

EASEMENT - DISTRIBUTION FACILITIES

STATE OF ALABAMA }

COUNTY OF SHELBY }

W.E. No. A6170-05-BD09

APCO Parcel No. 70225042

Transformer No. S17434

This instrument prepared by: Jeff J. Callicott

Alabama Power Company
P. O. Box 2641
Birmingham, Alabama 35291

\$ 500.00



20090923000363670 1/3 \$17.50
Shelby Cnty Judge of Probate, AL
09/23/2009 02:18:48 PM FILED/CERT

Shelby County, AL 09/23/2009

State of Alabama

Deed Tax : \$.50

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That 3Kids, 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 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 selected by the Company which is generally shown on the Company's drawing, attached hereto and made a part hereof, (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 each side of the center line of underground Facilities and fifteen feet (15') to each 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 said route as selected by the Company generally shown on said 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 said route selected by the Company generally shown on said 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 2, according to the Survey of Riverwoods Commercial, as recorded in Map Book 38, Page 131, and recorded in Deed Record
20090624000244040, on June 24, 2009, in the office of the Judge of Probate, Shelby County, Alabama. (SW1/4 of the SE1/4 of
Section 17, Township 20 South, Range 3 West)

Tax ID 13-4-17-0-001-001.004

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 21 day of August, 2009.

Witness

(Grantor)

(SEAL)

Witness

3Kids, Inc.

(SEAL)

(Grantor)

By:

(SEAL)

As:

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____

Station to Station: STA 1+00 TO STA 2+00

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



20090923000363670 2/3 \$17.50
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____ its authorized

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

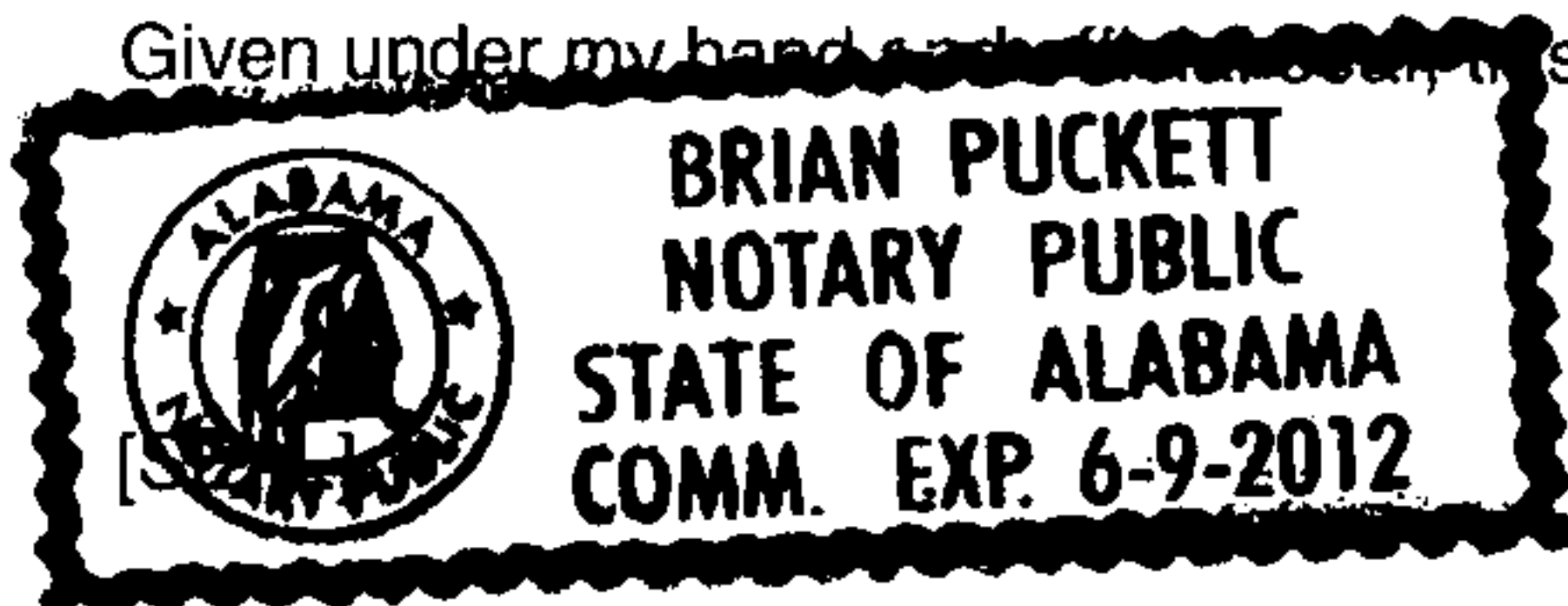
STATE OF ALABAMA }

COUNTY OF SHELBY }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that DAVID WILSON
_____, whose name as PRESIDENT of 3Kids, Inc.

_____, an Alabama 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 _____ 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 21ST day of AUGUST, 2009

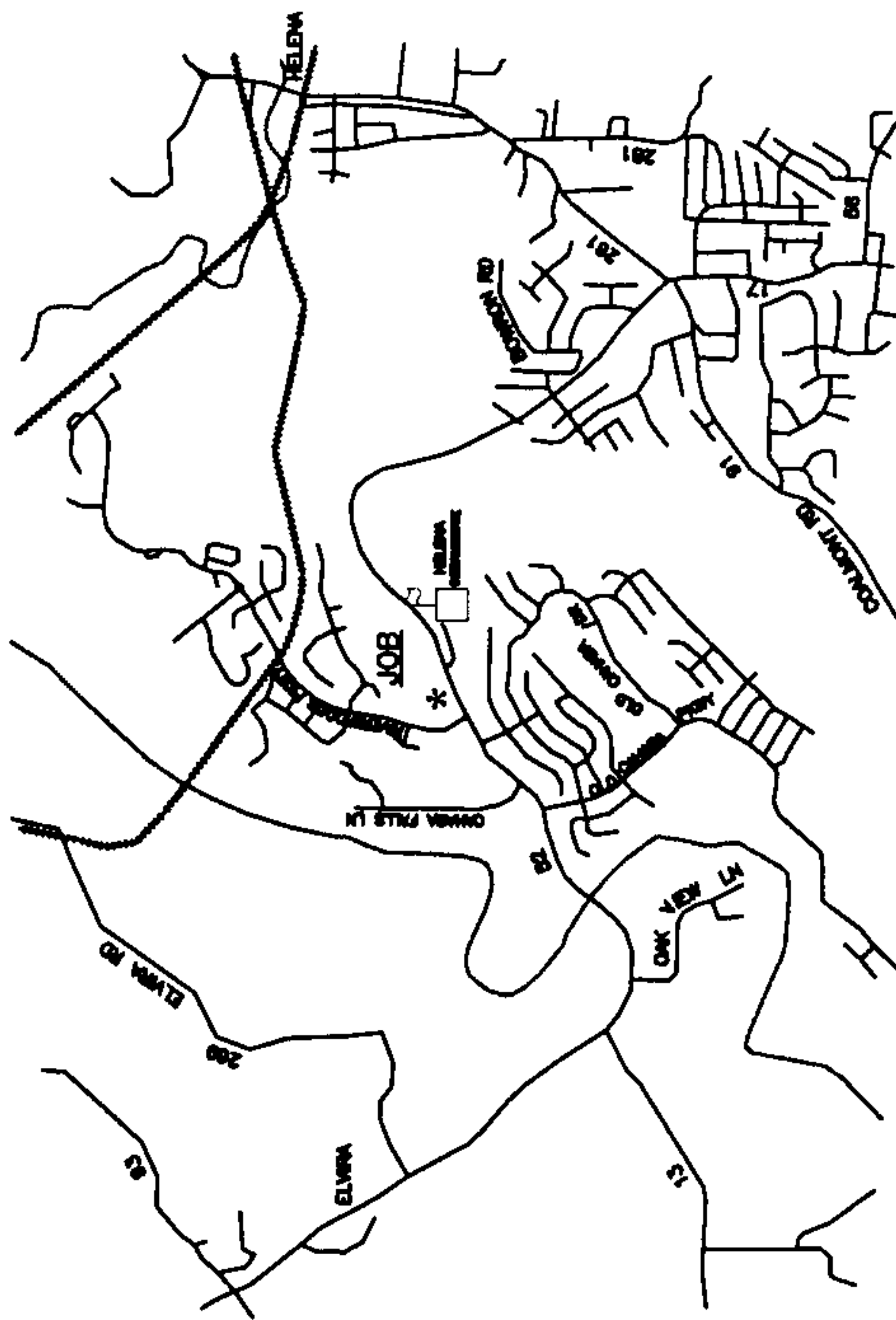


Notary Public
My commission expires: 6-9-2012

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[illegible]

LOCATION SKETCH



1. APCs TO INSTALL CONDUCTOR IN 3" CONDUIT INSTALLED BY CUSTOMER.
2. CUSTOMER TO TRENCH 40" DEEP & INSTALL 2-6" CONDUITS.

SHORT CIRCUIT
LO - 2842
LOWES - 739

70225042

CONSTRUCTION COMPLETE:

DATE:

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

ALABAMA POWER COMPANY
AUTOMATED DRAWING - MAKE NO MANUAL REVISIONS

PLAN SCALE	
TOWNE: HELENA	COUNTY: SHELBY
MAP REF:	SEC- 17 ,TP- 20S,R- 3W

DRAWN SLH BY ENGR B. PHILLIPS DATE 7/30/09
APPROVED _____ DATE _____
APPROVED _____ DATE _____

ENGINEER: BRYANT PHILLIPS
RADIO #17064

REVISSED: 08/17/09 SLH

RADIO #17064

FOR ENERGIZED LINE WORK:

OBTAIN HL WORK PERMITS @ : _____ A
SUBSTATION: _____ ELVIRA _____ D.S.
FEEDER: 1 BREAKER: 40106

SECTIONALIZING SKETCH

