



20060829000425530 1/3 \$20.00
Shelby Cnty Judge of Probate, AL
08/29/2006 01:13:09PM FILED/CERT

Right of Way
NORTH HELENA TS-VALLEYDALE DS 2ND 115 KV TL (RELOC) (TL-17-2-11)
BIRMINGHAM DIVISION
37111195-300

70157726

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 }

HAROLD R. WALKER & WIFE FRANCIS J. WALKER

[hereinafter known as Grantor(s)], for and in consideration of the sum of
THREE THOUSAND & ⁰⁰/₁₀₀ Dollars (\$ 3000.00)

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 Southwest Quarter of the Northwest Quarter (SW¹/₄ of NW¹/₄) of Section 31 Township 19 South, Range 02 West, Shelby County, Alabama.

To reach the point of beginning, commence at the Southwest corner of Section 31, Township 19 South, Range 2 West; thence run East along the South boundary line of said section a distance of 1055.86 feet to a point; thence turn a deflection angle to the left of 83°55'33" and run N07°44'06"E a distance of 1157.42 feet to a point; thence turn a deflection angle to the right of 00°06'52" and run N07°50'58"E a distance of 226.92 feet to a point; thence turn a deflection angle to the left of 01°27'43" and run N06°23'15"E a distance of 274.27 feet to a point; thence turn a deflection angle to the left of 06°59'05" and run N00°35'50"W a distance of 389.12 feet to a point; thence turn a deflection angle to the left of 15°07'39" and run N15°43'29"W a distance of 306.93 feet to a point; thence turn a deflection angle to the left of 11°36'23" and run N27°19'52"W a distance of 419.66 feet to a point; thence turn a deflection angle to the left of 07°20'40" and run N34°40'32"W a distance of 2.80 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 5 feet left of and up to road right of way right of a surveyline and the continuation thereof which begins at such point of beginning and continues N34°40'32"W a distance of 100 feet, more or less, to a point, such point being the point of ending.

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.

It is agreed by the parties hereto that the clause hereinabove addressing parking within the easement area is specifically intended for future additions and the parking areas developed at the time of execution of this instrument are acceptable to Grantee. Grantee also agrees to the advertising signs presently in place within the right of way area with the understanding and agreement that no additional signs will be installed in said area.

N WITNESS WHEREOF, We have hereunto set OUR hand S and seal S, this
the 24 day of July 2006.

WITNESS:

Harold R. Walker (SEAL)
by Power of Attorney Francis J. Walker (SEAL)
Francis J. Walker (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 }


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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 08/29/2006
State of Alabama

Deed Tax: \$3.00

GENERAL DURABLE POWER OF ATTORNEY

Know all men by these presents, that I, **HAROLD R WALKER**, of 2172 Hwy 31, Pelham, AL 35124, in Shelby County Alabama, pursuant to §26-1-2 of the *1975 Alabama Code*, hereby make, constitute, and appoint **FRANCES J WALKER**, also of 2172 Hwy 31, Pelham, AL 35124, my Attorney in Fact, giving unto the said Attorney in Fact full power to do anything that I may legally do through an Attorney in Fact, including an absolute power of disposition, not accompanied by any trust, over all my property (including any interest I might have in insurance policies or contracts) and the right to direct and manage my medical care. I hereby ratify and affirm that which my Attorney in Fact or substitute shall do or cause to be done. I hereby revoke any previous powers of attorney I may have executed.

This power of attorney shall not be affected by my disability, incompetency, or incapacity.

This power of attorney shall be revoked upon my death, except that the Attorney in Fact may, without actual knowledge of my death, continue to act in good faith hereunder. An affidavit executed by the Attorney in Fact stating that she did not have, at the time of the exercise of the power, actual knowledge of the termination of the power by revocation or by the principal's death, is conclusive proof of the nonrevocation or nontermination of the power at that time, and any action so taken, unless otherwise invalid or unenforceable, binds the successors in interest of the principal. If the exercise of the power of attorney requires execution and delivery of any instrument that is recordable, the affidavit, when authenticated for record, is likewise recordable.

Executed this 12 September 2005.

Harold R Walker
HAROLD R WALKER

I, a notary public for the State of Alabama at Large, hereby certify that **HAROLD R WALKER**, whose name is signed to the above power of attorney, and who is known to me, acknowledged before me on this day that, being informed of its contents, he executed the same voluntarily on the day the same bears date. To the best of my knowledge and belief, he was at that time 19 or more years of age, of sound mind, and under no constraint or undue influence.

Given under my hand and seal 12 September 2005.

Steven Sears
Notary public


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