

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. 61500-08-00505
Parcel No. 70157097
Transformer No. T25951

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:

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 18 day of April, 2005.

Witness

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

Witness

Sorrell Chew (SEAL)
(Grantor)

Witness

By: Sorrell Chew (SEAL)
As:

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

Deed Tax: \$.50

member



20050802000388920 1/4 \$20.50
Shelby Cnty Judge of Probate, AL
08/02/2005 10:05:43AM 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: _____

By: _____ (SEAL)

Its: _____

Its: _____

[indicate President, General Partner, Member, etc.]

INDIVIDUAL NOTARIES

STATE OF ALABAMA }

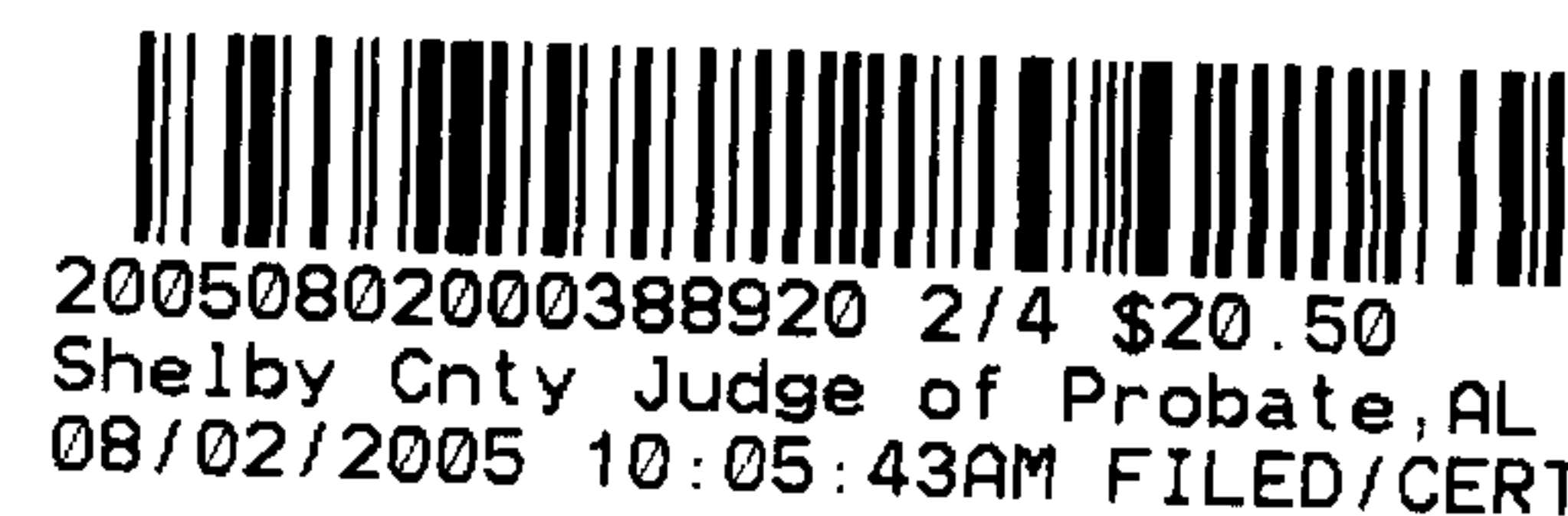
COUNTY OF _____ }

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 DETFORSON }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that SORREL CHEW, 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, swore 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 13TH 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"
61500-08-00505

PRELIMINARY PLAT OF THE RESIDENTIAL, PRIVATE SUBDIVISION:

STONEGATE REALTY - PHASE THREE

LOT # 53

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

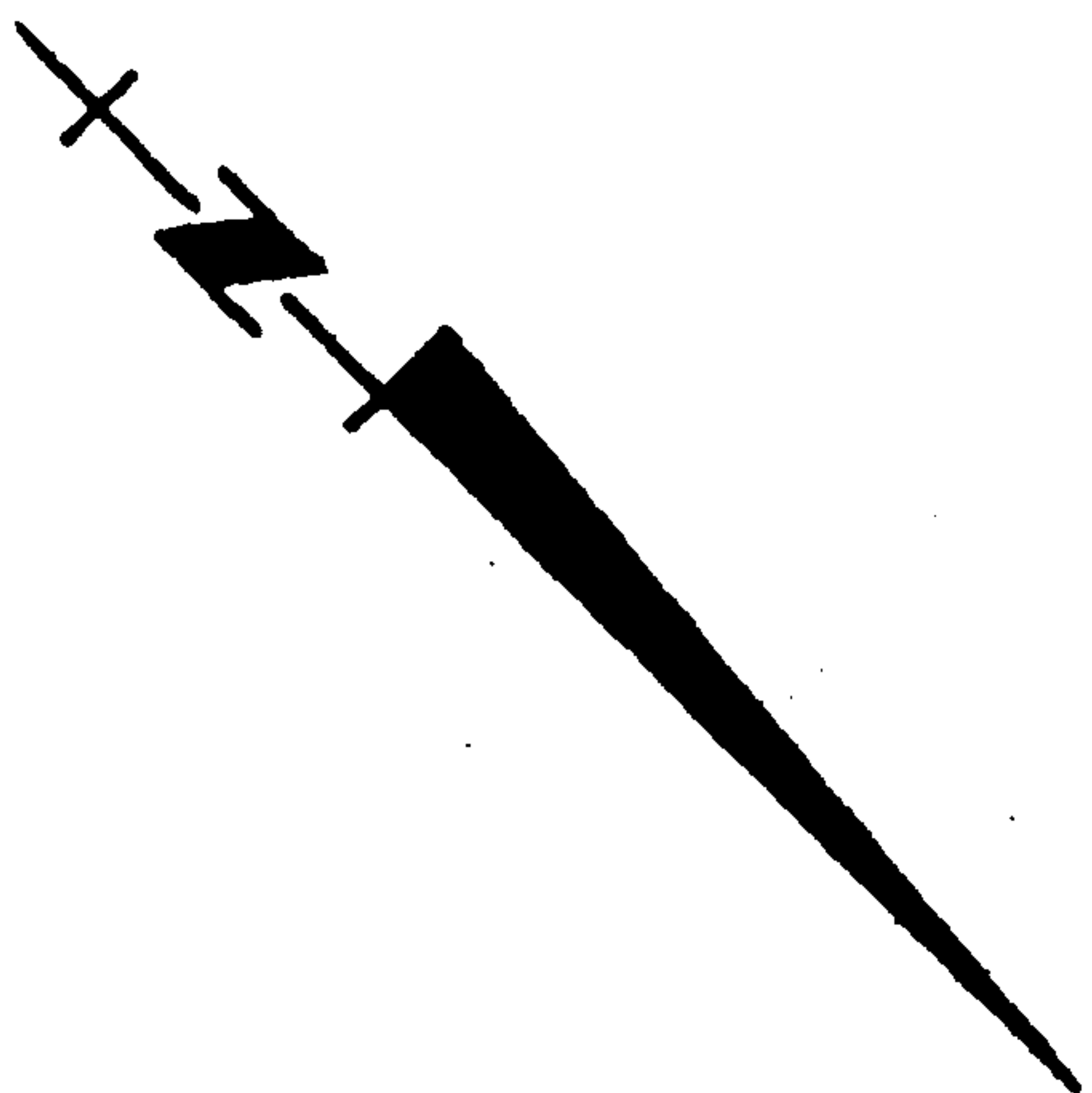
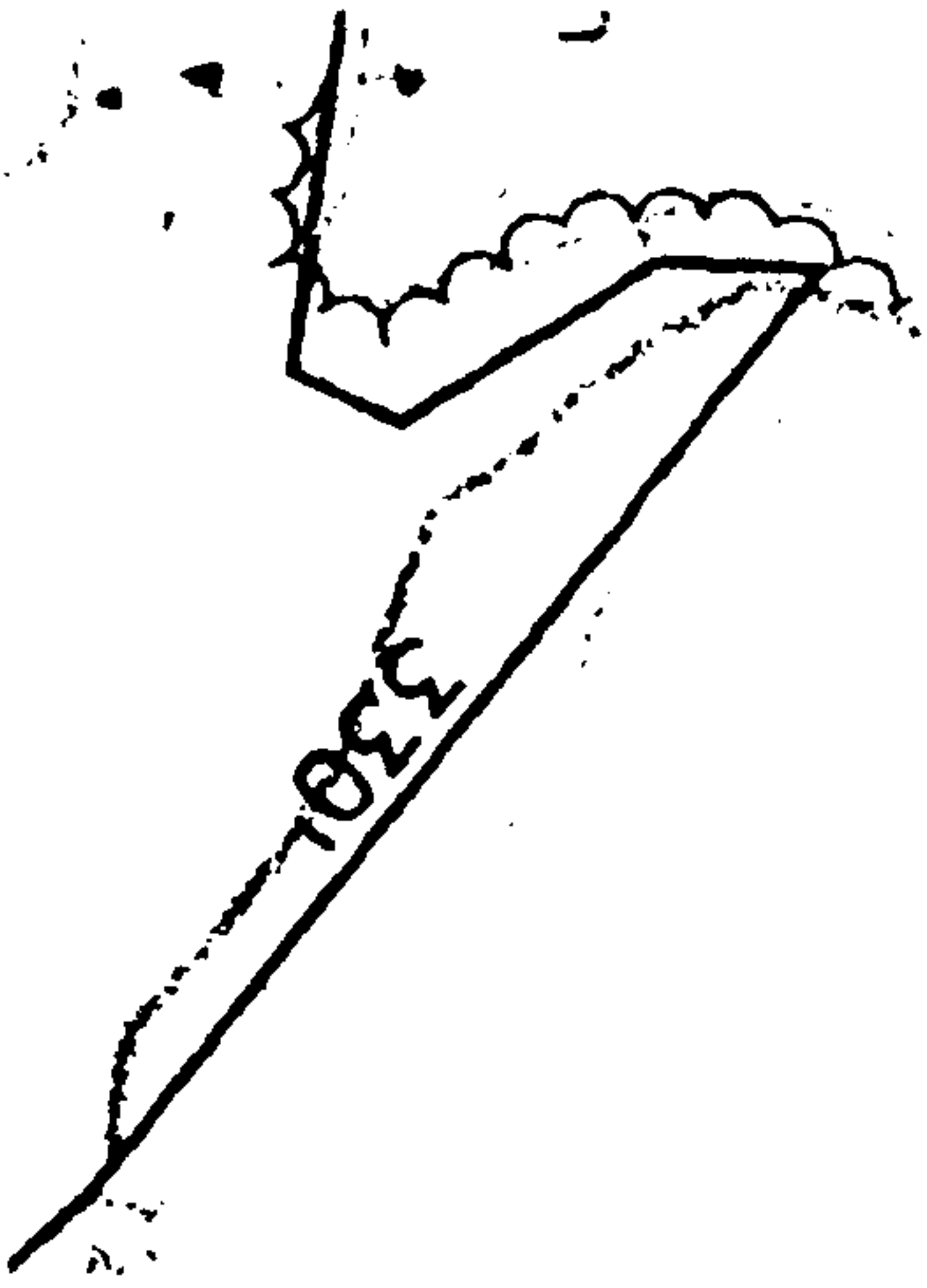
Township 18 South, Range 1 West and the West 1/2 of Section 19, Township 18 South, Range 1 East, Shelby County, AL

SCALE : 1" = 200'

APRIL 17, 2003



20050802000388920 3/4 \$20.50
Shelby Cnty Judge of Probate, AL
08/02/2005 10:05:43AM FILED/CERT



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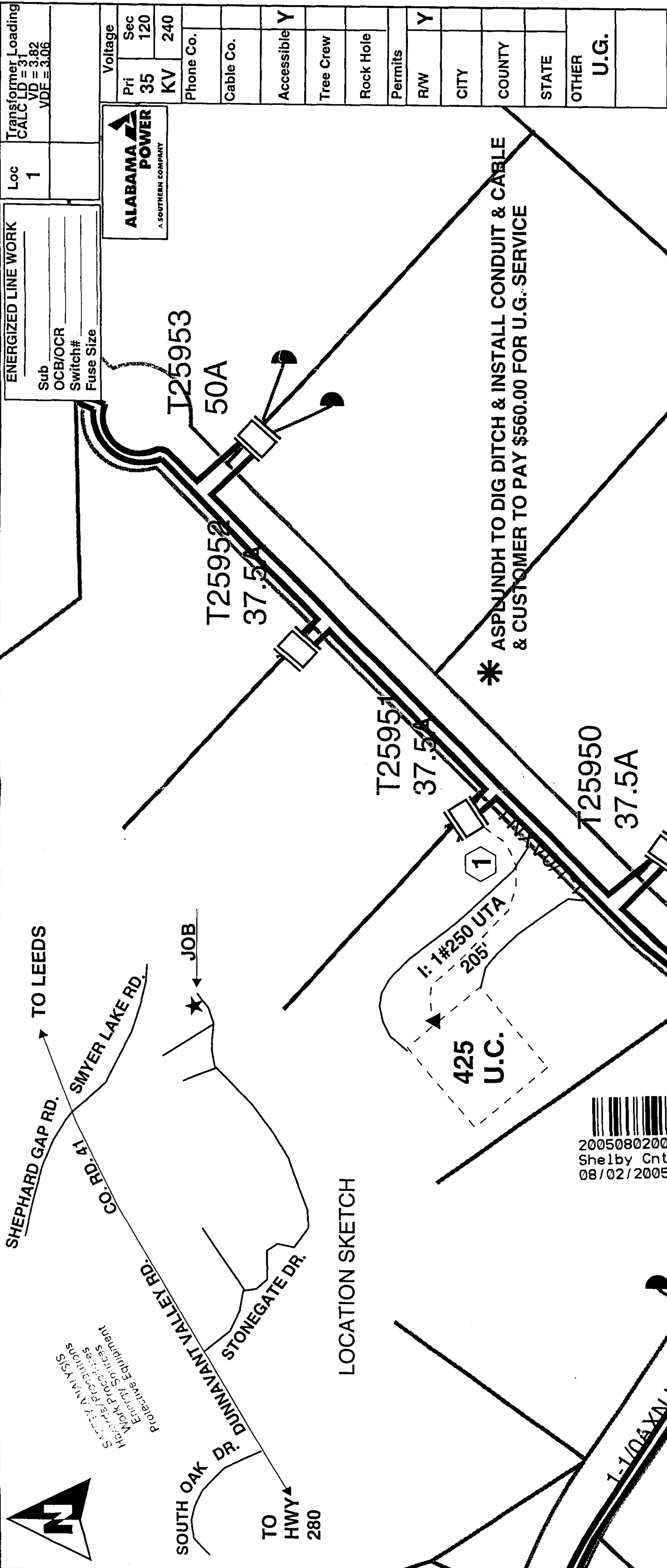
SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Map Center UTM: 1762728 12143302

Map Center Lat/Long: -86.59887 33.450345

1 inch equals 34 feet

Customer	KEN UNDERWOOD	Location	425 STONEGATE DR.	Cmted. Svc Date	9-9-05	County	Shelby	Section	24	Township	18S	Range	01W	Add'l Info.	Estimate No.
Division	SOUTH	District	EAST JEFF	Town	BIRMINGHAM	UserID	jroden	Created:		Substation	LEEDS #2 D.S. 35KV	X-	264326	Y- V9951	MISSALL#
Transformer Loading CALC LD = 31 VD = 3.82 VDF = 3.06															



20050802000388920 4/4 \$20.50
Shelby Cnty Judge of Probate, AL
08/02/2005 10:05:43AM FILED/CERT

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