

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES x NO

This instrument prepared by:

STATE OF ALABAMA }
COUNTY OF SHELBY }

W.E. No. 61730-00-01297

Parcel No. 70196857

Transformer No. X4255

Jeff J. Callicott

Alabama Power Company

P. O. Box 2641

Birmingham, Alabama 35291

TAX ID # 10-4-20-0-001-009.013

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Providence Park Partners II, LLC

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.


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Shelby Cnty Judge of Probate, AL
10/29/2007 09:00:33AM 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 27th day of July, 2007.

Witness

(Grantor)

Witness

Providence Park Partners II, LLC

(Grantor)

Witness

By: Marty Bar - Poole

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: _____

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: _____



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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: _____

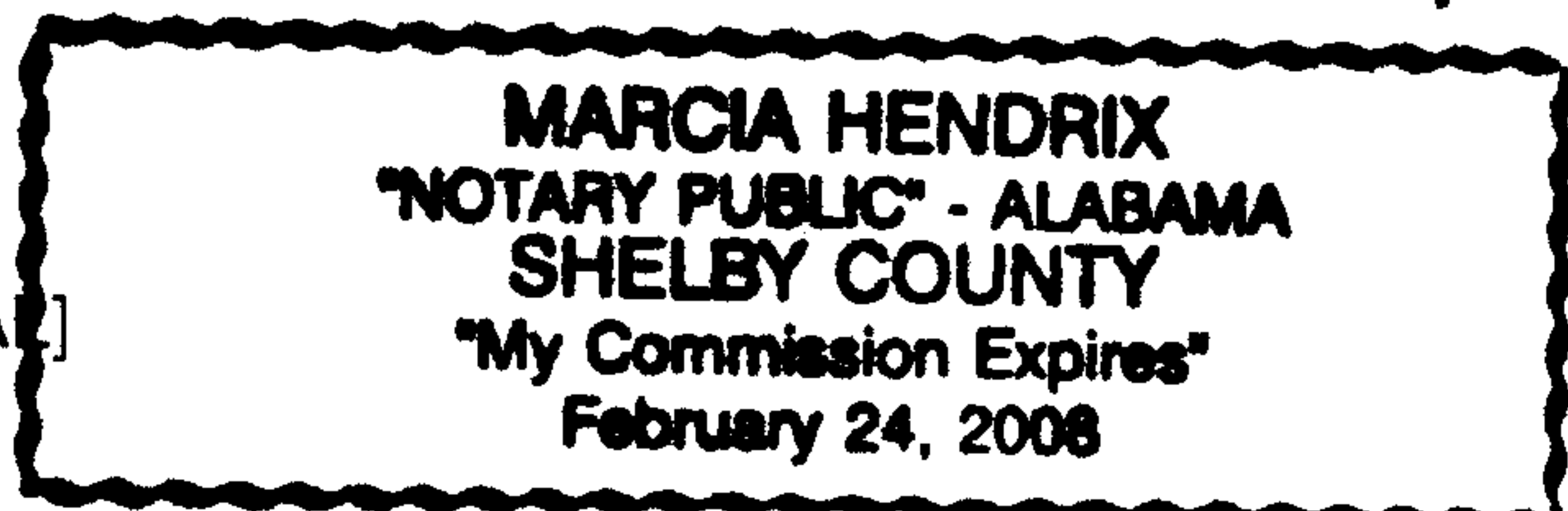
TRUSTEE/CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF ALABAMA }
COUNTY OF Shelby }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that MARTY BYROM, whose name as PARTNER 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 27th day of July, 2007.

[SEAL]



Notary Public
My commission expires: 2/23/2008

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____

Station to Station: _____

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

Deed Tax: \$.50

20060918000461230 3/3 \$18.00
Shelby Cnty Judge of Probate, AL
09/18/2006 08:54:17AM FILED/CERT

EXHIBIT "A"

Description of Property

70196857

A parcel of land situated in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 20, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows: Commence at the Southeast corner of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section; thence in a Westerly direction along the South line of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 312.00 feet to the point of beginning; thence continue Westerly along the South line of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 995.84 feet; thence $71^{\circ}34'22''$ right in a Northwesterly direction a distance of 243.22 feet to the said Southeasterly right-of-way line of Valleydale Road, said point being on a curve having a radius of 6287.09 feet; thence $68^{\circ}58'46''$ right to chord of said curve, in a Northeasterly direction along said Southeasterly right-of-way, and curve to the left, a distance of 197.00 feet to the end of said curve; thence $24^{\circ}01'45''$ left from chord of said curve along said right-of-way in a Northeasterly direction a distance of 199.45 feet; thence $21^{\circ}54'10''$ right in a Northeasterly direction along with Southeasterly right-of-way line of said road, a distance of 241.76 feet; thence $88^{\circ}29'$ right, in a Southeasterly direction a distance of 952.27 feet to the South line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section and being the point of beginning; being situated in Shelby County, Alabama.

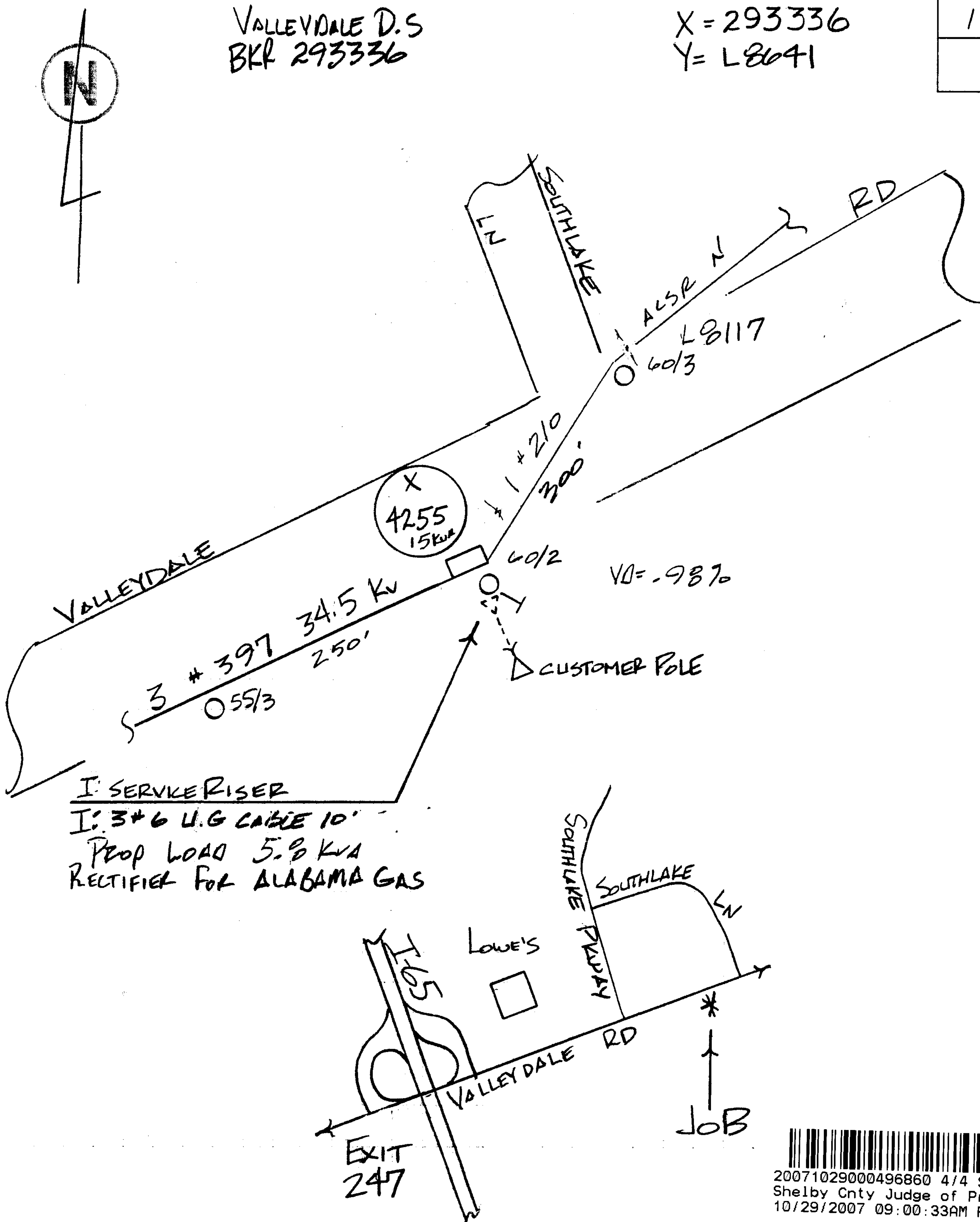
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SKETCH OF PROPOSED WORK — SIMPLIFIED W. E.

70196857



Customer ALABAMA GAS		Location 2165 VALLEYDALE RD		Agreed Serv. Date		Estimate No. 61730-00-01297	
Division BHAM		District SHADES		Town HOOVER		Drawn by BRASHER	
County SHELBY		Section 20		Township 19-S		Range 02W	
Add'l Info		Date R/W Assigned		Date R/W Cleared		Map Reference	
Acquisition Agent		LOC 1		Transformer Loading 5.8KVA			



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

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Cnst. Completed By	Date
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