

181,87



20071102000507750 1/3 \$182.00
Shelby Cnty Judge of Probate, AL
11/02/2007 12:20:43PM FILED/CERT

Right of Way
EAST PELHAM T.S.-ALABASTER S.S. 115 KV T.L. (TL-27-4-2)
BIRMINGHAM DIVISION
37111272-300

70175571

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

STATE OF ALABAMA }
COUNTY OF SHELBY }

Carmeuse Lime & Stone, Inc.

[hereinafter known as Grantor(s)], for and in consideration of the sum of One Hundred Sixty Four Thousand Eight Hundred Eighty-Nine Dollars

(\$ 164,889) to _____ 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, two strips of land **varying** in width, as said strips are 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 strips 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 strips and the right to cut such timber outside of said strips which in falling would come within five (5) feet of any conductor on said strips, and the right to install, maintain and use anchors and guy wires on land adjacent to said strips, and the right to install grounding devices on grantors' fences now or hereafter located on such strips and on fences or other structures of grantors now or hereafter located adjacent to such strips, and the right to prevent the use of such strips 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 strips at a location which do not endanger or interfere with works that have been or may at some future date be constructed on such strips, said strips and the lands of which the same is a part being described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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.

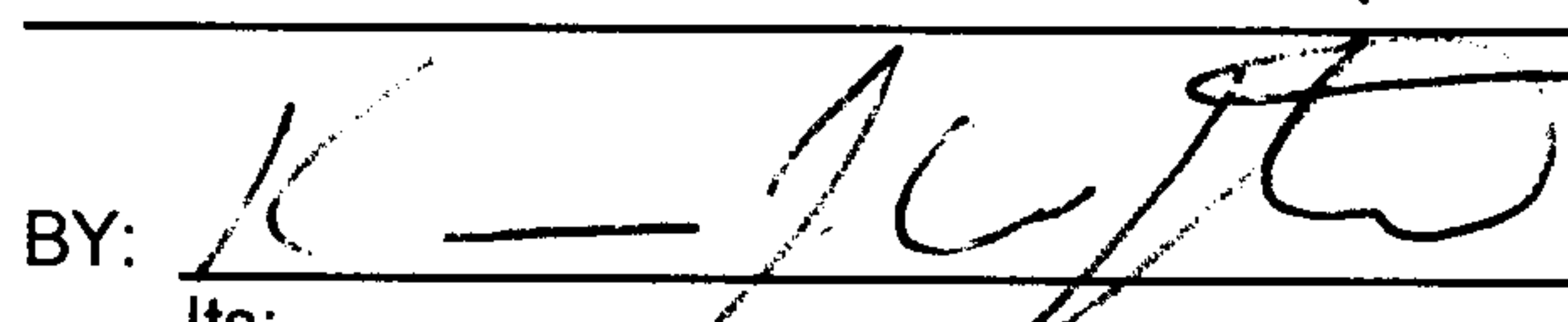
TO HAVE AND TO HOLD the same to the said Grantee, its successors and assigns, forever.
The grantors shall have the right to cultivate and use said strip of land for any purpose not inconsistent with the rights which the grantee may from time to time exercise hereunder.

IN WITNESS WHEREOF, the said Carmeuse Lime & Stone, Inc. has caused this instrument to be executed in its name by Kevin J. Whyte, as its VP, General Counsel, and attested by Stephen C. Smith, its Deputy General Counsel, and its corporation seal to be affixed, on this the 2nd day of August, 2007.

ATTEST:


Its: Deputy General Counsel

Carmeuse Lime & Stone, Inc.

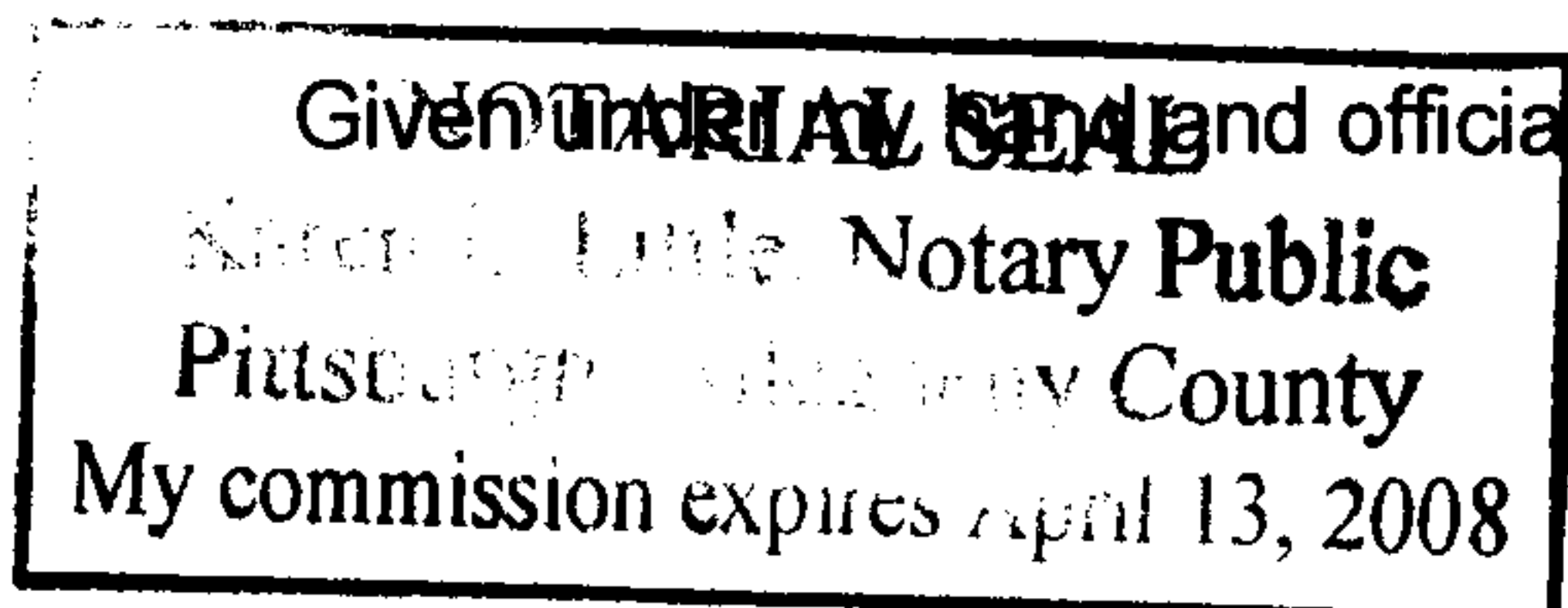
BY: 
Its: VP, General Counsel

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

STATE OF Pennsylvania
COUNTY OF Allegheny

I, Karen A. Little, a Notary Public in and for said County in said State, hereby certify that Kevin J. Whyte, whose name as V.P. General Counsel of Carmichael-McCormick, Inc., a corporation, 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, as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation.



My Commission Expires: April 13, 2008

STATE OF _____ }
COUNTY OF _____ }

I, _____, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ of _____, a corporation, 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, as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation.

Given under my hand and official seal this the _____ day of _____, 2007.

My Commission Expires: _____

STATE OF _____ }
COUNTY OF _____ }

I, _____, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ of _____, a corporation, 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, as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation.

Given under my hand and official seal this the _____ day of _____, 2007.

My Commission Expires: _____

Shelby County, AL 11/02/2007
State of Alabama

Deed Tax: \$165.00



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EXHIBIT "A"

Two strips of land varying in width which lie within the Southwest Quarter of the Northwest Quarter (SW¼ of NW¼) of Section 16; the South Half of the Northeast Quarter (S½ of NE¼) and the Northwest Quarter (NW¼) of Section 17, all being in Township 21 South, Range 02 West, Shelby County, Alabama, such strip being more particularly described as follows:

To reach the point of beginning of the first strip, commence at the Northeast Corner of the Southeast Quarter of the Northwest Quarter of Section 16, Township 21 South, Range 02 West; thence run S07°01'58"W a distance of 974.64 feet to a point; thence turn a deflection angle to the right and run N80°53'27"W a distance of 480.03 feet to a point; thence turn a deflection angle to the left of 01°07'46" and run N82°01'13"W a distance of 1008.43 feet to a point, such point being the point of beginning of a survey line used to describe the right of way herein described; therefrom, the strip extends 15 feet left (southerly) and to the south line of Shelby County Road #26 right of way right (northerly) of such survey line and the continuations thereof which begins at such point of beginning and continues N82°01'13"W a distance of 497.00 feet to a point; thence survey line turns a deflection angle to the right of 00°21'37" and runs N81°39'36"W a distance of 386.08 feet to a point; thence survey line turns a deflection angle to the left of 05°58'49" and runs N87°38'25"W a distance of 390.12 feet to a point at the centerline of said road;

therefrom, said strip extends 15 feet right (northerly) and to the north line of Shelby County Road #26 right of way left (southerly) of such survey line and the continuations thereof which begins at such point and continues N87°38'25"W a distance of 338.5 feet to a point; thence survey line turns a deflection angle to the left of 00°20'49" and runs N87°59'14"W a distance of 297.30 feet to a point at the centerline of said road;

therefrom, said strip extends 15 feet left (southerly) and to the south line of Shelby County Road #26 right of way right (northerly) of such survey line and the continuations thereof which begins at such point and continues N87°59'14"W a distance of 329.09 feet to a point; thence survey line turns a deflection angle to the right of 02°18'20" and runs N85°40'54"W a distance of 327.10 feet to a point at the centerline of said road;

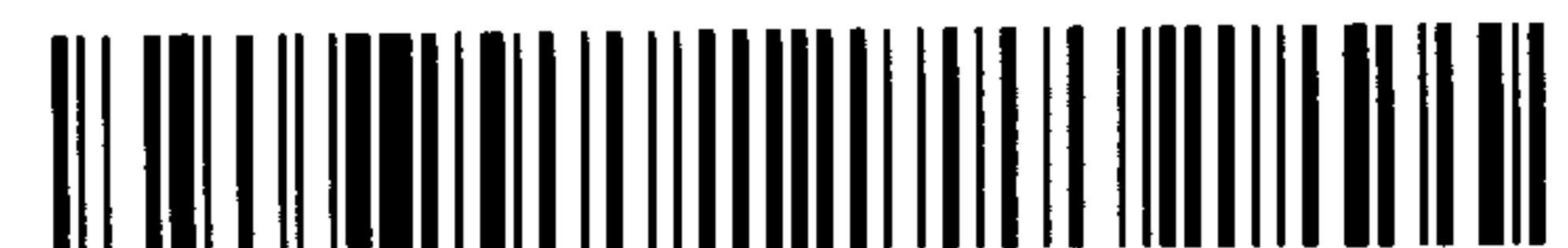
therefrom, said strip extends 15 feet right (northerly) and to the north line of Shelby County Road #26 right of way left (southerly) of such survey line and the continuations thereof which begins at such point and continues N85°40'54"W a distance of 209.23 feet to a point; thence survey line turns a deflection angle to the left of 14°36'48" and runs S79°42'18"W a distance of 315.03 feet to point at the centerline of said road;

therefrom, said strip extends 15 feet left (southerly) and to the south line of Shelby County Road #26 right of way right (northerly) of such survey line and the continuations thereof which begins at such point and continues S79°42'18"W a distance of 145.81 feet to a point; thence survey line turns a deflection angle to the right of 27°36'55" and runs N72°40'47"W a distance of 414.68 feet to a point; thence survey line turns a deflection angle to the right of 30°06'13" and runs N42°34'34"W a distance of 125.76 feet to a point at the centerline of said road;

therefrom, said strip extends 15 feet right (northerly) and to the north line of Shelby County Road #26 right of way left (southerly) of such survey line and the continuations thereof which begins at such point and continues N42°34'34"W a distance of 176.84 feet to a point; thence survey line turns a deflection angle to the left of 04°58'03" and runs N47°32'37"W a distance of 609.97 feet to a point; thence survey line turns a deflection angle to the left of 18°34'08" and runs N66°06'45"W a distance of 295.98 feet to a point; thence survey line turns a deflection angle to the left of 14°09'58" and runs N80°16'43"W a distance of 222.97 feet to a point; thence survey line turns a deflection angle to the left of 11°47'10" and runs S87°56'07"W a distance of 242 feet, more or less, to a point, such point being called Point A for reference hereinafter; such point also being the point of ending of the first strip of right of way herein described.

To reach the point of beginning of the second strip, commence at said Point A referenced above and turn a deflection angle to the left of 03°19'15" and run S84°36'52"W a distance of 670.07 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 extends to the northerly right of way line of Shelby County Road #26 on the left or southerly side of the survey line and 15 feet on the right or northerly side of the survey line and the continuations thereof which begins at such point of beginning and continues S84°36'52"W a distance of 480 feet, more or less, to a point, such point being the point of ending of the second strip of right of way herein described.

All bearings are based on Alabama State Plane West Zone Grid North.



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