

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. 6730-0001997

Parcel No. 70204245

Transformer No. X-11668

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 9, 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 19th day of Oct, 2007.
Shadey Herin
Witness

Witness

Witness

(Grantor) Building Resource, Inc. (SEAL)

(Grantor) Building Resource, Inc. (SEAL)

By: Building Resource, Inc. (SEAL)
As:

20080501000178020 1/2 \$14.50
Shelby Cnty Judge of Probate, AL
05/01/2008 10:30:13AM FILED/CERT

07 OCT 24 2007

70204245

SKETCH OF PROPOSED WORK
SIMPLIFIED W.E.

Map Center UTM
1720515 12116245

Map Center LatLon
-86.737531 33.376329



Customer BUILDING RESOURCES		Location 3101 INDIAN CREST DR LOT #9		Agreed Serv. Date 11-2-2007		Estimate No. 61730-00-01997																	
Region PD-BIRMINGHAM		Oper. Cntr. METRO SOUTH		Town/City INDIAN SPRINGS		UserID bjdoyle		Created: 10/10/2007															
County Shelby		Section 15		Township 19S		Range 02W		Add'l Info ENG: BRIAN DOYLE, LINC # 11411															
Acquisition Agent JEFF CALLICOTT		Date R/W Assigned		Date R/W Cleared		Spatial Reference		LOC 1		Transformer Loading 64.8 KVA													
Voltage 120/240		Phone Co N		CATV Co N		Accessible Y		Tree Crew N		Rock Hole N		Permits Y		City N		County N		State N		Miss All N		Other 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 \$ \$315.00 FOR UG SVC
6. ESTIMATED ANNUAL REVENUE = \$3,896.00
7. SHORT CIRCUIT: 3-PHASE = 4787.92 A, 2-PHASE= 4146 A
1-PHASE = 4057.7 A, PHASE-GND-REST = 758.4 A
8. VD = 3.58 % & FLICKER = 3.98 %
9. 75 KVA XFMR WAS NEED DUE TO LOADING OF EXISTING
BELL CABINET & LOT # 8 CONSTRUCTION
10. CABLE PULL EXCEEDS MIN REQUIREMENTS PER SOCKET
884.99 LB/FT^2 TENSION OUT
11. DISTGIS OBJECT ID AT LOC 1 IS 4435489

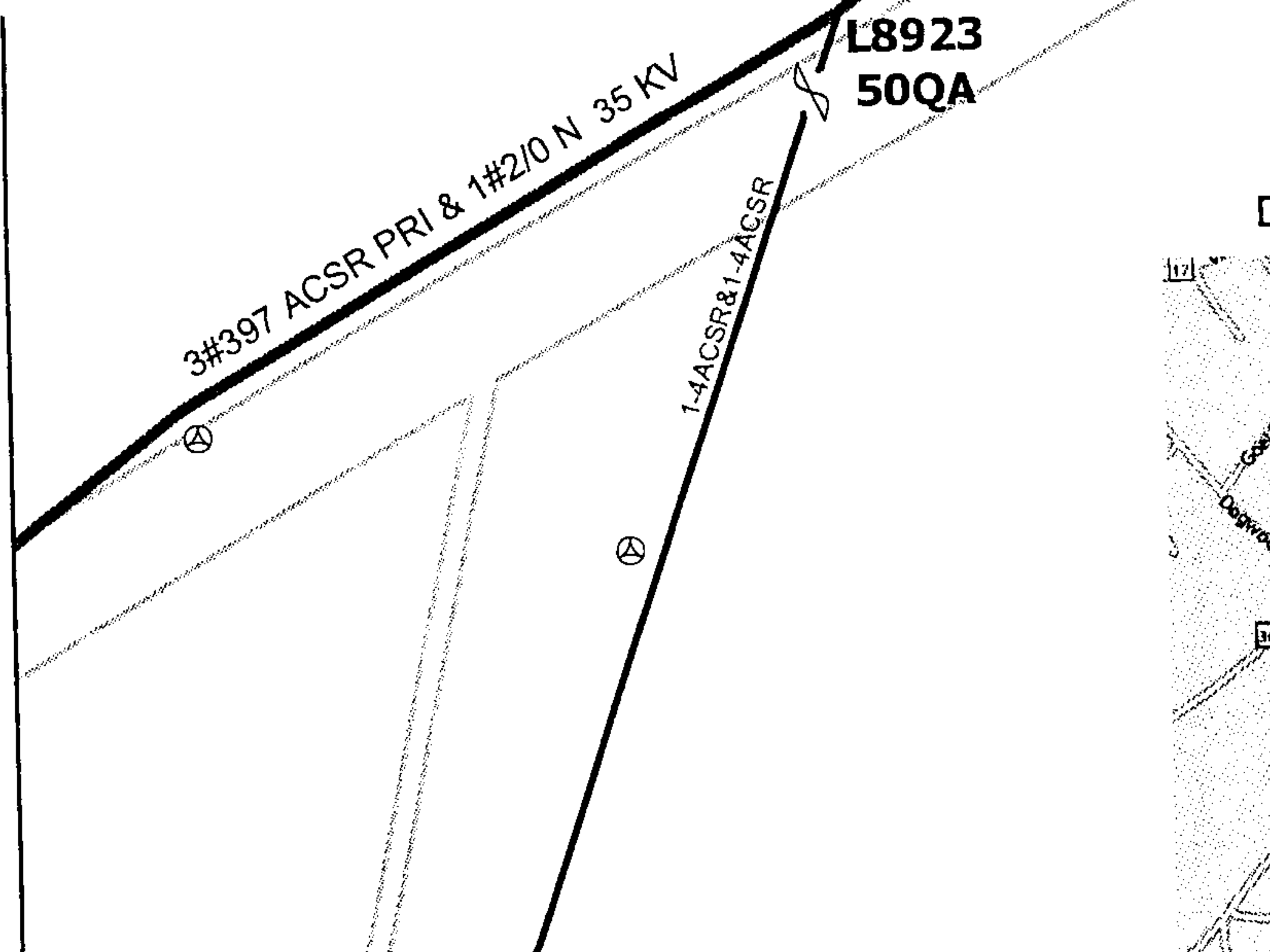
I: 4" SVC RISER
I: 200' 2#250 & 1#3/0 UG SVC
I: 320 A FEED-THROUGH METER

TRANSFORMER TO BE INSTALLED
ON JOB FOR LOT#8 61730-00-01987

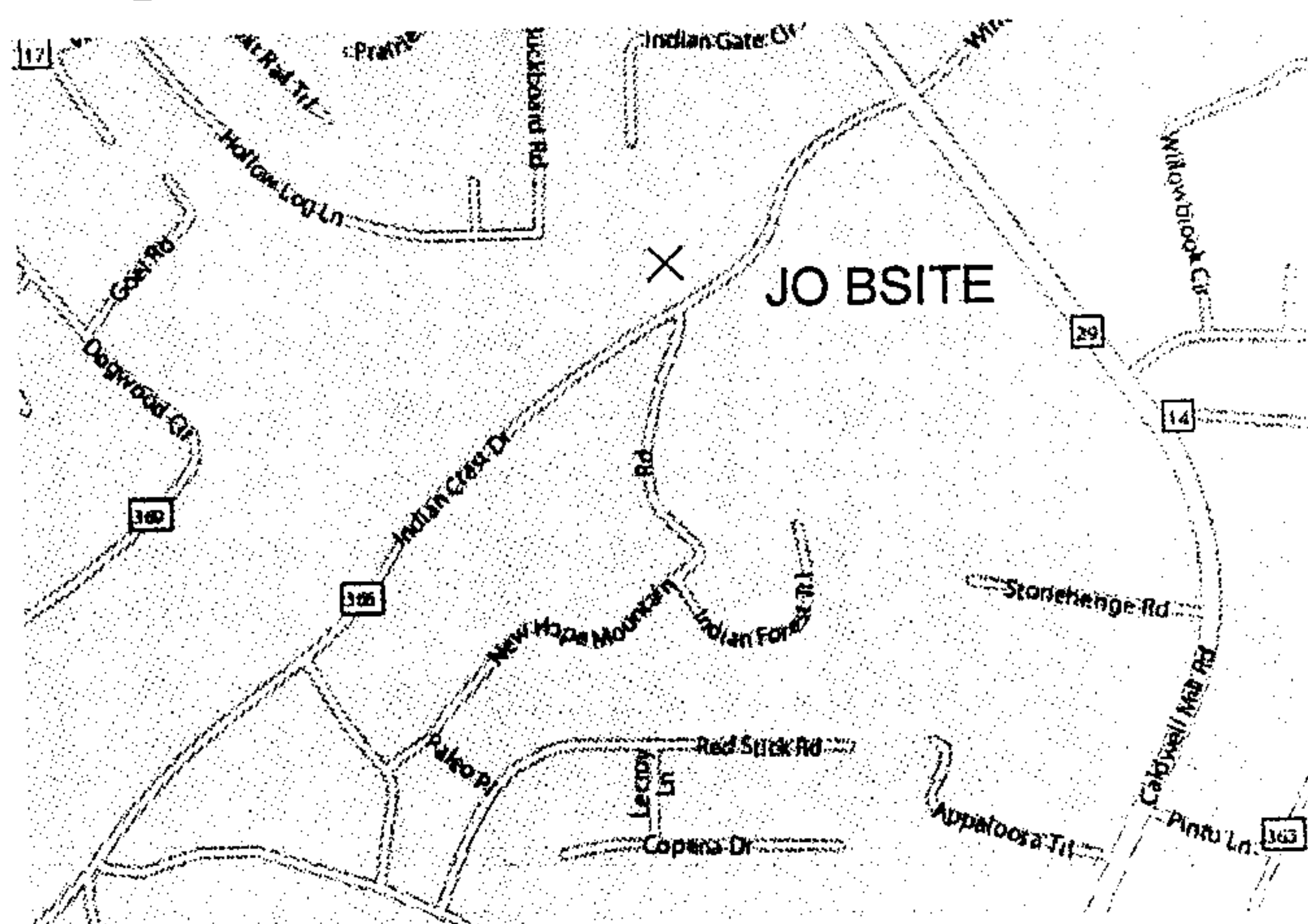
LOT #9



20080501000178020 2/2 \$14.50
Shelby Cnty Judge of Probate, AL
05/01/2008 10:30:13AM FILED/CERT



DRIVING DIRECTIONS



Cnst Completed

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

Deed Tax: \$.50

Date:

Scale: 1 inch equals 90 feet