

\$ 500.00

EASEMENT - DISTRIBUTION FACILITIES
(Metes and Bounds)

TO BE RECORDED: YES X NO

This instrument prepared by:

STATE OF ALABAMA }

W.E. No. 61700-00-03728

Jeff J. Callicott

COUNTY OF SHELBY }

Parcel No. 70221984

Alabama Power Company

TAX ID # 03-9-32-0-001-005.005

Transformer No. S17211, S17212, S18210

P. O. Box 2641

Birmingham, Alabama 35291

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That STV One Nineteen Senior Living, LLC

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"):

For legal description, see Exhibit "A" attached hereto and made a part hereof.

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 10TH day of FEBRUARY, 2009.

Witness

(Grantor)

(SEAL)

Witness

STV One Nineteen Senior Living, LLC

(SEAL)

(Grantor)

By:

As:

AUTHORIZED AGENT

(SEAL)



20090424000150700 1/4 \$20.50
Shelby Cnty Judge of Probate, AL
04/24/2009 09:09:14AM 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 _____ }

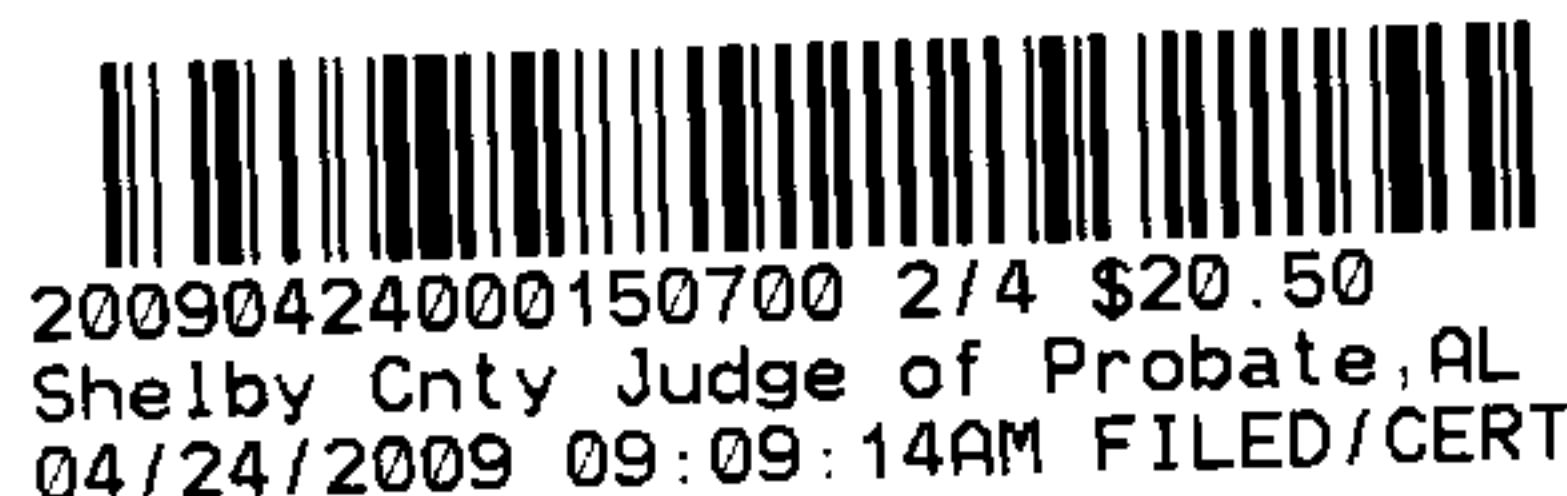
I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that _____ whose name(s) is/are signed to the foregoing instrument and who is/are known to me, acknowledged before me on this day that being informed of the contents of the instrument, he/she/they executed the same 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 ALABAMA }

COUNTY OF SHELBY }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that JOHN C. GORECKI, whose name as AUTHORIZED AGENT of STV One Nineteen Senior Living, LLC an ALLEGARE LIMITED LIABILITY COMPANY 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 10TH day of FEBRUARY, 2009.

[SEAL]

Cherry Ann Jones
Notary Public
My commission expires: _____
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Feb 1, 2013
BONDED THRU NOTARY PUBLIC UNDERWRITERS

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____

Station to Station: _____

20090424000150700 3/4 \$20.50
Shelby Cnty Judge of Probate, AL
04/24/2009 09:09:14AM FILED/CERT

70221984

EXHIBIT "A"
THE PROPERTY

The following Property shall be known as Lot 1-B according to St. Vincent's Hospital No. 119 Survey:

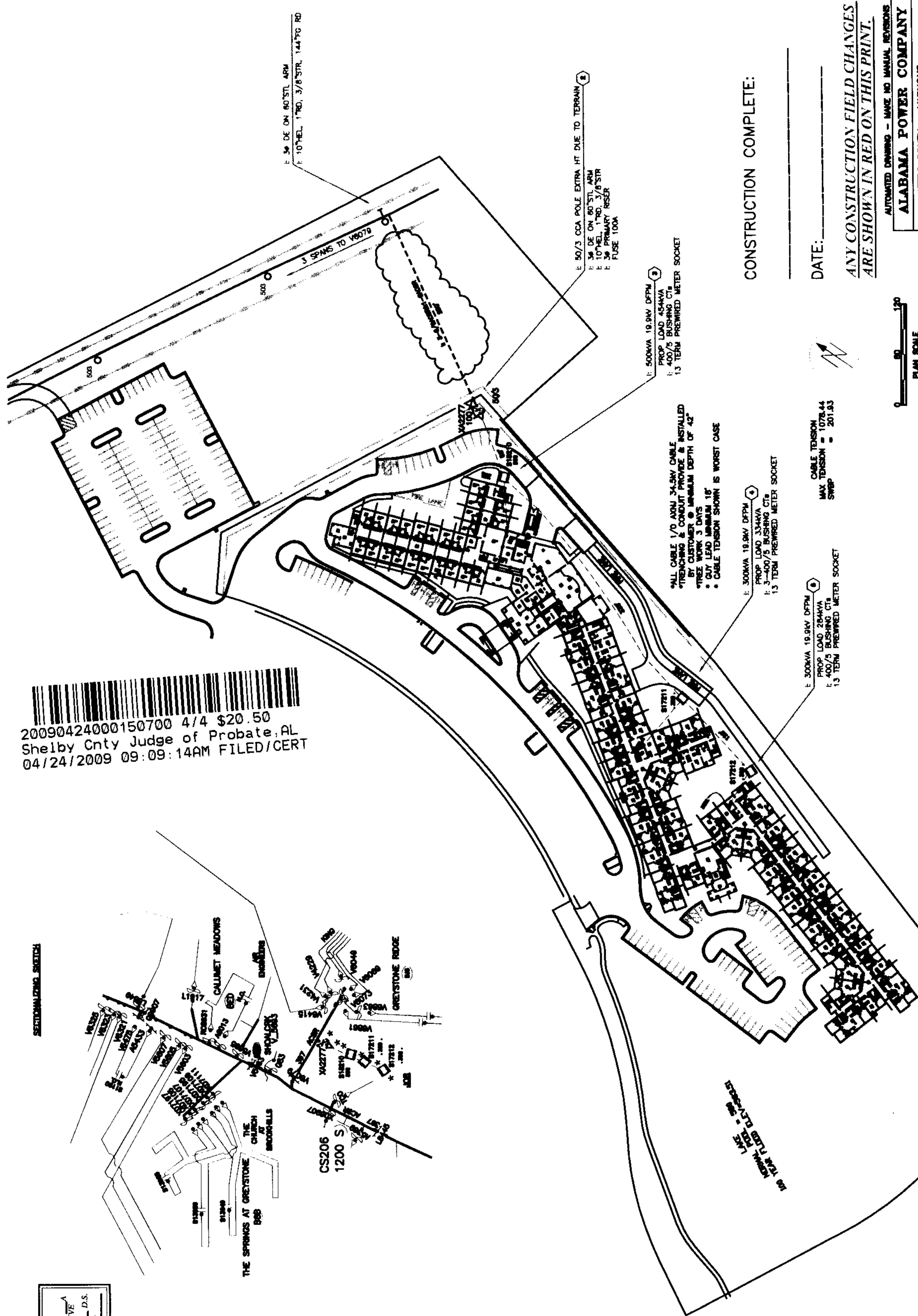
A part of LOT 1, GREYSTONE – 3RD SECTOR as recorded in Map Book 14, Page 79 in the office of the Judge of Probate of Shelby County, Alabama and situated in the NW 1/4 and the NE 1/4 of Section 32, Township 18 South, Range 1 West Shelby County, Alabama and being more particularly described as follows:

Begin at the Southeasterly Corner of LOT 1, GREYSTONE – 3RD SECTOR as recorded in Map Book 14, Page 79 in the office of the Judge of Probate of Shelby County, Alabama, said point being on the Northerly right-of-way line of Greystone Way as recorded in Map Book 29, Page 123 in the office of the Judge of Probate of Shelby County, Alabama, and run in a Northeasterly direction along the Southeasterly line of said Lot 1 a distance of 569.13 feet to a point; thence 3°53'00" to the left in a Northeasterly direction along the Southeasterly line of said Lot 1 and it's prolongation a distance of 424.81 feet to a point; thence 76°04'07" to the left in a Northwesterly direction a distance of 352.05 feet to a point; thence 58°04'29" to the left in a Southwesterly direction a distance of 72.43 feet to a point on a curve to the right having a radius of 655.00 feet and a central angle of 47°12'36"; thence 78°56'03" to the left (angle measured to tangent) in a Southeasterly, Southerly and Southwesterly direction along the arc of said curve a distance of 539.70 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in a Southwesterly direction a distance of 39.65 feet to a point; thence 90°00'00" to the right in a Northwesterly direction a distance of 25.00 feet to a point; thence 90°00'00" to the left in a Southwesterly direction a distance of 70.27 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 517.00 feet and a central angle of 24°29'13"; thence in a Southwesterly direction along the arc of said curve a distance of 220.95 feet to the P.R.C. (Point of Reverse Curve) of a curve to the left having a radius of 370.50 feet and a central angle of 23°26'54"; thence in a Southwesterly direction along the arc of said curve a distance of 151.63 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in a Southwesterly direction a distance of 72.81 feet to a point on the Northerly right-of-way line of Greystone Way; thence 91°09'24" to the left in a Southeasterly direction along the Northerly right-of-way line of Greystone Way a distance of 207.31 feet to the P.C. (Point of Curve) of a curve to the left having a radius of 410.00 feet and a central angle of 43°51'30"; thence in a Southeasterly, Easterly, and Northeasterly direction along the Northerly right-of-way line of Greystone Way and along the arc of said curve a distance of 313.84 feet to the POINT OF BEGINNING.

Containing approximately 8.990 acres.

20071228000583650 3/4 \$675.50
Shelby Cnty Judge of Probate, AL
12/28/2007 04:12:58PM FILED/CERT

20090424000150700 4/4 \$20.50
Shelby Cnty Judge of Probate, AL
04/24/2009 09:09:14AM FILED/CERT



CONSTRUCTION COMPLETE:

DATE:

**ANY CONSTRUCTION FIELD CHANGES
ARE SHOWN IN RED ON THIS PRINT.**

AUTOMATED DRAWING - MAKE NO MANUAL REVISIONS
 ALABAMA POWER COMPANY
 JOB METRO SOUTH - VARNOS
 DETAIL SOMMERBY
 SCALE 1" = 60' PLOTTED 01-13-02
 SHEET 1 OF 1 SHEETS
 C-A8170-00-05728
 SUPERSEDES

0 60 120
PLAN SCALE

TOWN: GREYSTONE	COUNTY: DE	DATE: _____
MAP REF: _____	SEC- 32.11	DRAWN BY: ENGR. E. BRASHER
		APPROVED: _____
		APPROVED: _____

ENGINEER: ERIC BRASHER
RADIO #11414

S:\Workgroups\APC Birmingham Division\Division Mapping\Cadet\2008\61700_Metro South-Varnons\A61700003728.dwg, 3/23/2009 7:46:21 AM

Shelby County, AL 04/24/2009
State of Alabama

Deed Tax: \$.50

FOR ENERGIZED LINE WORK:
OBTAIN HL WORK PERMITS @ : _____ A
L6036 500A WVE _____
SUBSTATION: _____ GREYSTONE _____ D.S. _____
FEEDER: 2 _____ BREAKER: 49222 _____

HOLLERS HOLLWOOD

TO LEADS

OPEN STOP

200

High Demand

APC Birmingham
