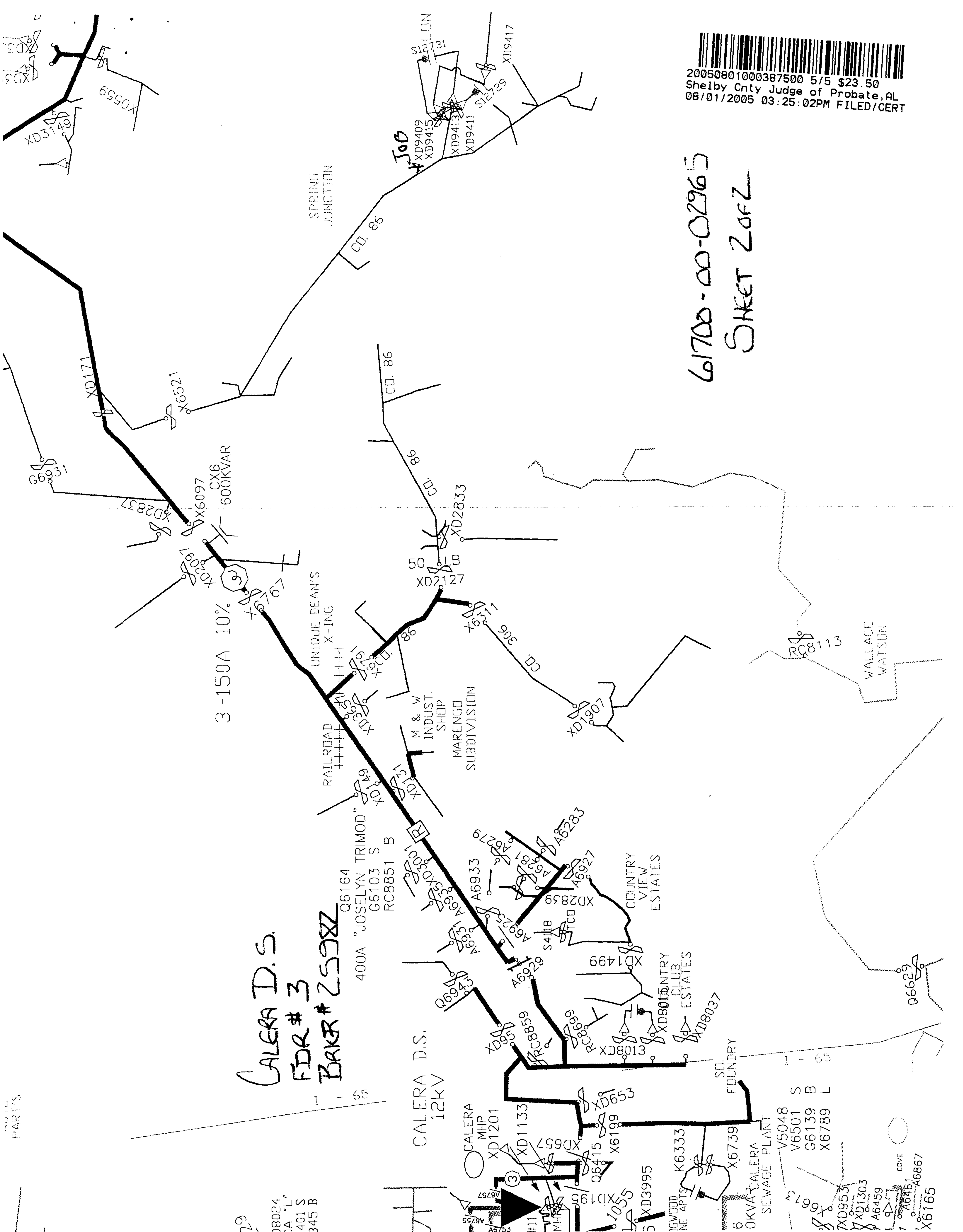
M & W
INDUST.
SHOP
MARENGO
SUBDIVISION

COUNTRY
VIEW
ESTATES

COUNTRY
CLUB
ESTATES

SO.
FOUNDRY

WALLACE
WATSON



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