

**EASEMENT - DISTRIBUTION FACILITIES**

STATE OF ALABAMA

COUNTY OF Shelby

W.E. No. AB27200 BMD9

APCO Parcel No. 70227683

Transformer No. 8679

This instrument prepared by: S. McElroy

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

Shelby County, AL 12/30/2009

State of Alabama

Deed Tax : \$.50



20091230000476250 1/3 \$17.50  
Shelby Cnty Judge of Probate, AL  
12/30/2009 01:29:36 PM FILED/CERT

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Linda Diane McGain, 2  
Single woman

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"):

See Attached "Exhibit A"

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 18 day of Nov, 2009.

[Signature]  
Witness

Linda Diane McGain (SEAL)  
(Grantor)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
(Grantor)

\_\_\_\_\_  
Witness

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+100

# **COMMITMENT**

## **SCHEDULE A**

File No.: 109-85

### **EXHIBIT A**

Effective Date: 3/31/2009

A part of the West 1/4 of the NE 1/4 of Section 22, Township 19 South, Range 2 East, more particularly described as follows:

Begin at the NW corner of the SW 1/4 of the NE 1/4 of Section 22, Township 19 South, Range 2 East, thence run South along the West line of said 1/4 1/4 and a fence for 846.88 Deed (889.81 Survey) feet to a East-West fence; thence 90 deg. 11 min. 26 sec. left and run Easterly along last said fence for 733.89 feet to the West right of way of Milan Drive; thence 93 deg. 29 min. left run Northerly along said right of way (the following course) for 105.95 feet; thence 7 deg 05 min. 03 sec. left run 456.21 feet; thence 16 deg. 37 min. 16 sec. right run 281.70 feet; thence 22 deg. 47 min. 14 sec. left run 220.36 feet; thence 1 deg. 56 min. 43 sec. right run 372.95 feet; thence 4 deg. 13 min. 14 sec. left run 469.60 feet; thence 21 deg. 17 min. 47 sec. right continue along said right of way for 245.76 feet to the Southeasterly, right of way of Alabama Highway No.25; thence 143 deg. 21 min. 03 sec. left run Southerly along said right of way for 563.40 feet to the West line of the NW 1/4 of the NE 1/4 of said Section and a fence; thence 37 deg. 52 min. 24 sec. left run along said fence for 811.75 feet to the point of beginning; being situated in Shelby County, Alabama. Mineral and mining rights excepted.



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# SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Map Center UTM 1817139.7187448613436.6960283 33.367536 -86.420973

Map Center Latlon 1 inch = 93 feet

Customer <b>LINDA ROHLER</b>		Location <b>328 MILAM DR</b>		Cmtd. Svc Date		Charge No. <b>6 A6272 00 BM09</b>		Missall No. Date Good Thru Date	
Regio <b>PD/ANNISTON</b>		District <b>OAK GROVE</b>		City <b>VINCENT</b>		Created: 6/24/2009		Used sahester	
County Shelby	Section 22	Township 19S	Range 02E	Patch Request Required YES <input type="checkbox"/> NO <input type="checkbox"/>		Voltage Pri. Sec.		Phone Co. Co. Name	
Acquisition Agent	Date RW Assigned	Date RW Cleared	X- 21684		Y- EB1545				

  

70227683

CO RD 62 BP.

MILAM DR. Barn

XXX

HWY 25

HWY 280

GOOSA RIVER

ANCHOR AT FENCE

I: 40/5 CCA

I: 45/4 CCA

25 KVA CV.

9500 HPS LIGHT

(8679)

375 FT.

MILAM DR

770 15C

770

I: 144

IWS

ALABAMA POWER

SOUTHEASTERN COMPANY

Barcode: 20091230000476250 3/3 \$17.50

Shelby Cnty Judge of Probate, AL

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Tracking No. 6		Mtr. #:		Reading:	
Const. Completed By:		Date:		Date:	
CATV Transfer:		Poles		Charge: \$	

  

Poles	Install	Remove
Xfms		
Lights		
Cutouts		
L/A		
Wire		
Transfer Notice Req'd	Transfer Notice Req'd	Transfer Notice Req'd
Accessible	Accessible	Accessible
Tree Crew	Tree Crew	Tree Crew
Permits Req'd	Permits Req'd	Permits Req'd
RW	RW	RW
City	City	City
County	County	County
State	State	State
Xmission	Xmission	Xmission
Run Service	Run Service	Run Service
YES	YES	YES
NO	NO	NO