

EASEMENT : DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES X NO

STA 1+00 To STA 1+84
STA 1+00 To STA 1+10
This instrument prepared by:

STATE OF ALABAMA }
COUNTY OF SHELBY }
TAX ID # 10-5-15-0-007-001.000

W.E. No. 61730-00-01267 & 61730-00-01327
Parcel No. 70198819
Transformer No. S16357

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

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Chappell Development, Inc.

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:

- 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, translosures, 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.
- 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.
- 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"):

Lot 1, according to the Survey of The View at Indian Crest, as is recorded in Map Book 37, Page 48, in the office of the Judge of Probate, Shelby County, Alabama.

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 word "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 9 day of 10, 2007.

David Chappell
Witness

Lynal P Chappell (SEAL)
(Grantor)

Witness

Chappell Development, Inc. (SEAL)
(Grantor)

Witness

By: Lynal P Chappell (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: _____

TRUSTEE/CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF ALABAMA }
COUNTY OF _____ }

NOTARY


20071029000497410 2/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/29/2007 10:24:34AM FILED/CERT

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: _____

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

20071029000497410 3/4 \$20.50
Shelby Cnty Judge of Probate, AL
10/29/2007 10:24:34AM FILED/CERT

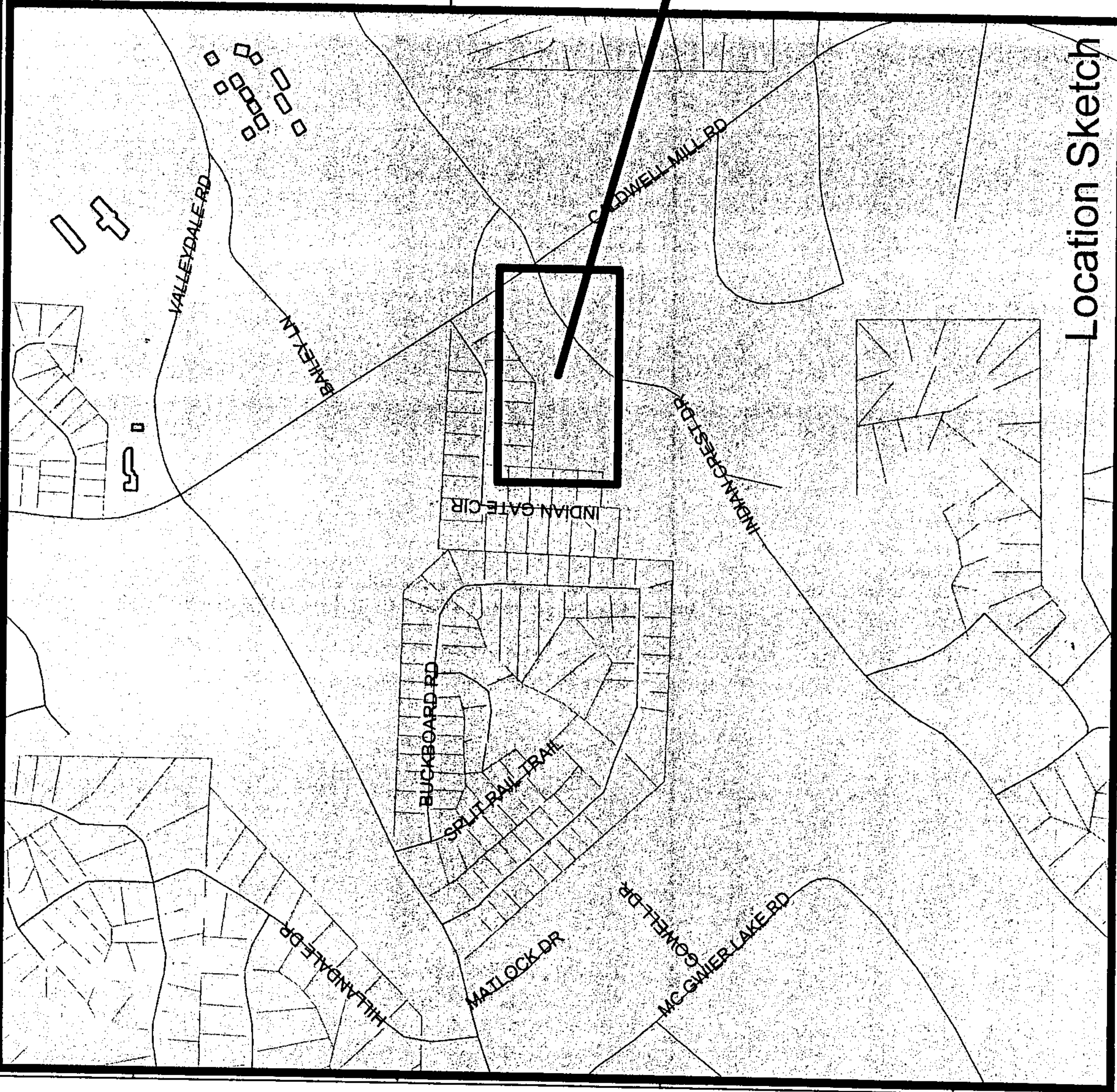
SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Map Center UTM:
1720862 12117081

Map Center Lat/Long:
-86.736388 33.378625

1 inch equals 73 feet

Customer Lynal Chappell	Location 3335 Indian Crest Dr., Lot 1	Cmtd. Svc Date	County Shelby	Section 15	Township 19S	Range 02W	Add'l Info. Joey Stamba, 205-807-4472	Estimate No. 61730-00-01327
Division PD-Birmingham	District Metro South - Patton Chapel	Town Hoover	UserID asbell	Created: 7/25/2007	Substation X- 48716	Y- L8421	MISSALL#	



Location Sketch

ENERGIZED LINE WORK	
Sub	Indian Springs D.S.
OCB/OCR	48716
Switch#	n/a
Fuse Size	n/a



Loc	1	Transformer Loading	42kVA
Voltage		Pri	Sec
		34.5kV	120/240V
Phone Co.	X	Cable Co.	X
Accessible	X	Tree Crew	
Rock Hole		Permits	
RW	X	CITY	
COUNTY		STATE	
OTHER			

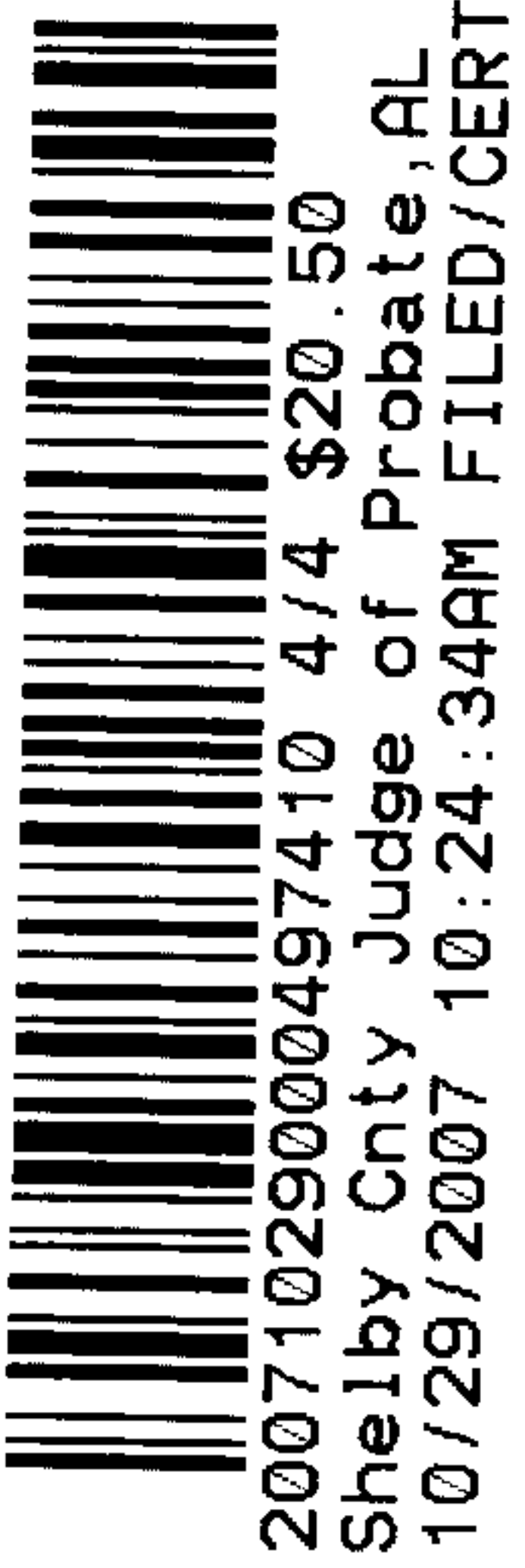
I: 6" Service Riser
Est. Dem. = 42kVA (sized for lots 1 & 2)
%VD=3%
%FL=3.95% @ 5 Ton

V5832
140ADV
V6263-S
V6143-B
V6145-L

Notes:

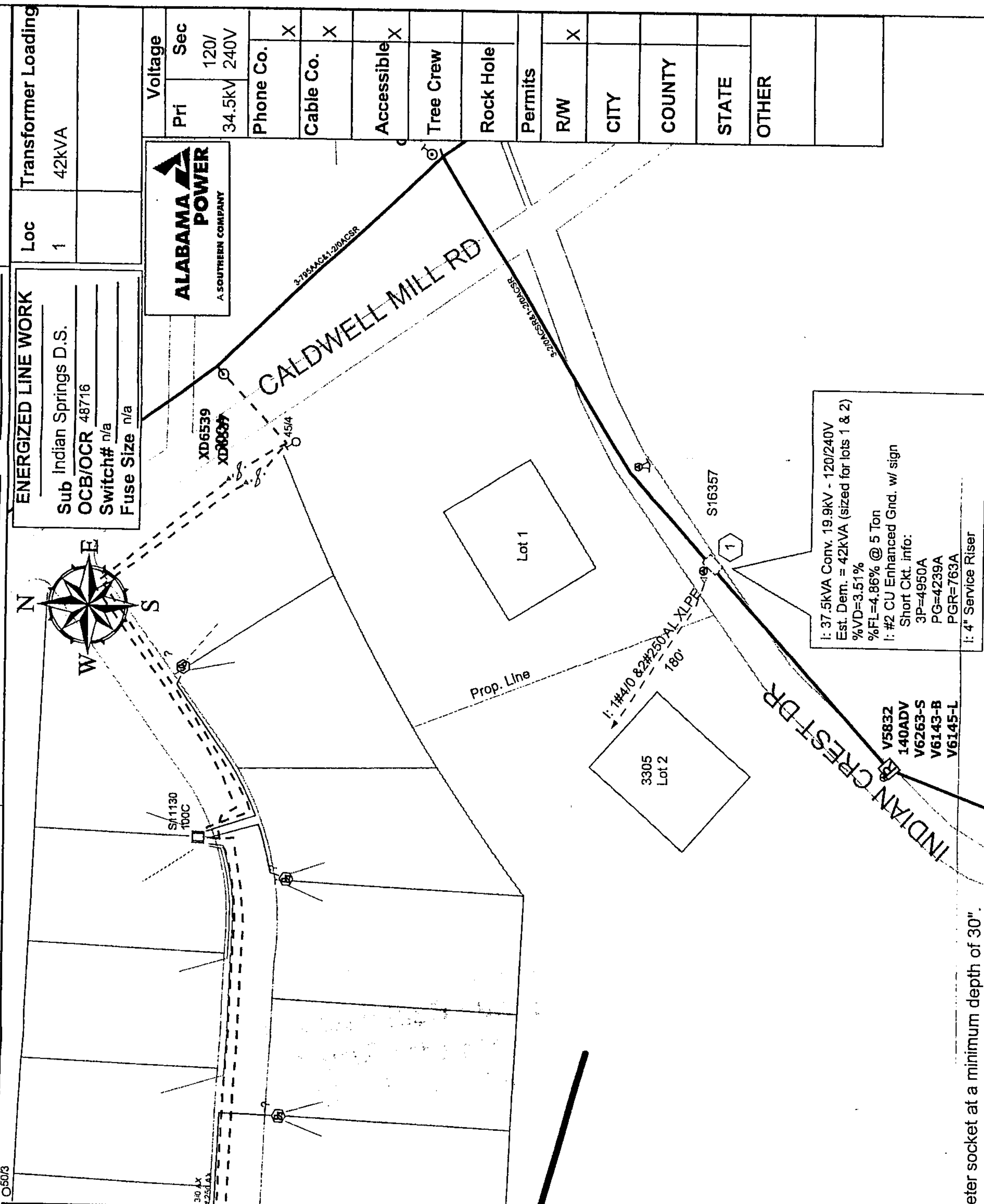
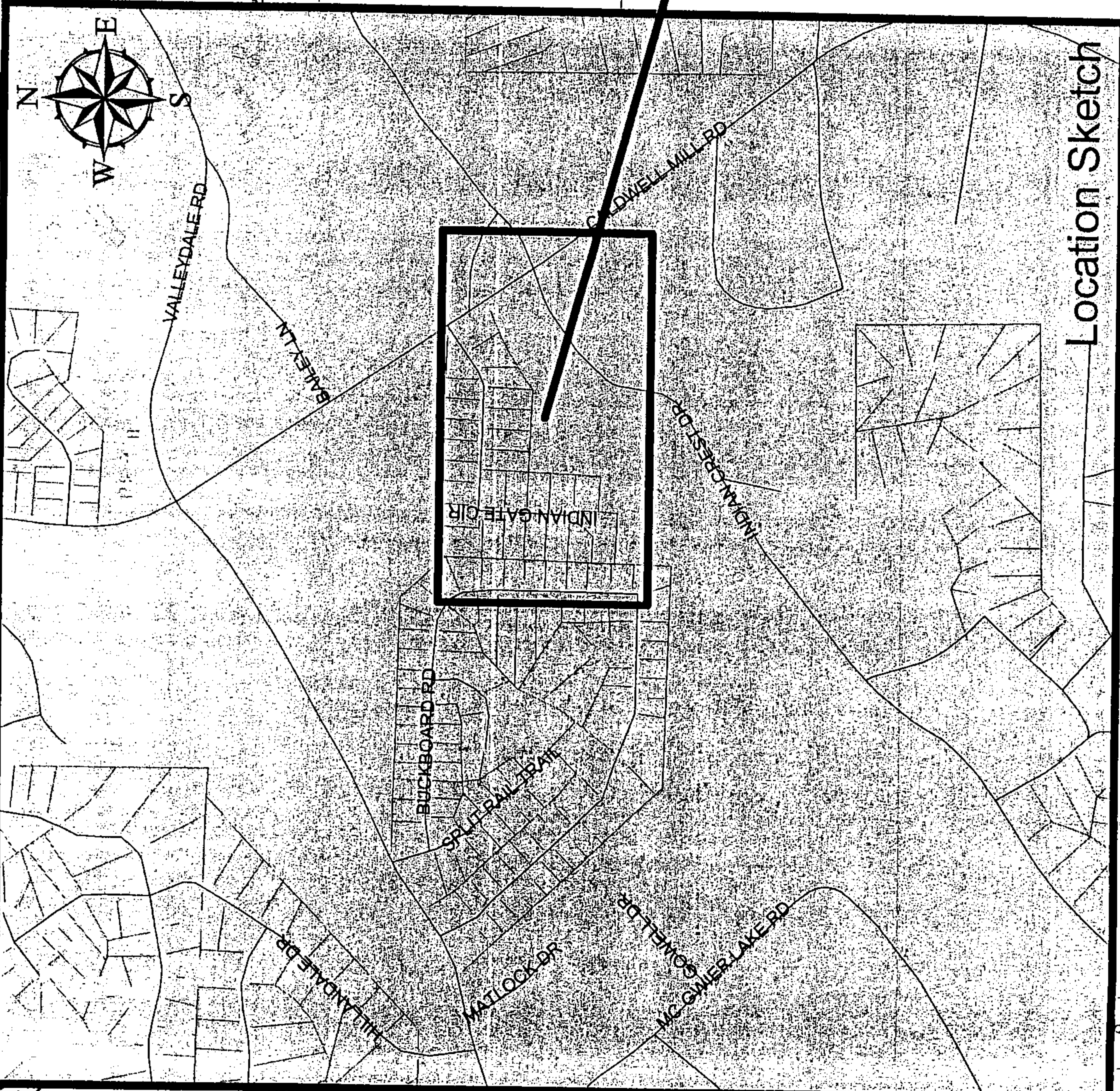
1. APCo contractor to perform all ditching and direct bury service from pole to meter socket at a minimum depth of 30".
2. Transformer at location 1 is sized to service lots 1 and 2.
3. Customer service entrance to be 400A, metering to be 320A meter socket and 320A self contained meter

Engineer : Scott Bell linc#11411



SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Customer	S & B Construction, Inc.	Location	3305 Indian Crest Dr., Lot 2	Map Center UTM:	1720658	Map Center Lat/Lon:	-86.737057 33.378789	1 inch equals 127 feet	70198819
Division	PD-Birmingham	District	Metro South - Patton Chapel	Town	Hoover	County	Shelby	Section	15
				Cmtd. Svc Date	12/11/140			Township	19S
								Range	02W
								Add'l Info.	Joey Stamba, 205-807-4472
								Estimate No.	61730-00-01267
								MISSALL#	
								Created:	7/13/2007
								UserID	asbell
								Substation	X- 48716
								Y- L8421	



- Notes:
- Customer to perform all ditching and install conduit (with pull string) from pole to meter socket at a minimum depth of 30". APCo to provide 3" service conduit to customer.
 - Transformer at location 1 is sized to service lots 1 and 2.
 - Rights of Way for service cable from location 1 to Lot 2 meter socket location are required from owners of lots 1 and 2.
 - Customer service entrance to be 400A, metering to be 320A meter socket and 320A self contained meter.
 - Pulling tension = 909lbs and SWBP=175lbs

Engineer : Scott Bell Inc#11411