#16

20060414000175520 1/2 $17.00
Shelby Cnty Judge of Probate, AL
04/14/2006 02:17:54PM FILED/CERT

Right of Way
EAST PELHAM-DOUBLE OAK MTN 115 KV T.L. **(TL-27-3-6)**
BIRMINGHAM DIVISION
37111264-300

70166500

This instrument prepared in the
Corporate Real Estate Office
Alabama Power Company
P.O. Box 2641
Birmingham, AL 35291
By: Marilyn Haynie

STATE OF ALABAMA }

COUNTY OF SHELBY }

Hoyt & Alva Hodgens, A Married Couple, David Hodgens, A Single Man [hereinafter known as Grantor(s)], for and in consideration of the sum of Two Thousand Dollars ($ 2000.00) to us in hand paid by Alabama Power Company, a corporation, (hereinafter known as Grantee), the receipt whereof is acknowledged, do hereby grant to said Alabama Power Company, its successors and assigns, the right to construct, operate and maintain electric transmission and communication lines and all towers, poles, conduits, conductors, cables, insulators, anchors, guy wires, counterpoise conductors, and all other appliances necessary or convenient in connection therewith from time to time over, under and across, a strip of land **varying** in width, as said strip is now located by the final location survey thereof heretofore made by said Company, over, under and across the lands of which it is hereinafter described as being a part, together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof for the purposes above described, including the right of ingress and egress to and from said strip and the right to cut, remove, or otherwise kill, and keep clear by any means, including chemicals, all trees and undergrowth and all other obstructions under, on or above said strip and the right to cut such timber outside of said strip which in falling would come within five (5) feet of any conductor on said strip, and the right to install, maintain and use anchors and guy wires on land adjacent to said strip, and the right to install grounding devices on grantors' fences now or hereafter located on such strip and on fences or other structures of grantors now or hereafter located adjacent to such strip, and the right to prevent the use of such strip as a parking area for automobiles or other vehicles, as a storage area for machinery or materials, or as a road other than a road crossing such strip at a location which does not endanger or interfere with works that have been or may at some future date be constructed on such strip, said strip and the lands of which the same is a part being described as follows:

A strip of land varying in width which lies within the Northwest Quarter of the Northeast Quarter (NW¼ of NE¼) of Section 01, Township 20 South, Range 02 West, Shelby County, Alabama, such strip being more particularly described as follows:

To reach the point of beginning, commence at the Northeast Corner of Section 1, Township 20 South, Range 02 West; thence run West along the North boundary line of said section a distance of 1334.91 feet to a point; thence turn a deflection angle to the left and run S49°48'37"W a distance of 10.63 feet to a point; thence turn a deflection angle to the right of 19°57'23" and run S69°46'00"W a distance of 291.02 feet to a point, such point being the point of beginning of the right of way herein described; therefrom, the strip is varying in width and lies up to road right of way right of and 20 feet left of a survey line and the continuations thereof which begins at such point of beginning and continues S69°46'00"W a distance of 27.24 feet to a point; thence survey line turns a deflection angle to the right of 03°23'53" and runs S73°09'53"W a distance of 173 feet, more or less, to a point, such point being the point of ending of the right of way herein described.

The grantors covenant with the said Grantee, that they are lawfully seized in fee of the above described land; that it is free from all encumbrance; that they have a good right to convey the same to the said Company, and that they will warrant and defend the said land to the said Company forever.

TO HAVE AND TO HOLD the same to the said Grantee, its successors and assigns, forever.

The grantors shall have the right to cultivate and use said strip of land for any purpose not inconsistent with the rights which the grantee may from time to time exercise hereunder.

IN WITNESS WHEREOF, we have hereunto set our hand s and seal s, this the 14 day of Feb 2006.

WITNESS:

_____ _____(SEAL)

_____ _____(SEAL)

_____ _____(SEAL)

_____ _____(SEAL)

GRANTEE'S ADDRESS
ALABAMA POWER COMPANY
P.O. BOX 2641
BIRMINGHAM, AL 35291
ATT: CORP REAL ESTATE

STATE OF }
COUNTY OF }

I,_____, a Notary Public in and for said County in said State, hereby certify that _____, whose name _____ signed to the foregoing instrument and who _____ known to me, acknowledged before me on this day that, being informed of the contents of the instrument _____ executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 2006.

_____

My Commission Expires: _____

STATE OF }
COUNTY OF }

I,_____, a Notary Public in and for said County in said State, hereby certify that _____ whose name _____ signed to the foregoing instrument and who _____ known to me, acknowledged before me on this day that, being informed of the contents of the instrument _____ executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 2006.

_____

My Commission Expires: _____

STATE OF }
COUNTY OF }

I,_____, a Notary Public in and for said County in said State, hereby certify that _____, whose name _____ signed to the foregoing instrument and who _____ known to me, acknowledged before me on this day that, being informed of the contents of the instrument _____ executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 2006.

_____

My Commission Expires: _____

STATE OF }
COUNTY OF }

I,_____, a Notary Public in and for said County in said State, hereby certify that _____, whose name _____ signed to the foregoing instrument and who _____ known to me, acknowledged before me on this day that, being informed of the contents of the instrument _____ executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal this the _____ day of _____, 2006.

_____

My Commission Expires: _____

Shelby County, AL 04/14/2006
State of Alabama

Deed Tax:$2.00

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Shelby Cnty Judge of Probate,AL
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