

EASEMENT - DISTRIBUTION FACILITIES

STATE OF ALABAMA

COUNTY OF Shelby

W.E. No. A6170-05-BU09

APCO Parcel No. 70226581

Transformer No. S17487

This instrument prepared by: Larry D. Gravitt

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

Shelby County, AL 11/17/2009
State of Alabama
Deed Tax : \$.50

\$ 500.00



20091117000427850 1/3 \$17.50
Shelby Cnty Judge of Probate, AL
11/17/2009 01:31:41 PM FILED/CERT

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Shelby 19 Property, LLC (Lessee)

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"):

Site 19A, according to a redivision of Sites 19 & 20 of Final
Plat of Sector 1, Phase II, Shelby West Corporate Park, as
recorded in Map Book 41, Page 11, in the Records of Probate in
Shelby County, Alabama. Located in the NW1/4 of Section 19,
Township 21 South, Range 2 West.

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 hands and seals this the 30th day of October, 20 09.

Witness

Witness

Witness

(Grantor)

Shelby 19 Property, LLC

(Grantor)

By:

As:

James A. Howell
Member

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: X

Station to Station: _____

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 James A. Howell whose name as Member of Shelby 19 Property, LLC a LLC, 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 Member and with full authority, executed the same voluntarily for and as the act of said Shelby 19 Property, LLC [acting in such capacity as aforesaid].

Given under my hand and official seal, this the 30th day of October, 2009.

[SEAL]

[Signature]

Notary Public
My commission expires: 2-6-10



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SKEETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Map Center UTM: 1703692.37577822 12051405.6810208

Map Center LatLong: 33.198173 -86.793078

1 inch = 100 feet

Customer	Location	Comtd. Svc Date	County	Section	Township	Range	Add'l Info.	Estimate No.
SHELBY WEST DISTRIBUTION	CORPORATE WOODS DR	12-31-2009	Shelby	19	21S	02W	LINC RADIO 11414	A6170-05-BU09
Division	District	Town	UserID	Created:	Substation			MISSALL#
BHAM	SHELBY	CALERA	ernbrash	10/21/2009	X- 48816	Y- XA1413		

22

1: 50/3 CCA POLE
1: 3 PHASE TANGENT ON 26" STANDOFFS
1: 3 PHASE PRIMARY RISER FUSE 30 AMP
1: #6 CU ENHANCED GROUND

1: 300 KVA DFPM 277/480 VOLT
PROPOSED LOAD 279 KVA
1: 200/5 BUSHING CTS

CUSTOMER TO PROVIDE AND INSTALL TRENCHING AND 5" SCHEDULE 40 PVC CONDUIT WITH A NYLON PULL STRING FROM PROPOSED APCO POLE TO TRANSFORMER LOCATION. CUSTOMER TO PROVIDE AND INSTALL ALL SECONDARY CABLES, CONDUITS, AND TRENCHING.

METERING WILL BE 400/5 BUSHING CTS MOUNTED IN SECONDARY COMPARTMENT WITH 13 TERMINAL PRE WIRED CT METER SOCKET MOUNTED ON BUILDING WITHIN 30' OF TRANSFORMER.

Parcel # 70226581

XA2461

21

1: 110 AXNU 12 KV CB-1
300'

S17487

Longview D.S. BX 48816
FEEDER # 2

JOB

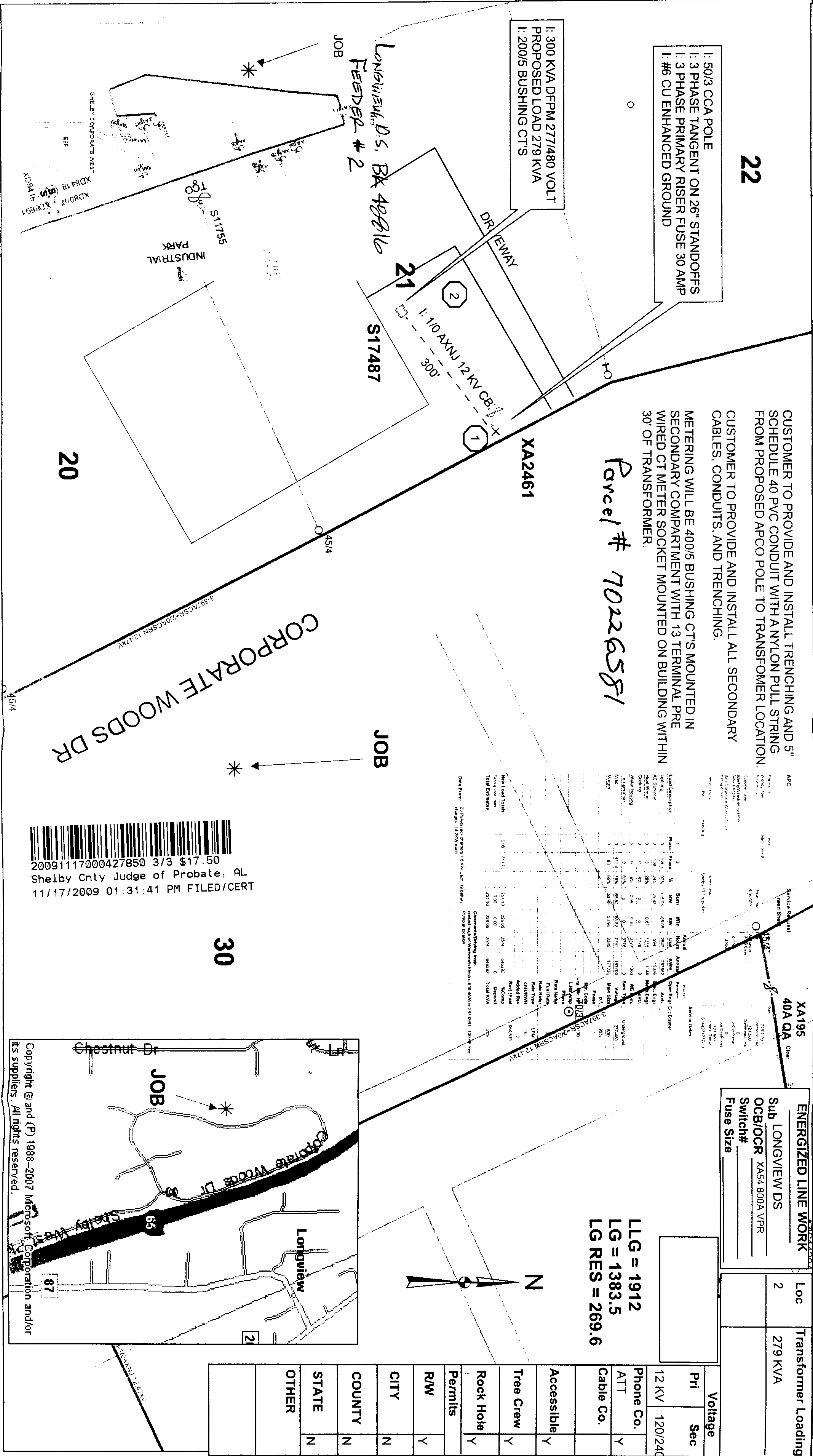
JOB

APC									
Service Request									
40A QA									
Sub LONGVIEW DS									
OCB/OCR XA54 800A VPR									
Switch#									
Fuse Size									
ENERGIZED LINE WORK									
Loc 2									
Transformer Loading 279 KVA									
Voltage									
12 KV 120/240									
Phone Co. Y									
Cable Co.									
Accessible Y									
Tree Crew Y									
Rock Hole Y									
Permits									
R/W Y									
CITY N									
COUNTY N									
STATE N									
OTHER									

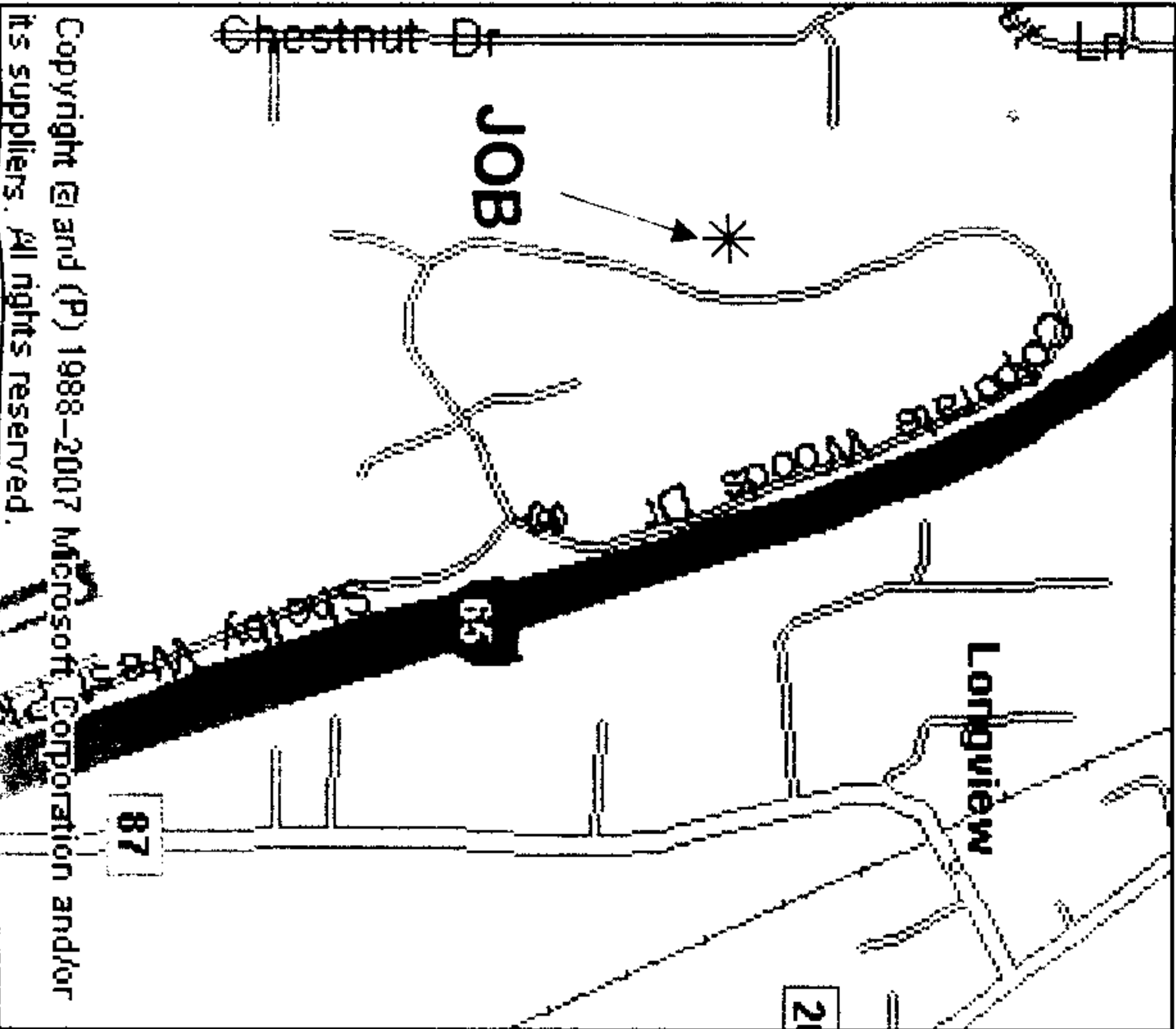
LLG = 1912
LG = 1383.5
LG RES = 269.6



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



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