

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES X NO

57A H20 55TA 1+120
This instrument prepared by:

Jeff J. Callicott

STATE OF ALABAMA }
COUNTY OF Shelby }
TAX ID # 22-3-05-0-000-008.007

W.E. No. 61700-00-02865
Parcel No. 70160967
Transformer No. S-13691

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

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Jeffrey N. Schatz, a ^{unmarried} married man, sole owner,

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"):

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 21 day of July, 2005.

Witness

(Grantor)

(SEAL)

Witness

(Grantor)

(SEAL)

By:

(SEAL)

As:

Shelby County, AL 10/31/2005
State of Alabama

Witness

Deed Tax: \$.50

20051031000564910 1/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/31/2005 02:55:01PM FILED/CERT

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: _____
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: _____

STATE OF ALABAMA }
COUNTY OF Jefferson }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Jeffrey N. Schabig 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 21st day of July, 2005.

[SEAL]

Charles T. Burkett
Notary Public
My commission expires: 10/25/06

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: _____



20051031000564910 2/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/31/2005 02:55:01PM FILED/CERT

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____ Station to Station: _____

EXHIBIT "A"

61700-00-02865

A parcel of land situated in the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 5, Township 21 South, Range 2 West, Huntsville Meridian, Shelby County, Alabama being more particularly described as follows: Commence at the Southeast corner of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 5, Township 21 South, Range 2 West, Huntsville Meridian, Shelby County, Alabama; thence run North $00^{\circ}00'00''$ West along the East line of the East $\frac{1}{2}$ of the said Southwest $\frac{1}{4}$ for a distance of 1,981.96 feet to the North line of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 5; thence leaving said East line run North $87^{\circ}02'17''$ West for a distance of 750.00 feet more or less to the centerline of Oakwoods Drive (a prescriptive right of way) and to the point of beginning; thence leaving said North line run South $24^{\circ}47'23''$ East along said centerline for a distance of 239.22 feet; thence run South $00^{\circ}36'23''$ West along said centerline for a distance of 128.00 feet; thence run South $27^{\circ}36'23''$ West along said centerline for a distance of 220.00 feet; thence run South $35^{\circ}02'14''$ West along said centerline for a distance of 25.87 feet; thence run South $17^{\circ}07'23''$ West along said centerline for a distance of 99.76 feet; thence run South $05^{\circ}53'31''$ West along said centerline for a distance of 595.10 feet; thence leaving said centerline run North $86^{\circ}56'35''$ West for a distance of 452.66 feet to the West line of the aforementioned East $\frac{1}{2}$; thence run North $00^{\circ}13'54''$ West along said West line for a distance of 1,253.81 feet to the aforementioned North line; thence leaving said West line run South $87^{\circ}02'17''$ East along said North line for a distance of 566.21 feet more or less to the aforementioned centerline of Oakwoods Drive and to the point of beginning.



20051031000564910 3/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/31/2005 02:55:01PM FILED/CERT

**SKETCH OF PROPOSED WORK
SIMPLIFIED W.E.**

Map Center UTM
1709691 12063550

Map Center LatLon
-86.773376 33.231527



Customer JEFFREY SCHATZ		Location 231 OAKWOOD DR.			Agreed Serv. Date		Estimate No. 61700-00-02865					
Region BIRMINGHAM		Oper. Cntr. METRO-SOUTH		Town/City CAMP BRANCH		UserID jabelyeu		Created: 7/14/2005				
County Shelby		Section 5	Township 21S	Range 02W	Add'l Info 205-529-8004							
Acquisition Agent J. CALLICOTT		Date R/W Assigned		Date R/W Cleared		Spatial Reference		LOC	Transformer Loading SUMMER = 15.5KVA WINTER = 33KVA			
Voltage 12KV	Phone Co	CATV Co	Accessible X	Tree Crew	Rock Hole	Permits	R/W X	City	County	State	Miss All X	Other

