

EASEMENT - DISTRIBUTION FACILITIES  
(Lot and Block)

TO BE RECORDED: YES \_\_\_\_ NO \_\_\_\_

This instrument prepared by:

STATE OF ALABAMA }  
COUNTY OF SHELBY }  
TAX ID #

W.E. No. 61700-00-00428  
Parcel No. 70204806  
Transformer No.

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

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Kerry R. Nivens (1/3), Frank I. Owens (1/3), and Lewis E. Atchison (1/3),

as grantor(s), (the "Grantor", whether one or more) for and in consideration of One and No/100 Dollars (\$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"):

Lots \_\_\_\_\_ of Block \_\_\_\_\_ of Atchison Commercial Development Subdivision as recorded in Map Book 39, page 70 and being located in the \_\_\_\_\_ 1/4 of the \_\_\_\_\_ 1/4 of Section 27 & 28, Township 19 South, Range 1 West and recorded in Deed Book \_\_\_\_\_, Page \_\_\_\_\_, all being recorded in the Office of the Judge of Probate in said County.

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 hands and seal(s) this 21<sup>st</sup> day of MARCH, 2008

Witness

Witness

Witness

(Grantor)

(Grantor)

(Grantor)

(SEAL)

(SEAL)

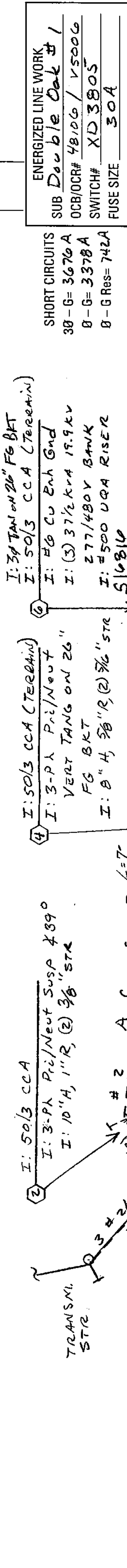
(SEAL)

Shelby County, AL 07/01/2008  
State of Alabama

Sketch of Proposed Work - Simplified W. E.



Customer	Tractor Supply Co	Location	Highway 280	Agreed Serv. Date	8-30-08	County	Shelby	Section	27 SW	Township	19S	Range	1W	Add'l Info	GREG AULEN, Elec	Estimate No.	912-294-3126	7004804/70204805/70804806
Division	Birmingham	Operation	Metro-So	Engineer	BEASHER	LINC#	11414	Date	2/29/08	Substation	Double Oak Mtn	X	Y	48106	NJUNS Ticket #	7	Transformer Loading	118 kVA



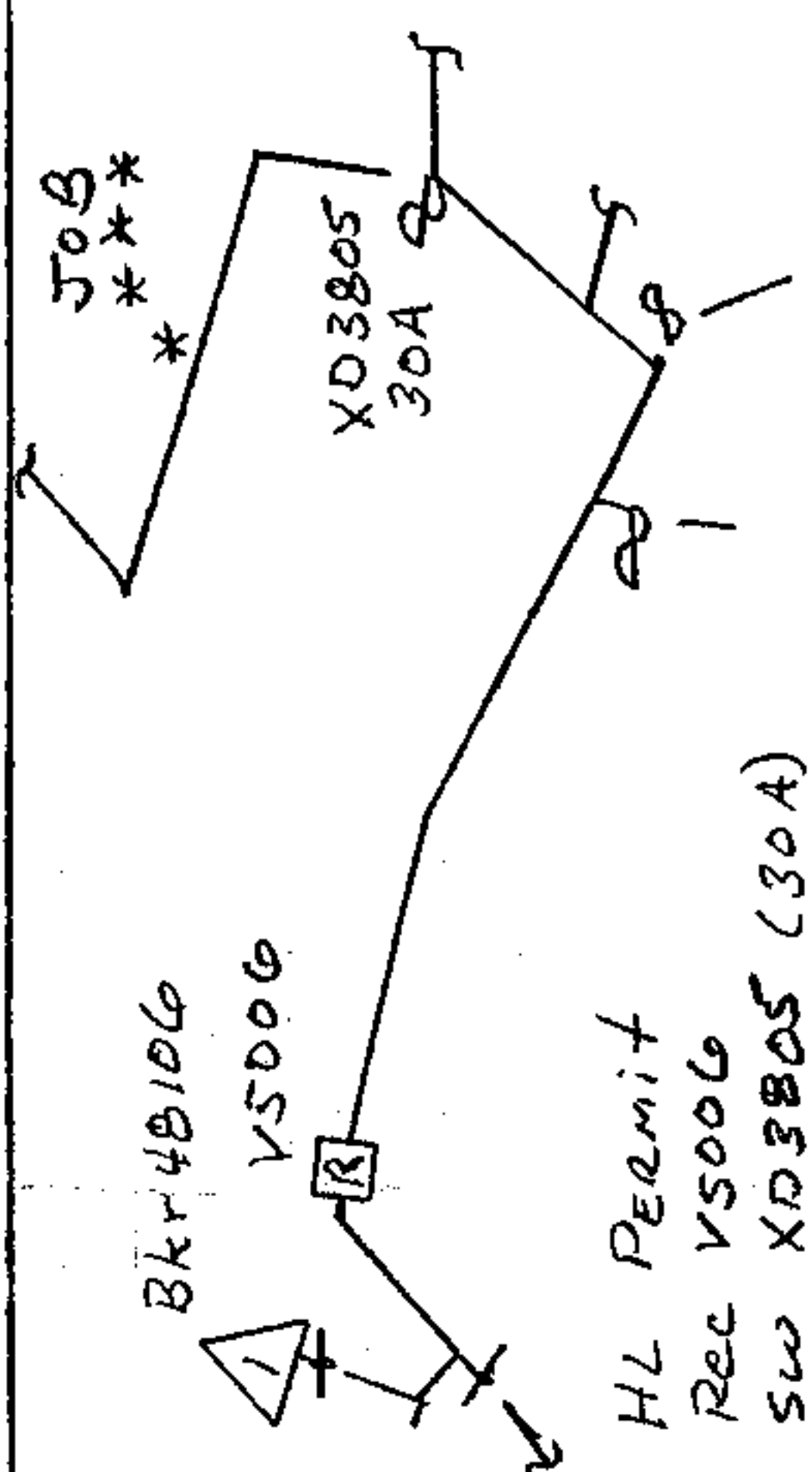
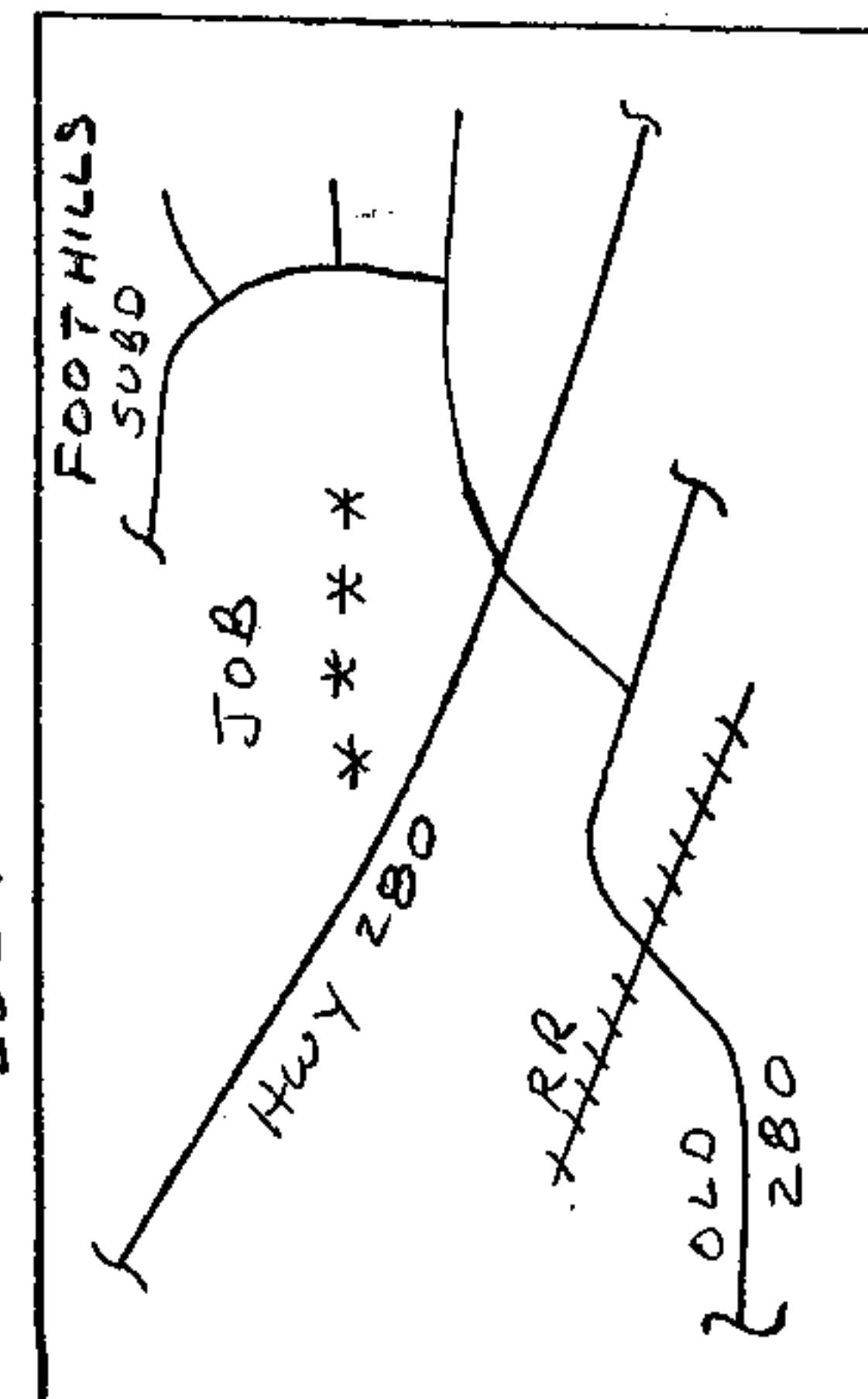
"MISS-ALL" # 1-800-292-8525	
DATE CALLED	LOCATION REQUEST #
WATER WORKS	DATE CALLED
TRANSFER OF ATTACHMENTS	
YES	NO
OTHER	KNOWLEDGE
CHARTER	OTHER

target  
**ZERO**  
ONE DAY AT A TIME

PERFORM  
JSA

CL = 118 kVA  
VD = 4.2 %

- Customer to install (2) 5" CONDUIT ENCASED IN CONCRETE



SCALE	NTS
Ft. Per Inch	20:1

Inst. Completed By \_\_\_\_\_ Date \_\_\_\_\_