

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES X NO

This instrument prepared by:

STATE OF ALABAMA }
COUNTY OF SHELBY }
TAX ID # 12-7-26-0-000-004.005

W.E. No. 61730-00-01307
Parcel No. 70796556
Transformer No. S16140

Jeff J. Callicott
Alabama Power Company
P. O. Box 2641
Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Crescent City Homes

is 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, 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.



20071029000496790 1/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/29/2007 09:00:26AM FILED/CERT

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 1 day of Aug, 2007.

Witness
[Signature]
Witness
[Signature]
Witness
[Signature]

(Grantor)
Crescent City Homes (SEAL)
(Grantor)
By: [Signature] President (SEAL)
As:

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 _____ }

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: _____



20071029000496790 2/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/29/2007 09:00:26AM FILED/CERT

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 Sean Dossell _____, 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: _____

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____

Station to Station: STA 1400 TO STA 1469

Shelby County, AL 10/29/2007
State of Alabama

Deed Tax: \$.50

70196556

Exhibit A



20060731000365490 3/3 \$35.50
Shelby Cnty Judge of Probate, AL
07/31/2006 09:22:15AM FILED/CERT

Commence at the SE corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, Township 20 South, Range 4 West; thence run North $01^{\circ} 38' 05''$ East along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ for 512.00 feet; thence run North $67^{\circ} 21' 19''$ West for 717.19 feet to the Intersection of the Southerly right-of-way line of County Road 13 and the Easterly right-of-way line of Honeysuckle Road, said point being the Point of Beginning; thence run North $77^{\circ} 20' 05''$ East along the Southerly right-of-way line of said County Road 13 for 163.25 feet; thence run South $01^{\circ} 38' 24''$ West for 170.76 feet to the Northeasterly right-of-way line of said Honeysuckle Road; thence run North $68^{\circ} 58' 50''$ West along said right-of-way with the following calls following said right-of-way for 72.11 feet to the point of beginning of a curve to the right having a central angle of $46^{\circ} 44' 50''$ and a radius of 125.00 feet; thence run along the arc of said curve for 101.99 feet to the end of said curve; thence run North $22^{\circ} 14' 00''$ West for 42.83 feet to the Point of Beginning.



20071029000496790 3/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/29/2007 09:00:26AM FILED/CERT

HOLLIMAN & SHOCKLEY
ATTORNEYS AT LAW
2491 PELHAM PARKWAY
PELHAM, ALABAMA 35124

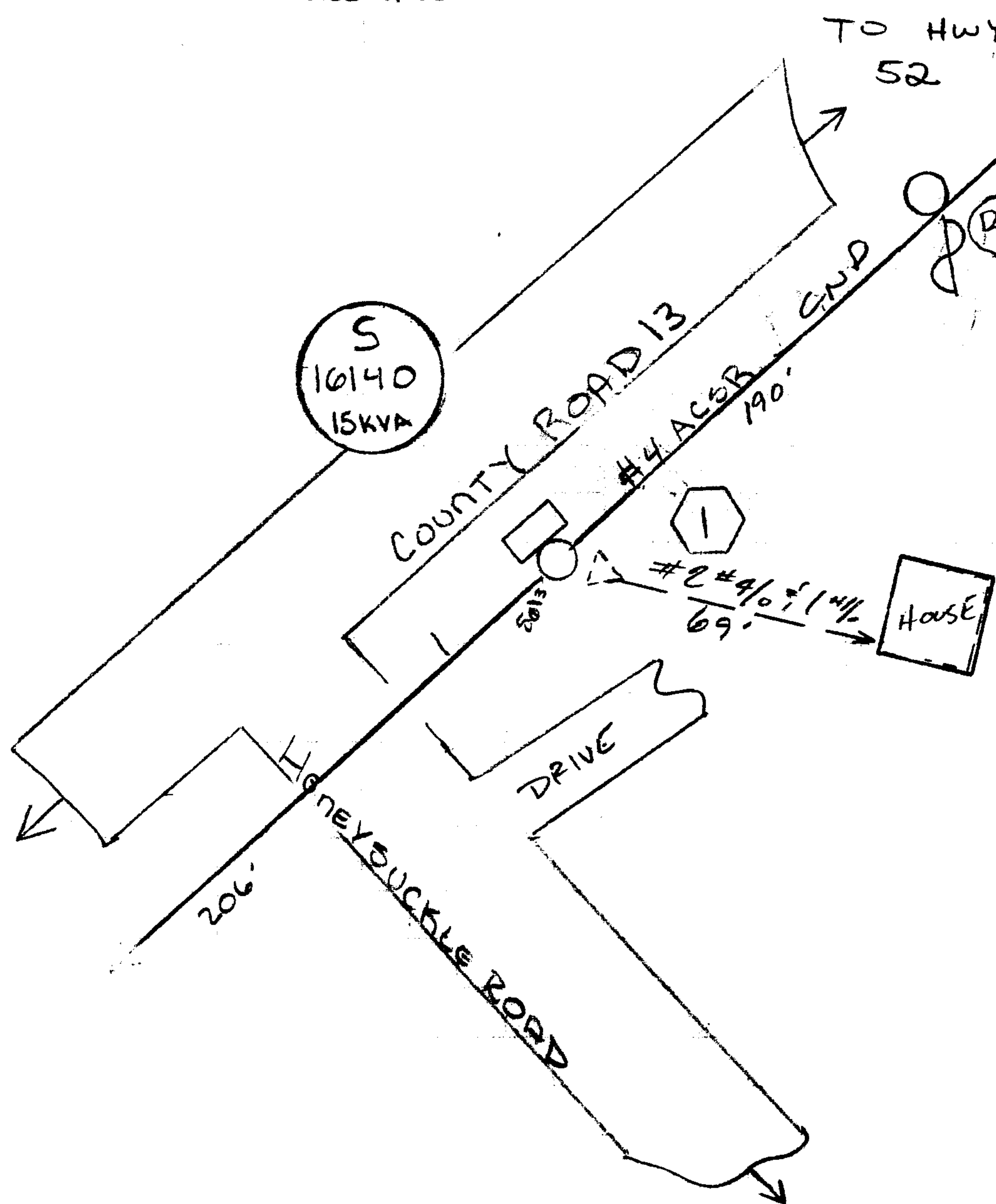
SKETCH OF PROPOSED WORK — SIMPLIFIED W. E.

70196556

Customer <u>CRESENT CITY HOMES</u>		Location <u>21 HONEYSUCKLE RD</u>		Agreed Serv. Date		Estimate No. <u>01730-00-01307</u>	
Division <u>P-D-BIRMINGHAM</u>		District <u>METRO SOUTH</u>		Town <u>HELENA</u>		Drawn by <u>GENERETTE</u>	
County <u>SHELBY</u>		Section <u>26</u>		Township <u>20S</u>		Range <u>3W</u>	
Acquisition Agent <u>CALLICOTT</u>		Date R/W Assigned		Date R/W Cleared		Map Reference	
						LOC <u>1</u>	Transformer Loading <u>10.7 KVA</u>



1 LOCATION 1:
1: 69' 2# 4/0 + 1# 1/0 UG
1: Service Rider



NOTES:
APCO TO DO ALL DITCHING
& INSTALL CONDUIT
& CONDUCTOR

VD = 1.86%
Flicker - 4.61%

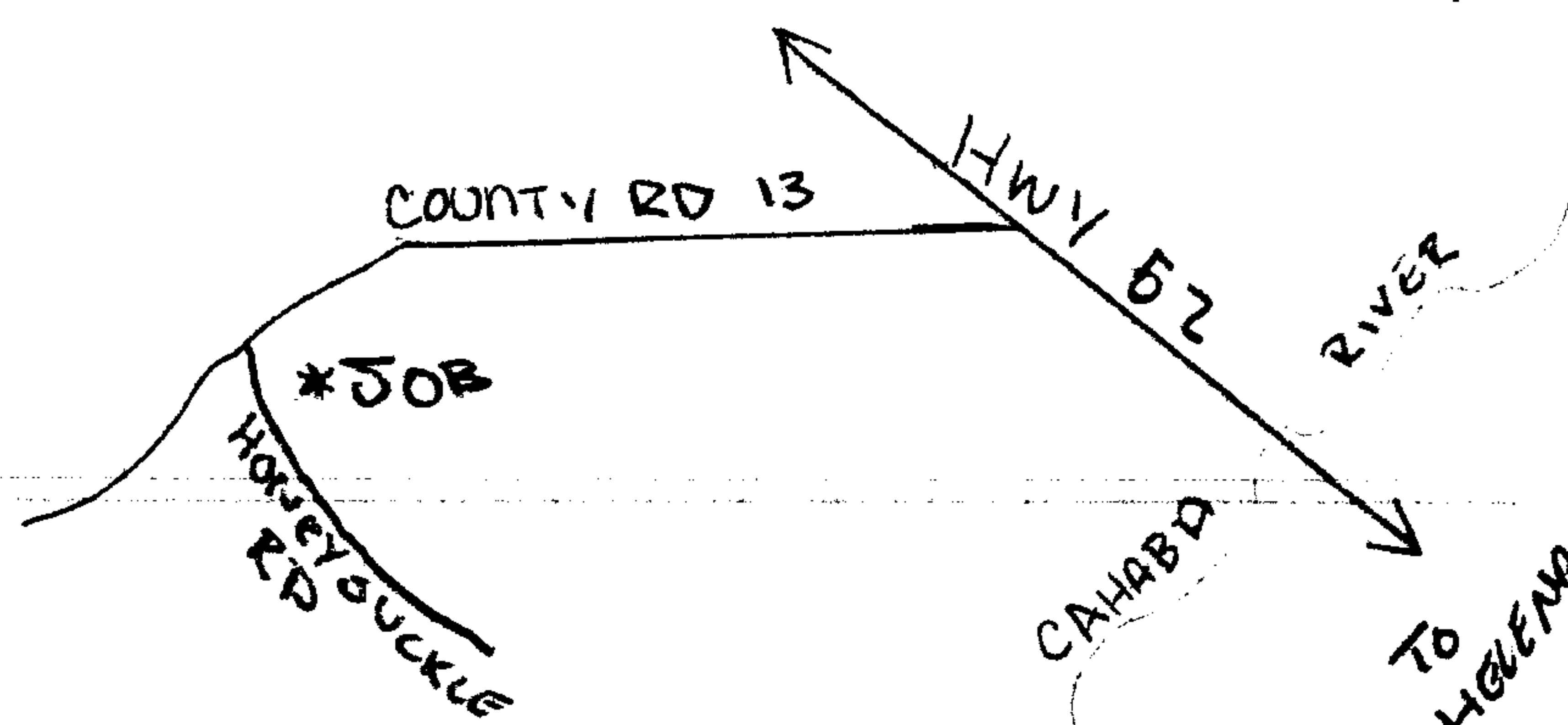
A/E
1800 ft²
1- 3 Ton HP
1- 2 Ton HP



20071029000496790 4/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/29/2007 09:00:26AM FILED/CERT

LOCATION SKETCH

TO SOUTH SHADES CREST RD



For Energized Line Work
Obtain Hotline Work Permit/s @
_____ AMP

Substation: HELENA DS
Breaker # 39824
Feeder # 2

Voltage	
Pri	Sec.
34.5	120/240
PHONE CO.	
Co. Name	
CATV CO.	
Co. Name	
ACCESSIBLE	
TREE CREW	
ROCK HOLE	
PERMITS REQ'D	
R/W	
CITY	
COUNTY	
STATE	
MISSALL #	
OTHER	
SCALE	
Ft. Per Inch	

Cnst. Completed By

Date