

\$17.50

STA 1+00 To STA 1+125

EASEMENT - DISTRIBUTION FACILITIES (Metes and Bounds)

TO BE RECORDED: YES NO

This instrument prepared by:

STATE OF ALABAMA }
COUNTY OF SHELBY }
TAX ID # 23-6-14-2-002-005.000

W.E. No. 61700-00-02358
Parcel No. 70210037
Transformer No. X178

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

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That O'Reilly Automotive, 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 successor 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. 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 conduits, fiber optics, cables, trans closures, transformers, and other Facilities useful or necessary in connection therewith (collectively, "Facilities"), for the 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.

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 1-A, according to the Map of O'Reilly Re-Survey, a resurvey of Lots 1,2,3,4,15,16, and 17, Maxwell's Addition to Elliottsville, as is recorded in Map Book 39, Page 88, in the office of the Judge of Probate, Shelby County, Alabama. (NW 1/4 of the NW 1/4 of Section 14, Township 21 South, Range 3 West)

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 23rd day of July, 2008.

Becky Piland
Witness Becky Piland
Camille Strickland
Witness Camille Strickland

(Grantor)
O'Reilly Automotive, Inc
By: [Signature] (SEAL)
As:

Barcode
20080829000347090 1/3 \$17.50
Shelby Cnty Judge of Probate, AL
08/29/2008 11:45:19AM FILED/CERT

70210037

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by Greg Henslee its authorized representative, as of the 23rd day of July, 2008.

ATTEST (if corporation) or WITNESS:

O'Reilly Automotive, Inc
(Grantor - Name of Corporation/Partnership/LLC)
By: [Signature] (SEAL)
Its: Co-President
[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: _____

TRUSTEE/CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF Missouri }
COUNTY OF Greene }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Greg Henslee, whose name as Co-President of O'Reilly Automotive, Inc. a Missouri Corporation [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 Co-President and with full authority, executed the same voluntarily for and as the act of said O'Reilly Automotive, Inc [acting in such capacity as aforesaid].

Given under my hand and official seal, this the 23rd day of July, 2008

[SEAL] VICTORIA SCHAFER
Notary Public - Notary Seal
STATE OF MISSOURI
Greene County - Comm.#07452167
My Commission Expires Jan. 20, 2011

[Signature]
Notary Public
My commission expires: 1-20-2011

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____ Station to Station: _____

