

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: X NO

This instrument prepared by:

STATE OF ALABAMA

}

W.E. No. 61700-40-0065-8

COUNTY OF SHELBY

}

Parcel No. 70213526

TAX ID #

Transformer No. S16939

Rita M. Griffin

Alabama Power Company

P. O. Box 2641

Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Southern Electric Generating Company 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:

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 cross-hatching 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.

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"):

A parcel of land located in the NE ¼ and the SE ¼ of Section 31 and the SW ¼ of Section 32, all in Township 20 South, Range 2 East, being more particularly described in Deed Book 181, at page 550 and Deed Book 187 Page 529, as is recorded 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 said Grantor, has caused this instrument to be executed by MOSES H. FEAGIN, its authorized representative, as of the 24th day of September, 2008.

WITNESS:

By: Mary K. Jones

Its: Executive Secretary

SOUTHERN ELECTRIC GENERATING COMPANY

By: Moses H. Feagin (SEAL)

Its: Comptroller



20081006000393650 1/3 \$17.50
Shelby Cnty Judge of Probate, AL
10/06/2008 10:02:46AM FILED/CERT

70212526

NOTARY

STATE OF ALABAMA }
COUNTY OF JEFFERSON}

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that MASEN V. Feagin, whose name as Comptroller of Southern Electric Generating Company, a corporation, 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 officer and with full authority, executed the same voluntarily for and as the act of said corporation [acting in such capacity as aforesaid].

Given under my hand and official seal, this the 24th day of September, 2008.

Mary Kunes
Notary Public

[SEAL]

My commission expires. **NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug 16, 2009
BONDED THRU NOTARY PUBLIC UNDERWRITERS**

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: ____ Station to Station: _____

Shelby County, AL 10/06/2008
State of Alabama

Deed Tax: \$.50


20081006000393650 2/3 \$17.50
Shelby Cnty Judge of Probate, AL
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