

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES X NO

This instrument prepared by:

STATE OF ALABAMA }
COUNTY OF Shelby }
TAX ID #

W.E. No. 61700-08-0044-700
Parcel No. 70197024
Transformer No.

Larry D. Swartz
Alabama Power Company
P. O. Box 2641
Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Cobblestone Creek, LTD

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:

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, by 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"):

Lot 2C of a resurvey of Lot 2, Old Wooley Estates, a
subdivision located in Section 16, Township 22 South,
Range 3 West, Shelby County, Alabama, as shown by plat
of record in Map Book 33, at Page 48, in the Office of
the Judge of Probate of 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 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 7th day of August, 20 07.

Witness

Witness

Witness

(Grantor)
Cobblestone Creek, LTD (SEAL)
(Grantor)
By: Larry D. Swartz (SEAL)
As: President

IN WITNESS WHEREOF, the said Grantor, has c this instrument to be executed b _____ 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: _____


20071114000522140 2/5 \$23.50
Shelby Cnty Judge of Probate, AL
11/14/2007 10:45:49AM FILED/CERT

TRUSTEE/CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF ALABAMA }
COUNTY OF Morgan }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Suzanne Dinsmore
_____, whose name as President 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 7th day of August, 2007.

[SEAL]

Annette Wilson
Notary Public
My commission expires: **My Commission Expires 9-6-2010**

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: X

Station to Station: _____

Shelby County, AL 11/14/2007
State of Alabama

Deed Tax: \$.50

VALLEY COMMERCIAL CONST., INC.

496 HIGHWAY 67 SOUTH
DECATUR, ALABAMA 35603
(256) 355-7693 PHONE * (256) 340-9999 FAX
HOUSINGINVESTORS.COM (E-MAIL)

FACSIMILE TRANSMITTAL SHEET

LARRY GRAVITT		FROM:	WHIT RICE
COMPANY: ALABAMA POWER		DATE:	8/2/07
FAX NUMBER: 205-226-1399		TOTAL NO. OF PAGES INCLUDING COVER:	2
PHONE NUMBER: 205.438.3186		SENDER'S REFERENCE NUMBER:	
RE: Cobblestone Creek		YOUR REFERENCE NUMBER:	

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

LARRY,

IN REFERENCE TO COBBLESTONE CREEK IN
MONTEVALLO, THE LEGAL DESCRIPTION IS ATTACHED.

THE OWNER IS: COBBLESTONE CREEK, LTD.

LET ME KNOW IF YOU NEED ANYTHING ELSE.

THANKS!

Whit Rice

256.227.1478

70797024



20071114000522140 3/5 \$23.50
Shelby Cnty Judge of Probate, AL
11/14/2007 10:45:49AM FILED/CERT

Request for Right of Way Acquisition and Information Sheet

Engineer: C Crouch

Agent: ~~Field~~ *Gracitt*

WE Number
61700 -08- 0044 7

Requested Customer Service Date

Quadrant	
Section	16
Township	22S
Range	3W
County:	Check one below
Jefferson	<input type="checkbox"/>
Shelby	<input checked="" type="checkbox"/> XXXXXXXXXXXXX
Chilton	<input type="checkbox"/>
Bibb	<input type="checkbox"/>

Name of Owner/Developer	Cobblestone Creek Retirement Village
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Contact: Valley Commercial Construction 496 Highway 67 South, Decatur, Alabama 35603

Address	Hwy 119 - Montevallo
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(256) 990-0229 355-7698
#27

Attn: Roger McCoy


Telephone :	Business:	256-214-2631	Home:	
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Name of Sub'd	
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Number of Lots

Monies Due APCo

Special Instructions or Comments:
<i>70197024</i>


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Shelby Cnty Judge of Probate, AL
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ENGINEER: COMPLETE ALL INFORMATION THAT IS AVAILABLE ON EACH REQUEST

TO BE COMPLETED BY REAL ESTATE AGENT

Date Received from District

Date Cleared to District

Route Original of Request and Three (3) copies of the Drawing to Agent

