

EASEMENT - DISTRIBUTION FACILITIES
(Lot and Block)

TO BE RECORDED: YES ☒ NO ☐

This instrument prepared by:

STATE OF ALABAMA

COUNTY OF

TAX ID #

W.E. No.

Parcel No.

Transformer No.

Alabama Power Company

P. O. Box 2641

Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That

Stivender

Paul David Stivender, and wife, Martha Bellenger

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, by 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 4-5 of Block _____ of Survey of Mountain View Lake Company, H&S Subdivision as recorded in Map Book 3, page 135 and being located in the SE 1/4 of the NW 1/4 of Section 24, Township 18 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 hand(s) and seal(s) this the 2nd day of April, 2009.

Witness

Witness

Witness

(Grantor)

(Grantor)

By:

As:

(SEAL)

(SEAL)

(SEAL)



20090424000150640 1/3 \$17.50
Shelby Cnty Judge of Probate, AL
04/24/2009 09:09:08AM FILED/CERT

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by _____
its authorized representative, as of the _____ day of _____, 20____.

ATTEST (if corporation) or WITNESS:

(Grantor - Name of Corporation/Partnership/LLC)

By: _____

By: _____ (SEAL)

Its: _____

Its: _____

[indicate President, General Partner, Member, etc.]

INDIVIDUAL NOTARIES

STATE OF ALABAMA }
COUNTY OF Shelby }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Paul and Martha Stivender
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 2nd day of April, 2009.

[SEAL]

Abby Leigh Smith
Notary Public
My commission expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug 28, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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 ALABAMA }
COUNTY OF _____ }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that _____
whose name as _____ of _____
a _____ [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 _____ and with full authority, executed the same voluntarily for and as the
act of said _____ [acting in such capacity as aforesaid].

Given under my hand and official seal, this the _____ day of _____, _____.

[SEAL]

Notary Public
My commission expires: _____


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Shelby Cnty Judge of Probate, AL
04/24/2009 09:09:08AM FILED/CERT

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____

Station to Station: _____

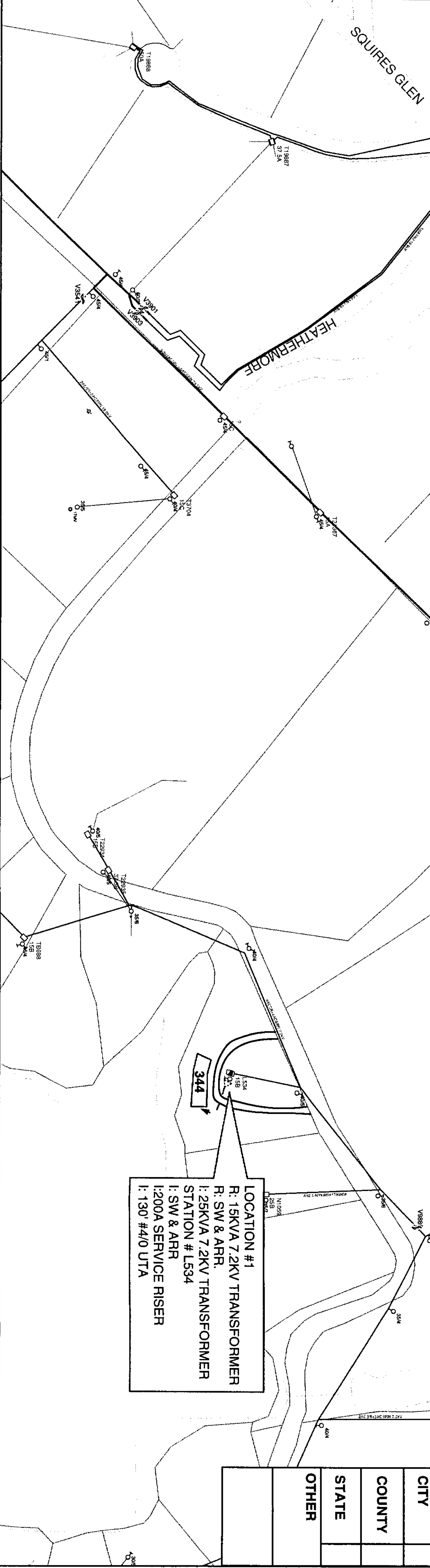
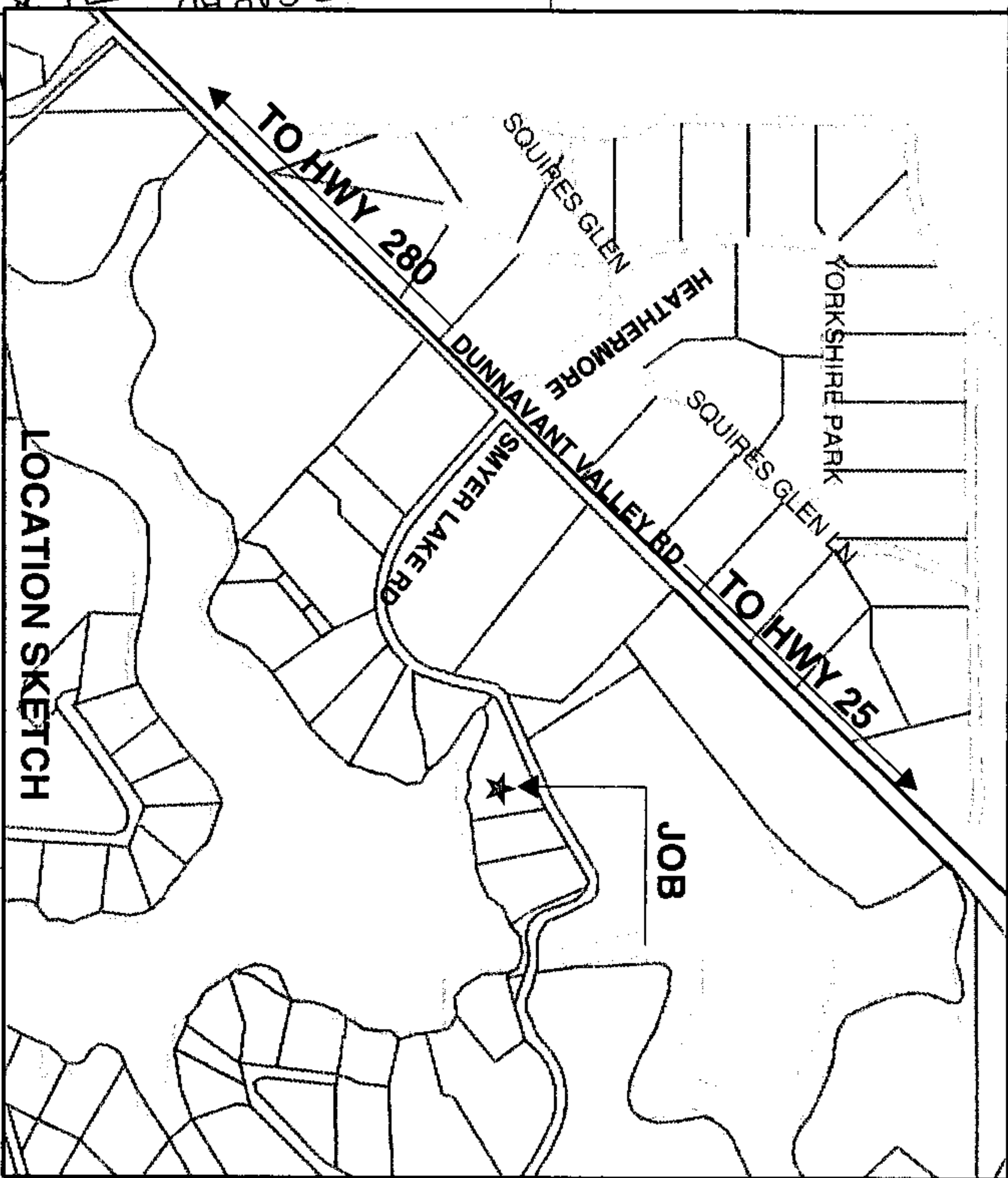
SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Map Center UTM: 1762801 12145355

Map Center Latlon: -86.598604 33.455989

1 inch equals 195 feet

Customer ANDY CHAUVIN	Location 344 SMYER LAKE RD	Cmtd. Svc Date 12-19-2009	County Shelby	Section 24	Township 18S	Range 01W	Add'l Info.	Estimate No. A6150-00-AQ09
Division SOUTH	District EAST JEFF	Town LEEDS	UserID jroden	Created: 4/1/2009	Substation X- Y-			MISSALL#



LOCATION #1
R: 15KVA 7.2KV TRANSFORMER
R: SW & ARR.
I: 25KVA 7.2KV TRANSFORMER
STATION # L534
I: SW & ARR
I: 200A SERVICE RISER
I: 130' #4/0 UTA

ENERGIZED LINE WORK
Sub _____
OCB/OCR _____
Switch# _____
Fuse Size _____

Transformer Loading
Loc 1
CALC LD = 11.4
VD = 1.42
VDF = 3.69



Pri	7.2	Sec	120	Voltage	240
Phone Co.					
Cable Co.					
Accessible	Y				
Tree Crew					
Rock Hole					
Permits					
R/W	Y				
CITY					
COUNTY					
STATE					
OTHER					

20090424000150640 3/3 \$17.50
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Shelby County, AL 04/24/2009
State of Alabama
Deed Tax: \$.50