

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES X NO

This instrument prepared by:

STATE OF ALABAMA }
COUNTY OF SHELBY }
TAX ID #

W.E. No. 61500-08-00515
Parcel No. 70157090
Transformer No. T25952

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

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That DUNAVANT VALLEY BUILDING COMPANY, 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:

- 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.
- 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.
- 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 18 day of April, 2005.

Witness

DUNAVANT VALLEY BUILDING COMPANY, LLC (SEAL)
(Grantor)

Witness


Sorrell Chew (SEAL)
(Grantor)

Witness

By: Sorrell Chew (SEAL)
As: Member

Shelby County, AL 08/02/2005
State of Alabama

Deed Tax: \$.50


20050802000388860 1/4 \$20.50
Shelby Cnty Judge of Probate, AL
08/02/2005 10:05:37AM FILED/CERT

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

ATTEST (if corporation) or WITNESS:

(Grantor - Name of Corporation/Partnership/LLC)

By: _____
Its: _____

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: _____



20050802000388860 2/4 \$20.50
Shelby Cnty Judge of Probate, AL
08/02/2005 10:05:37AM FILED/CERT

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 JEFFERSON }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that SORREN CHEN, whose name as MEMBER of DUNAVANT VALLEY BUILDING COMPANY a LLC, [as MEMBER], is signed to the foregoing instrument, and who is known to me, KNOWS and acknowledged before me on this day that being informed of the contents of the instrument, he/she, as such MEMBER and with full authority, executed the same voluntarily for and as the act of said DUNAVANT VALLEY BUILDING COMPANY, LLC, [acting in such capacity as aforesaid].

Given under my hand and official seal, this the 18TH day of APRIL, 2005.

[SEAL]

Notary Public
My commission expires: _____



Mark A. Chandler
Notary Public
State of Alabama at Large
COMM. EXP. 4-19-2008

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____ Station to Station: _____

EXHIBIT "A"
61500-08-00515

PRELIMINARY PLAT OF THE RESIDENTIAL, PRIVATE SUBDIVISION:

STONEGATE REALTY - PHASE THREE

LOT # 54

Being a resurvey of Lot 2, Stonegate Realty Subdivision as recorded in the Shelby County Probate Office, map book 27,

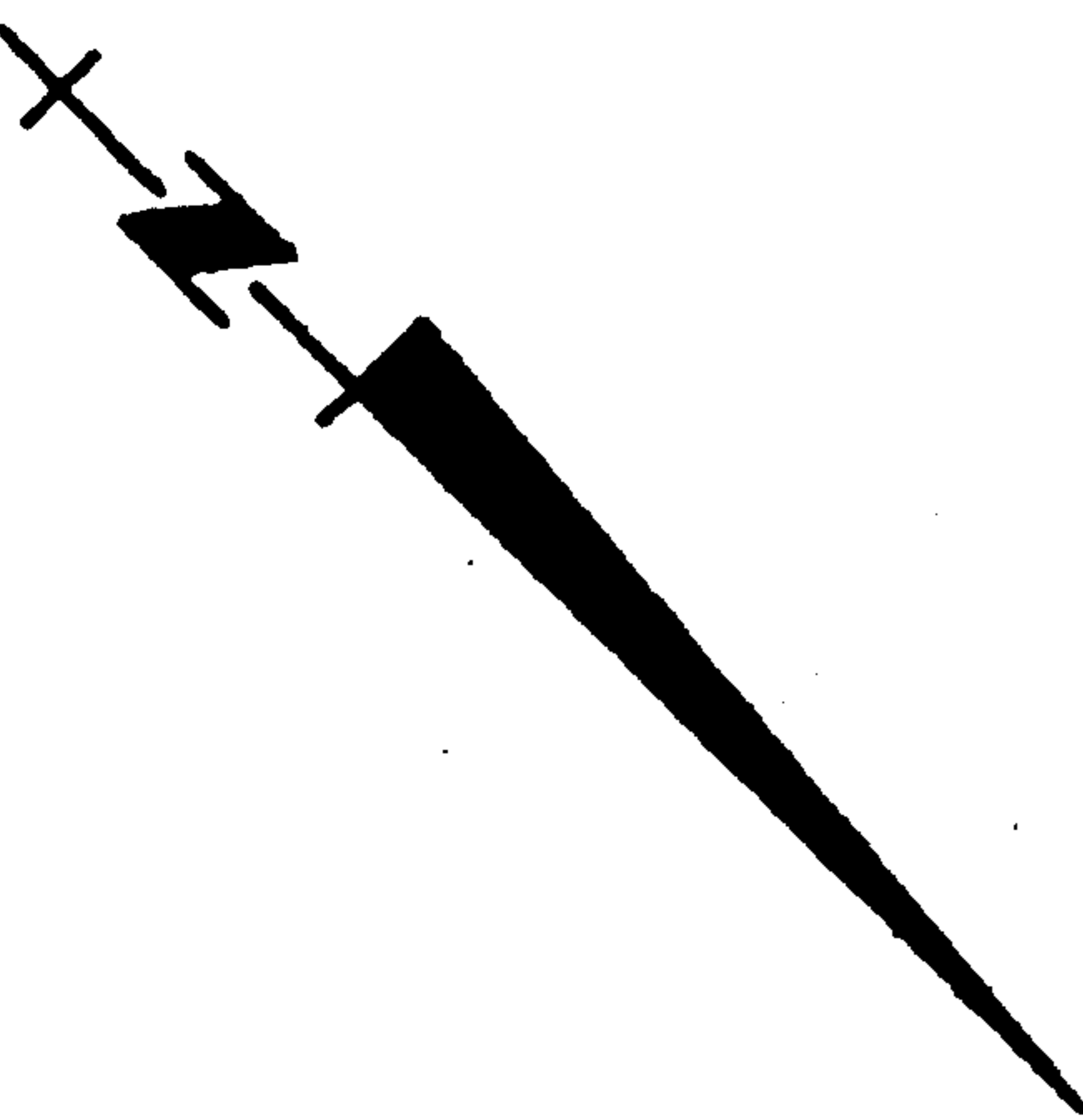
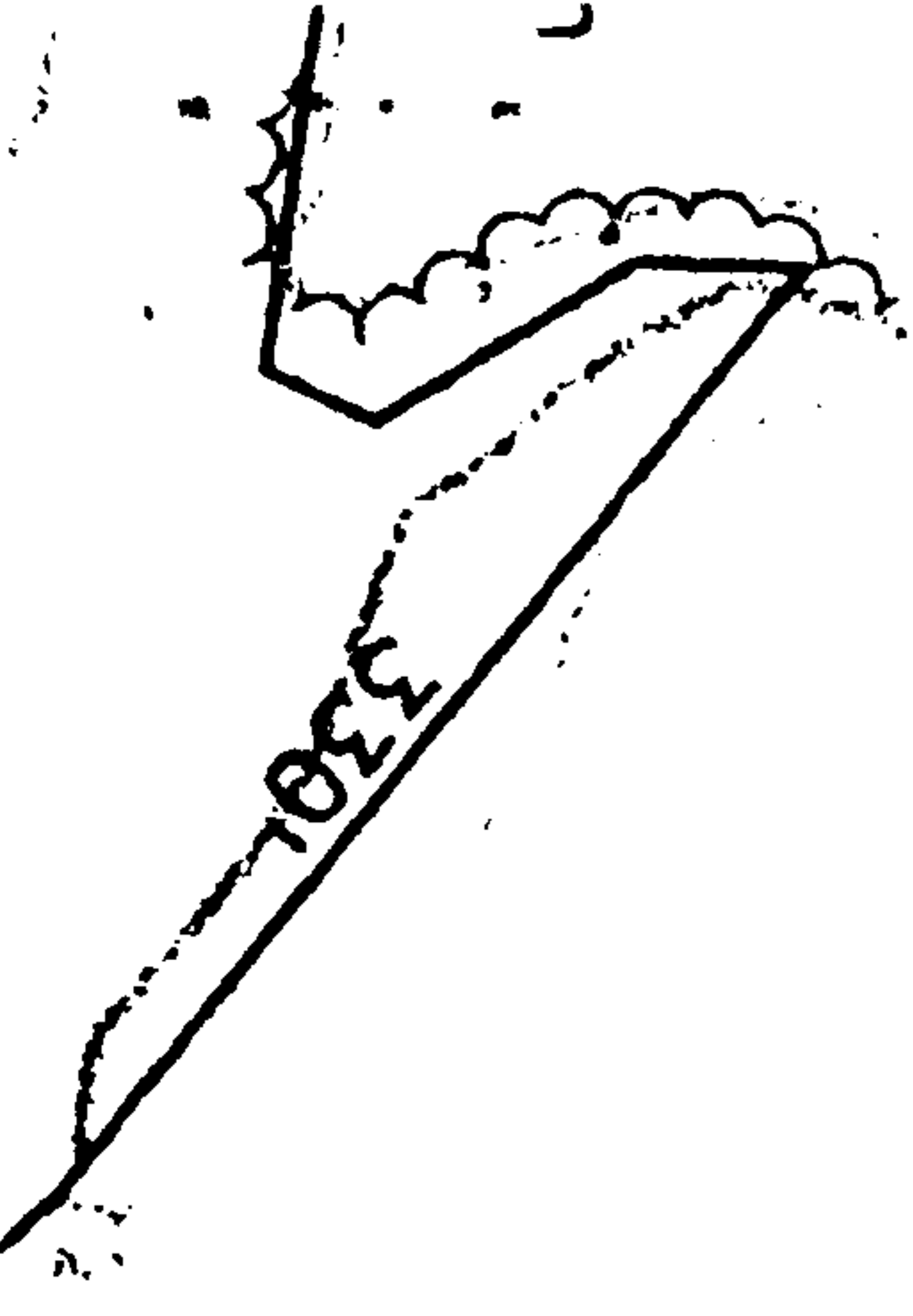
page 133, situated in the West 1/2 of Section 19 of Township 18 South, Range 1 East, and a resurvey of Lot B, Stonegate Realty-Phase Two situated in the West 1/2 of Section 19 of Township 18 South, Range 1 East, and the Southeast 1/4 of Section 24, Township 18 South, Range 1 West, and an acreage parcel located in the East 1/2 of Section 24 Township 18 South, Range 1 West and the West 1/2 of Section 19, Township 18 South, Range 1 East, Shelby County, AL

SCALE : 1" = 200'

APRIL 17, 2003



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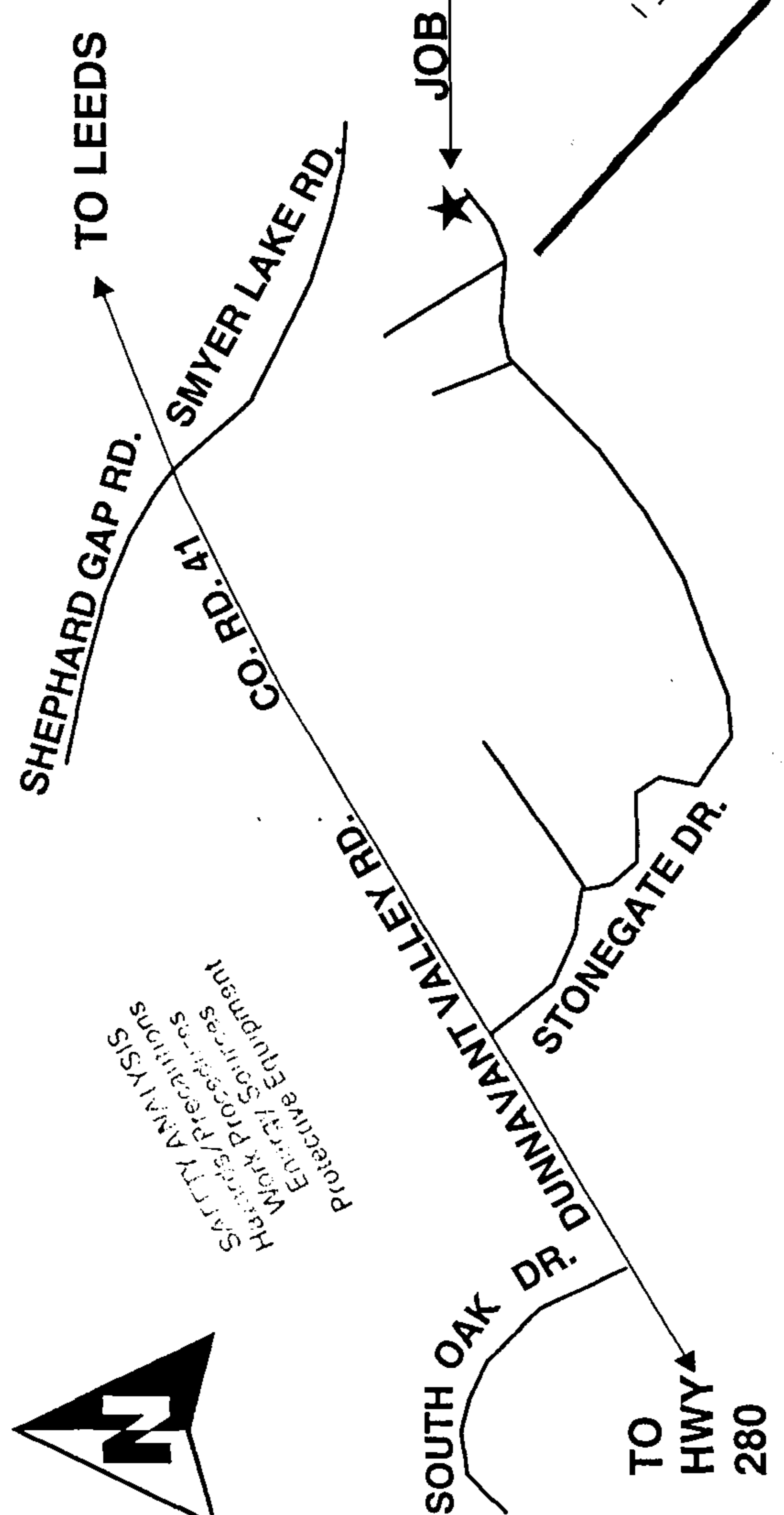
SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Map Center LatLon: -86.598942 33.450365

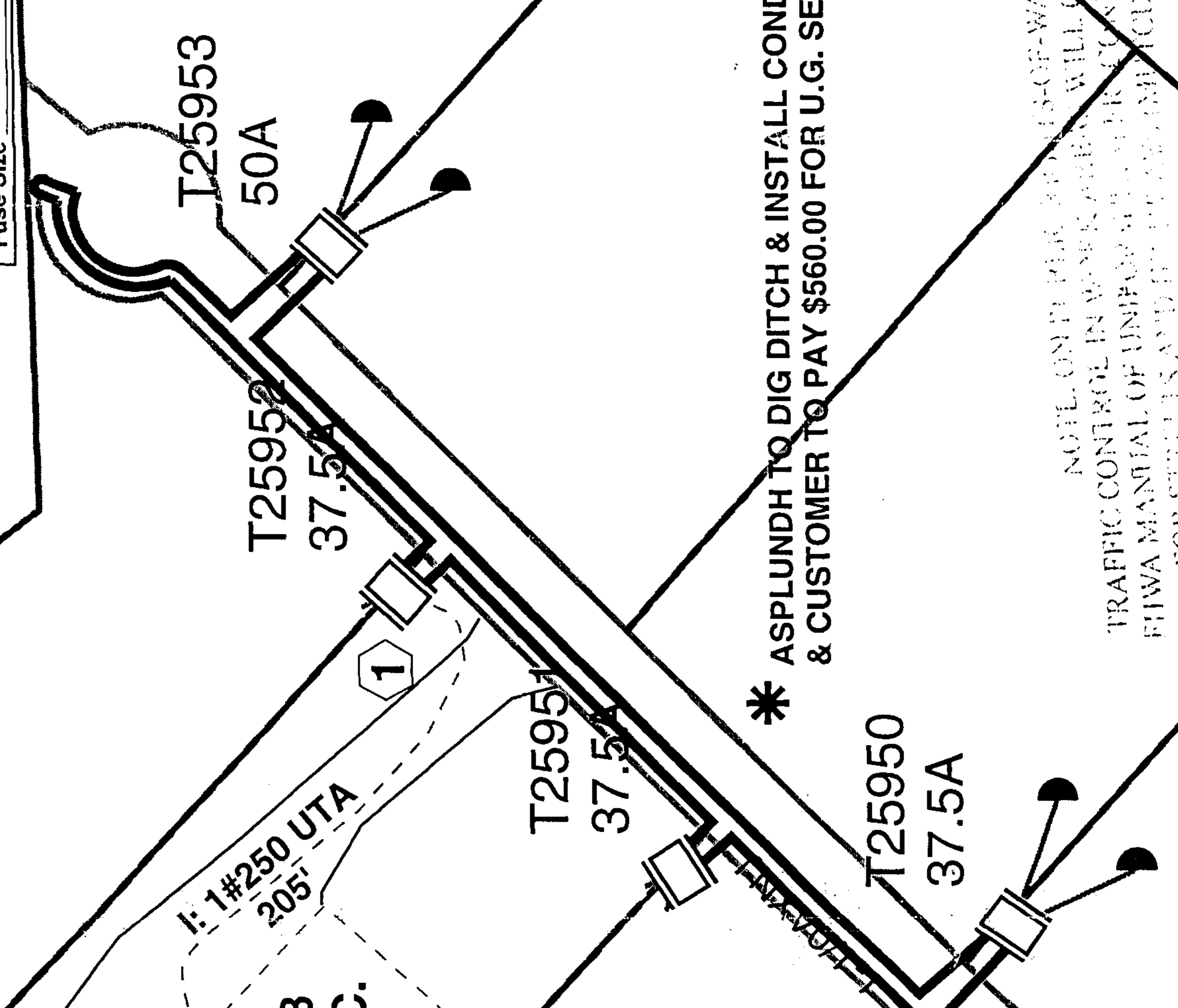
1 inch equals 35 feet

Map Center UTM: 1762705 12143309

Customer KEN UNDERWOOD	Location 433 STONEGATE	Cmtd. Svc Date 9-9-05	County Shelby	Section 24	Township 18S	Range 01W	Add'l Info.	Estimate No. 61500-08-00515
Division SOUTH	District EAST JEFF	Town BIRMINGHAM	UserID jroden	Created:	Substation LEEDS #2 D.S. 35KV	X- 264326	Y- V9951	MISSALL#
			ENERGIZED LINE WORK			Transformer Loading CALC LD = 31 VD = 3.82 VDE = 3.06		
			Sub OCB/OCR Switch# Fuse Size			Loc 1		
			ALABAMA POWER A SOUTHERN COMPANY			Voltage Pri 35 Sec 120 KV 240		
			Phone Co.			Cable Co.		
			Accessible			Y		
			Tree Crew					
			Rock Hole					
			Permits			Y		
			R/W			CITY		
			COUNTY			STATE		
			OTHER			U.G.		



LOCATION SKETCH



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NOTE: ON THE PUBLIC SIDE OF THE ROAD, TRAFFIC CONTROL IN WORK AREAS WILL COMPLY WITH FHWA MANUAL OF UNIFORM PRACTICES FOR TRAFFIC CONTROL DEVICES (MUTCD), PART VI FOR STREETS AND HIGHWAYS.