

20090522000195090 1/6 \$26.50  
Shelby Cnty Judge of Probate, AL  
05/22/2009 01:49:51 PM FILED/CERT

Shelby County, AL 05/22/2009  
State of Alabama  
Deed Tax : \$.50

Right of Way  
CALERA TO COLUMBIANA TL. (TL-2-1-30)  
BIRMINGHAM DIVISION

**70222098 (Affects: 4958)**

This instrument prepared in the  
Corporate Real Estate Office  
Alabama Power Company  
P.O. Box 2641  
Birmingham, AL 35291  
By: William A. Tidwell

STATE OF ALABAMA }  
COUNTY OF SHELBY }

*\$ 500<sup>00</sup>*

Columbiana Properties, LTD. [hereinafter known as Grantor], for and in consideration of the sum of one Dollar (\$ 1.00) in hand paid by Alabama Power Company, a corporation, (hereinafter known as Grantee), the receipt whereof is acknowledged, do hereby grant to said Alabama Power Company, its successors and assigns, the right to construct, operate and maintain electric transmission and communication lines and all towers, poles, conduits, conductors, cables, insulators, anchors, guy wires, counterpoise conductors, and all other appliances necessary or convenient in connection therewith from time to time over, under and across, a strip of land **varying** in width, as said strip is now located by the final location survey thereof heretofore made by said Company, over, under and across the lands of which it is hereinafter described as being a part, together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof for the purposes above described, including the right of ingress and egress to and from said strip and the right to cut, remove, or otherwise kill, and keep clear by any means, including chemicals, all trees and undergrowth and all other obstructions under, on or above said strip and the right to cut such timber outside of said strip which in falling would come within five (5) feet of any conductor on said strip, and the right to install, maintain and use anchors and guy wires on land adjacent to said strip, and the right to install grounding devices on grantors' fences now or hereafter located on such strip and on fences or other structures of grantors now or hereafter located adjacent to such strip, and the right to prevent the use of such strip as a parking area for automobiles or other vehicles, as a storage area for machinery or materials, or as a road other than a road crossing such strip at a location which does not endanger or interfere with works that have been or may at some future date be constructed on such strip, said strip and the lands of which the same is a part being described as follows:

**A parcel of land situated in the Northeast 1/4 of Section 26, Township 21 South, Range 1 West of Shelby County, Alabama, more particularly as follows:**

**Commence at the Northwest corner of Section 26, Township 21 South, Range 1 West; thence in a Southerly direction along said section line a distance of 3860.7 feet more or less to a point on the centerline of a 100 foot wide Alabama Power Company Transmission Line Right-of-Way (Columbiana- Calera Transmission Line); thence in a Northeasterly direction along the centerline of said 100 foot wide Alabama Power Company Transmission Line Right-of-Way a distance of 3700 feet more or less to a point, said point being 50 feet northwesterly of and perpendicular to the point of intersection of the Southerly Right-of-Way line of said 100 foot wide Alabama Power Company Transmission Line Right-of-Way and the Southerly lot line of Columbiana Properties LTD. as shown on the drawing of Jack's Family Restaurant Site Development Plans, Sheet C-3 dated January 8, 2009 by St. John & Associates, Inc. Consulting Engineers and Planners, Cullman, Alabama; thence 90°00'00" to the right in a Southeasterly direction a distance of 50 feet to said point of intersection of said Southerly Right-of-Way line and said Southerly lot line, said point also being the Point of Beginning of the hereinafter described parcel; thence in an Easterly direction along said southerly lot line a distance of 75 feet to a point; thence in a Northeasterly direction a distance of 85 feet more or less to the point of intersection of the Southerly Right-of-Way line of said 100 foot wide Alabama Power Company Transmission Line Right-of-Way and the Easterly lot line of Columbiana Properties LTD. (Jack's Restaurant); thence in a Southwesterly direction along said Southerly Right-of-Way line a distance of 145 feet more or less to the point of beginning. Said parcel containing 0.06 acres, more or less. Situated, lying, and being in Shelby County, Alabama.**

**The Drawing of Jack's Family Restaurant Site Development Plans with the Area (marked in green) to be permitted under this Permit, is Marked as Exhibit "A" and is attached.**

**The Affected Parcel Number 4958 is Marked as Exhibit "B" and is attached.**

The grantor covenant with the said Grantee, that they are lawfully seized in fee of the above described land; that it is free from all encumbrance; that they have a good right to convey the same to the said Company, and that they will warrant and defend the said land to the said Company forever.

TO HAVE AND TO HOLD the same to the said Grantee, its successors and assigns, forever.

The grantors shall have the right to cultivate and use said strip of land for any purpose not inconsistent with the rights which the grantee may from time to time exercise hereunder.





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IN WITNESS WHEREOF, the said Columbiana Properties LTD has caused this instrument to be

executed in its name by William T. Rasco, as its

GENERAL PARTNER, and attested by

\_\_\_\_\_, its \_\_\_\_\_, and its

corporation seal to be affixed, on this the 30 day of April, 2009.

ATTEST:

Its: \_\_\_\_\_

William T. Rasco  
BY: Gen Partner  
Its: \_\_\_\_\_

GRANTEE'S ADDRESS  
ALABAMA POWER CO  
P.O. BOX 2641  
BIRMINGHAM, AL 35291  
ATT: CORP REAL ESTATE

STATE OF Alabama }  
COUNTY OF Shelby }

I, Larry D. Gravitt, a Notary Public in and for said County in said State,  
hereby certify that William T. Rasco, whose name as  
Gen. Partner of Columbiana Properties LTD, 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, as such officer and with full authority,  
executed the same voluntarily, for and as the act of said corporation.

Given under my hand and official seal this the 30<sup>th</sup> day of April, 2009.

Larry D. Gravitt

My Commission Expires: 2-6-10

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }

I, \_\_\_\_\_, a Notary Public in and for said County in said State,  
hereby certify that \_\_\_\_\_, whose name as  
\_\_\_\_\_ of \_\_\_\_\_, 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, as such officer and with full authority, executed the  
same voluntarily, for and as the act of said corporation.

Given under my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

My Commission Expires: \_\_\_\_\_

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ }

I, \_\_\_\_\_, a Notary Public in and for said County in said State,  
hereby certify that \_\_\_\_\_, whose name as  
\_\_\_\_\_ of \_\_\_\_\_, 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, as such officer and with full authority, executed the same  
voluntarily, for and as the act of said corporation.

Given under my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

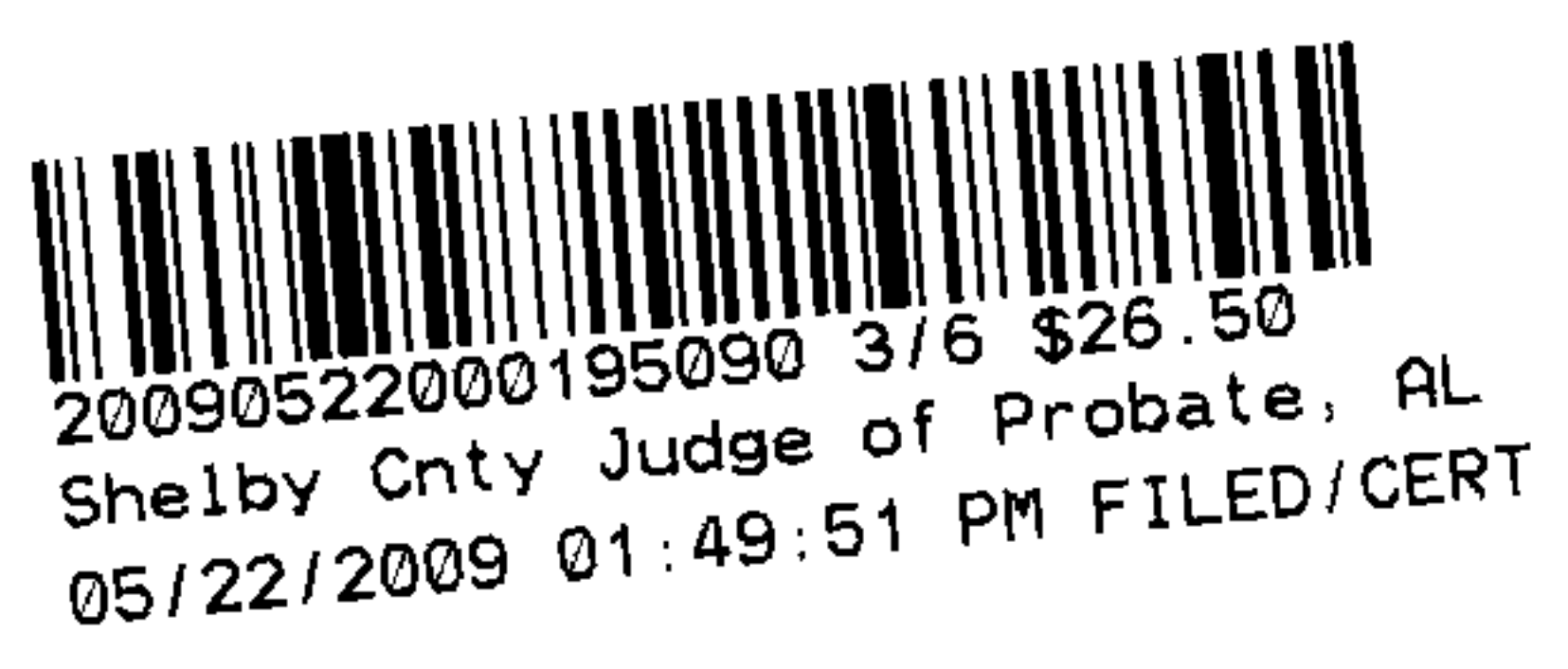
My Commission Expires: \_\_\_\_\_

STATE OF }  
COUNTY OF }

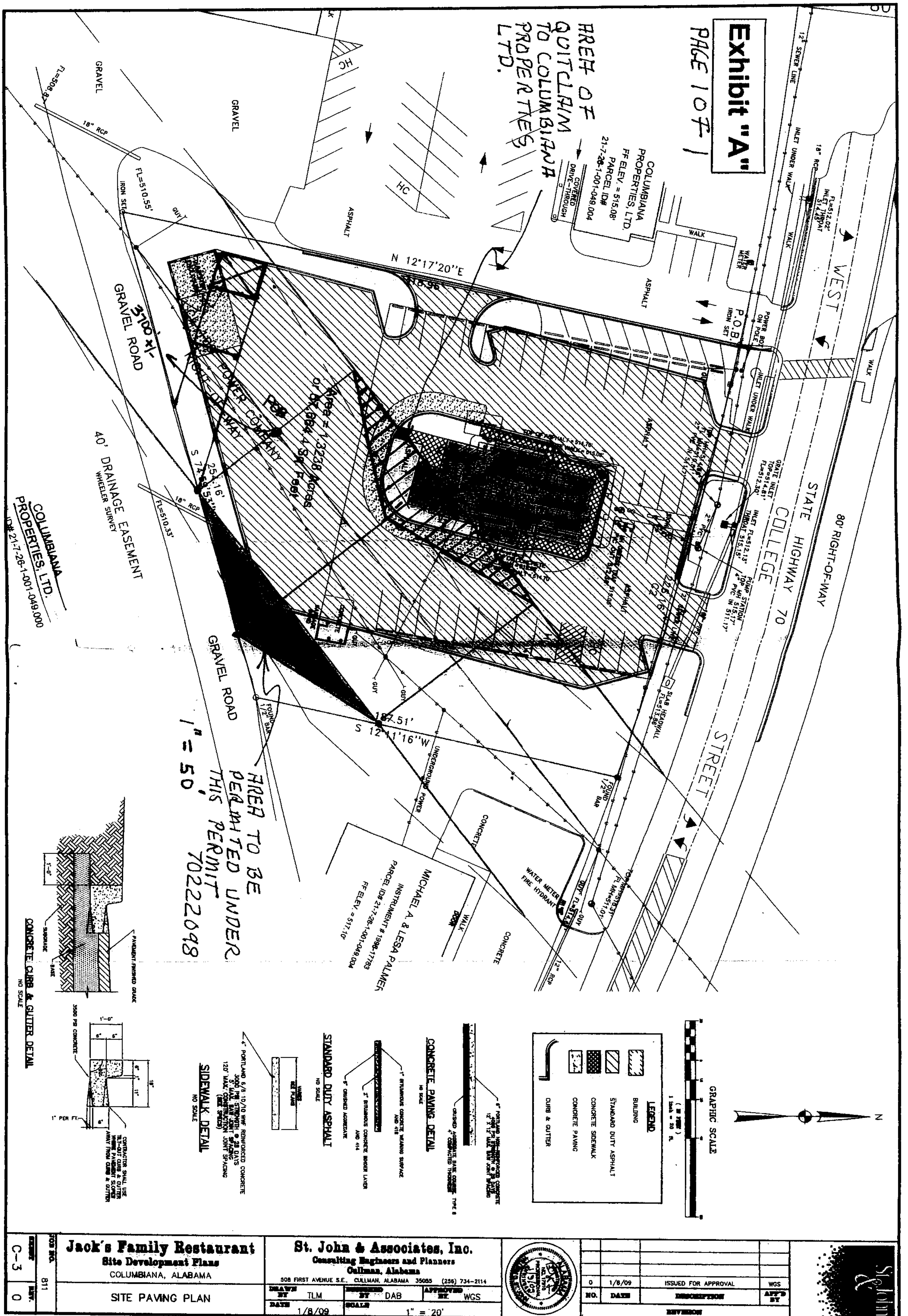
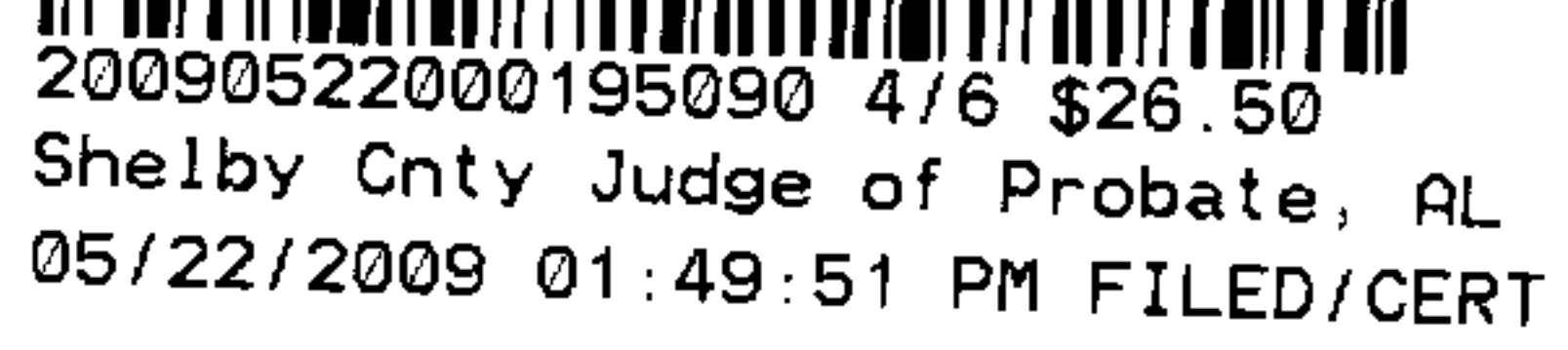
I, \_\_\_\_\_, a Notary Public in and for said County in said State,  
hereby certify that \_\_\_\_\_, whose name as  
\_\_\_\_\_ of \_\_\_\_\_, a corporation, is signed to the foregoing  
instrument, and who is known to me, acknowledged before me on this day that, being informed of the  
contents of the instrument, he, as such officer and with full authority, executed the same voluntarily, for  
and as the act of said corporation.

Given under my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

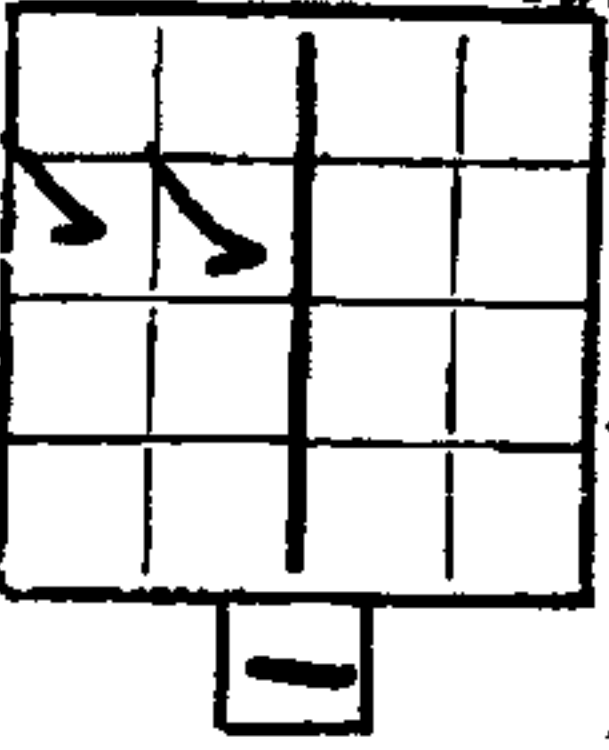








11800000123



4958

County of Shelby

J. H. Williams and a widow Shelby  
for and in consideration of the sum of one thousand & 00/100 Dollars  
(\$ 1000.00) to me in hand paid by Alabama Power Company, a corporation, the

receipt whereof is acknowledged, do hereby grant to said Company, its successors and assigns, the right to construct, operate and maintain electric transmission lines and all telegraph and telephone lines, towers, poles and appliances necessary or convenient in connection therewith from time to time upon a strip of land one hundred feet in width, as said strip is now located by the final location survey thereof heretofore made by said Company, over and across the lands of which it is hereinafter described as being a part, said survey to determine the boundaries of said strip, together with all rights and privileges necessary or convenient for the full enjoyment or use thereof for the purposes above described, including the right of ingress and egress to and from said strip and the right to cut and keep clear all trees and undergrowth and other obstruction on said strip and danger trees adjacent thereto which now or may hereafter injure or endanger any of the works on said strip, and the right to install, maintain and use anchors and guy wires on land adjacent to said strip.

Said strip is a part of a tract of land situated in Shelby  
County, Alabama, described as follows:

The west half of north east quarter of  
section 26 Township 21 North Range 1 West

Said strip is approximately described as follows: Fifty feet on east side  
of a line and the continuation thereof;  
Commence at a point on west boundary  
of said section 26 said point being south  
38.60 feet from north west corner of said  
section 26. Thence run north 35 degrees  
21 minutes East 358.43 feet to a point;  
This is the point of beginning; Thence run  
north 55 degrees 21 minutes east 92.7 feet  
more or less to a point in center of public  
road.

TO HAVE AND TO HOLD the same to the said Company, its successors and assigns, forever.  
The grantors shall have the right to cultivate and use said strip of land for any purpose not inconsistent with the rights which the grantee may from time to time exercise hereunder.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 25  
day of February, 1926

WITNESS:  
J. H. Williams (Seal)  
(Seal)

Exhibit "B"

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STATE OF Alabama  
County of Shelby  
I, L. B. Riddle, a Judge of Probate  
in and for said County in said State, do hereby certify that J.H. Williams M.D. whose name is is known to me, acknowledged before me 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 executed the same voluntarily, on the day the same bears date.  
Given under my hand and official seal, this the 25 day of February, 1926  
L. B. Riddle  
Judge of Probate

01056

Calera-Columbiana LINE  
Parcel No. 4958 Abstract No. \_\_\_\_\_  
Distance \_\_\_\_\_ Consideration \$ \_\_\_\_\_  
THE STATE OF ALABAMA  
Shelby County  
Transmission Line Permit  
FROM  
J.H. Williams, M.D.  
TO  
ALABAMA POWER COMPANY  
Form 5185  
THE STATE OF ALABAMA. } ss.  
Shelby County. }  
I hereby certify that the within instrument was filed in my office for record on the 15<sup>th</sup> day of March 1926 at 8 o'clock A. M., and duly recorded in Deed Book 80, Page 221 and examined.  
L. B. Riddle  
Judge of Probate of said County.

OK  
Rvd P  
74  
8/25  
50  
8/25  
REPORTED  
Check

STATE OF \_\_\_\_\_  
County of \_\_\_\_\_  
I, \_\_\_\_\_, a \_\_\_\_\_, do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 192\_\_\_\_, came before me the within named \_\_\_\_\_, known to me to be the wife of the within named \_\_\_\_\_ who being examined separate and apart from the husband touching her signature to the within instrument, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of the husband.  
Given under my hand and official seal, this the \_\_\_\_\_ day of \_\_\_\_\_ 192\_\_\_\_