

EASEMENT - DISTRIBUTION FACILITIES  
(Metes and Bounds)

# 500 00 STA 142 TO STA 1+141  
TO BE RECORDED: YES X NO   

This instrument prepared by:

STATE OF ALABAMA

COUNTY OF SHELBY

TAX ID #

W.E. No. 01730-00-02007

Parcel No. 70199624

Transformer No. 516551

Jeff J. Callicott

Alabama Power Company

P. O. Box 2641

Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Building Resource, 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:

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"):

Lot 11, 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 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 19<sup>th</sup> day of OCT, 2007.

Witness

(Grantor)

(SEAL)

Witness

(Grantor)

(SEAL)

Witness

By:

As:

(SEAL)

20080501000178010 1/2 \$14.50  
Shelby Cnty Judge of Probate, AL  
05/01/2008 10:30:12AM FILED/CERT

**SKETCH OF PROPOSED WORK  
SIMPLIFIED W.E.**

Map Center UTM  
1720147 12116093

Map Center LatLon  
-86.73874 33.375915



|                                     |          |               |                                  |              |  |                                |                   |      |                                |       |                               |       |
|-------------------------------------|----------|---------------|----------------------------------|--------------|--|--------------------------------|-------------------|------|--------------------------------|-------|-------------------------------|-------|
| Customer<br>BUILDING RESOURCES      |          |               | Location<br>3049 INDIAN CREST DR |              |  | Agreed Serv. Date<br>11-2-2007 |                   |      | Estimate No.<br>61730-00-02007 |       |                               |       |
| Region<br>PD-BIRMINGHAM             |          |               | Oper. Cntr.<br>METRO SOUTH       |              | Town/City<br>INDIAN SPRINGS                  |                                | UserID<br>bjdoyle |      | Created:<br>10/10/2007         |       |                               |       |
| County<br>Shelby                    |          | Section<br>15 | Township<br>19S                  | Range<br>02W | Add'l Info<br>ENG: BRIAN DOYLE, LINC # 11411 |                                |                   |      |                                |       |                               |       |
| Acquisition Agent<br>JEFF CALLICOTT |          |               | Date R/W Assigned                |              | Date R/W Cleared                             |                                | Spatial Reference |      | LOC<br>1                       |       | Transformer Loading<br>29 KVA |       |
| Voltage                             | Phone Co | CATV Co       | Accessible                       | Tree Crew    | Rock Hole                                    |                                | R/W               | City | County                         | State | Miss All                      | Other |
| 120/240                             | N        | N             | Y                                | N            | N  | Permits                        | Y                 | N    | N                              | N     | N                             | N/A   |

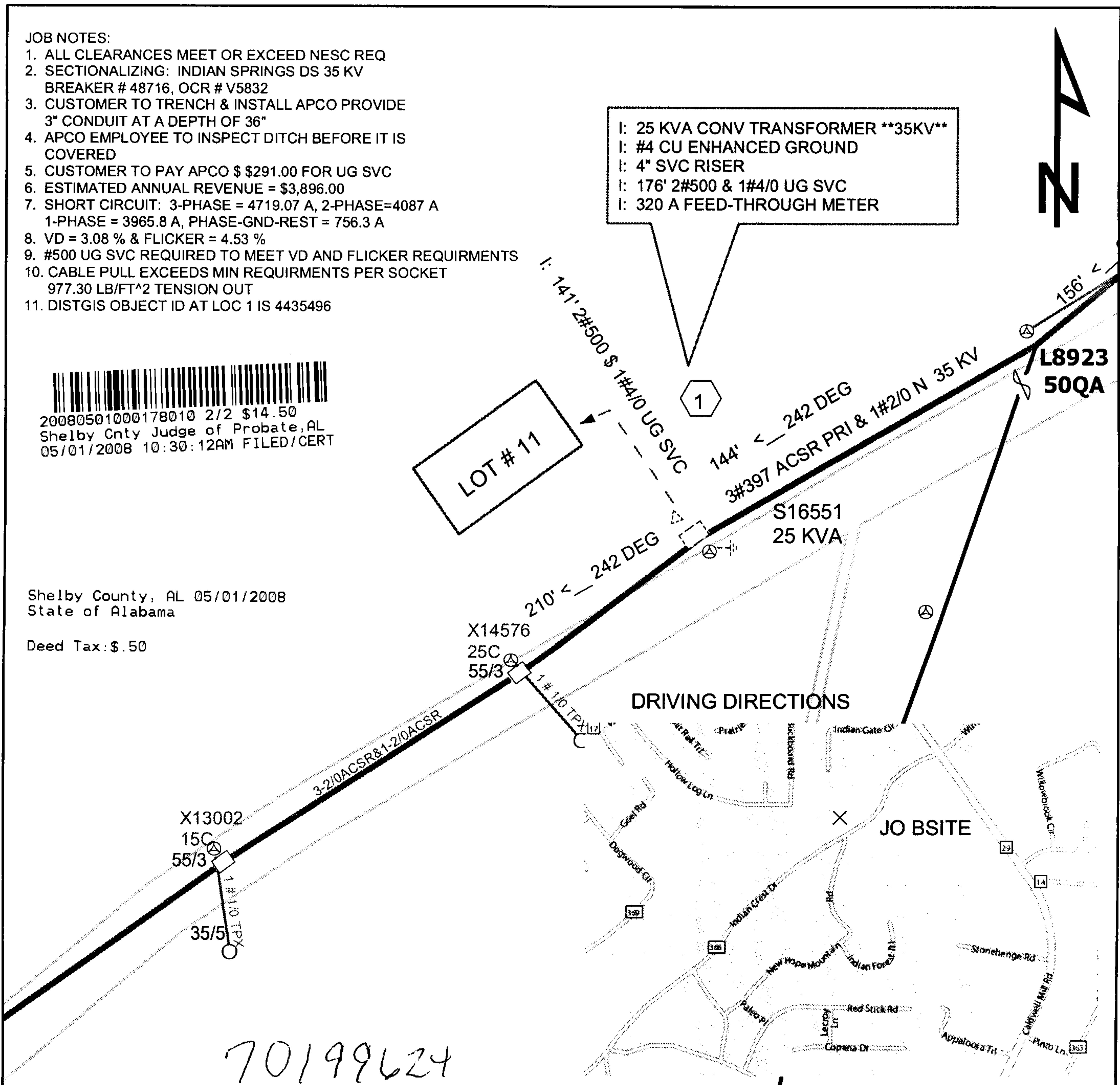
**JOB NOTES:**

1. ALL CLEARANCES MEET OR EXCEED NESC REQ
2. SECTIONALIZING: INDIAN SPRINGS DS 35 KV  
BREAKER # 48716, OCR # V5832
3. CUSTOMER TO TRENCH & INSTALL APCO PROVIDE  
3" CONDUIT AT A DEPTH OF 36"
4. APCO EMPLOYEE TO INSPECT DITCH BEFORE IT IS  
COVERED
5. CUSTOMER TO PAY APCO \$ \$291.00 FOR UG SVC
6. ESTIMATED ANNUAL REVENUE = \$3,896.00
7. SHORT CIRCUIT: 3-PHASE = 4719.07 A, 2-PHASE=4087 A  
1-PHASE = 3965.8 A, PHASE-GND-REST = 756.3 A
8. VD = 3.08 % & FLICKER = 4.53 %
9. #500 UG SVC REQUIRED TO MEET VD AND FLICKER REQUIRMENTS
10. CABLE PULL EXCEEDS MIN REQUIRMENTS PER SOCKET  
977.30 LB/FT^2 TENSION OUT
11. DISTGIS OBJECT ID AT LOC 1 IS 4435496

20080501000178010 2/2 \$14.50  
Shelby Cnty Judge of Probate, AL  
05/01/2008 10:30:12AM FILED/CERT

Shelby County, AL 05/01/2008  
State of Alabama

Deed Tax: \$.50



Cnst Completed By: \_\_\_\_\_ Date: \_\_\_\_\_ Scale: 1 inch equals 90 feet