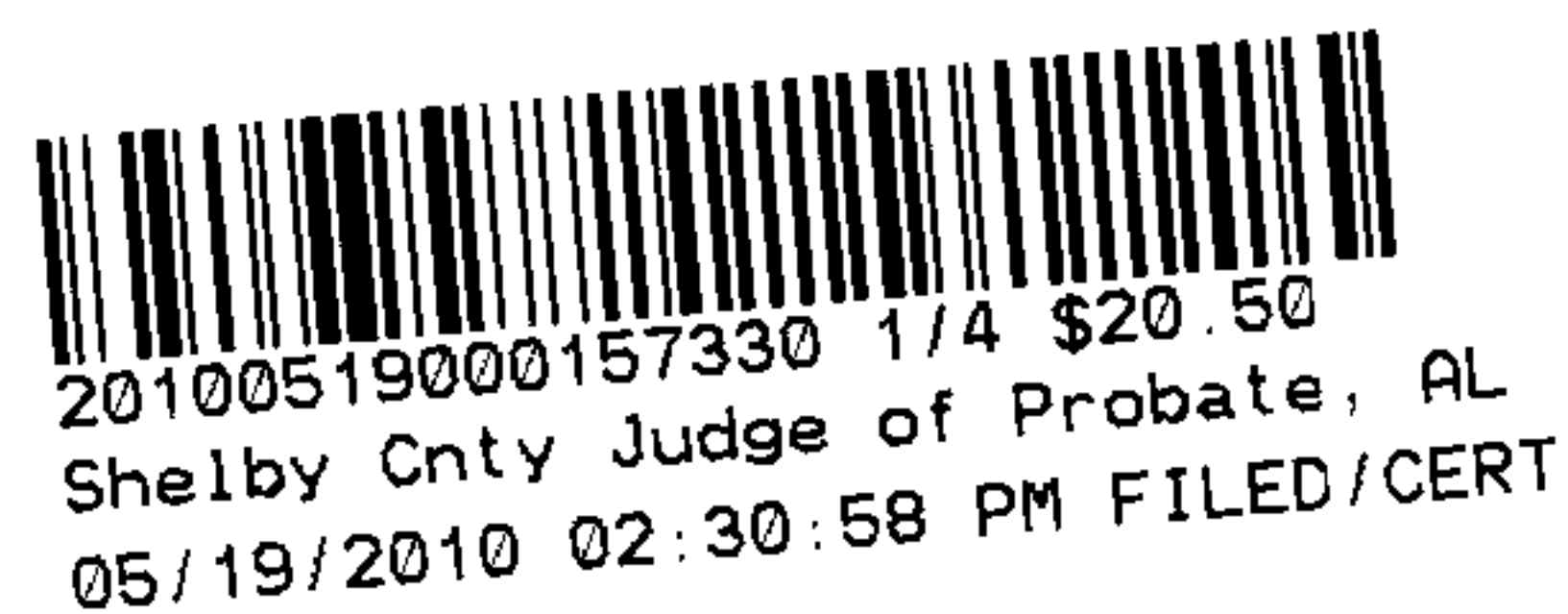


EASEMENT - DISTRIBUTION FACILITIES

STATE OF ALABAMA }
COUNTY OF Shelby }
W.E. No. A6170-00-B910
APCO Parcel No. 70231036
Transformer No. S17623

ft 500.00



This instrument prepared by: Larry D. Gravitt

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

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Dustin Michael Osborn; a single man
Christopher Edward Osborn; a single man

as grantor (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, communication lines, translosures, 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 communication, 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 EXHIBIT "A" attached hereto and made a part hereof for
a legal description of the property involved.

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~~/their hand(s) and seal(s) this the 7th day of May, 2010.

Witness

Witness

Witness

Christopher E Osborn (SEAL)
(Grantor)

Dustin Osborn (SEAL)
(Grantor)

By: _____ (SEAL)

As: _____

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____ 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: _____
Its: _____

By: _____ (SEAL)
Its: _____

[indicate President, General Partner, Member, etc.]

INDIVIDUAL NOTARIES

STATE OF ALABAMA }
COUNTY OF Shelby }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Dustin Osborn, a single man 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 7th day of May, 2010.

[SEAL]

[Signature]
Notary Public
My commission expires: 2-5-14

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 _____, 20____.

[SEAL]

Notary Public
My commission expires: _____

Shelby County, AL 05/19/2010
State of Alabama
Deed Tax : \$.50

TRUSTEE/CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF ALABAMA }
COUNTY OF _____ }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that _____, whose name as _____ of _____ a _____, 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 _____ day of _____, 20____.

[SEAL]

Notary Public
My commission expires: _____



20100519000157330 2/4 \$20.50
Shelby Cnty Judge of Probate, AL
05/19/2010 02:30:58 PM FILED/CERT

EXHIBIT "A"



20091013000385900 3/3 \$18.00
Shelby Cnty Judge of Probate, AL
10/13/2009 09:50:25 AM FILED/CERT

BEGIN AT THE SE CORNER OF THE SW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 2 WEST; THENCE RUN N 87 DEG 13'54"W ALONG THE SOUTH LINE OF SAID $\frac{1}{4}$ $\frac{1}{4}$ AND EXTENTION THEREOF FOR A DISTANCE OF 2535.17'; THENCE RUN N 00 DEG 02'30"W FOR A DISTANCE OF 701.46'; THENCE RUN N 68 DEG 26'23"E FOR A DISTANCE OF 467.67'; THENCE RUN N 74 DEG 03'42"E FOR A DISTANCE OF 246.57'; THENCE RUN S 88 DEG 18'13"E FOR A DISTANCE OF 331.74'; THENCE RUN N 72 DEG 00'25"E FOR A DISTANCE OF 246.70'; THENCE RUN N 57 DEG 29'25"E FOR A DISTANCE OF 302.05'; THENCE RUN N 64 DEG 08'25"E FOR A DISTANCE OF 273.62'; THENCE RUN N 80 DEG 44'25"E FOR A DISTANCE OF 361.15'; THENCE RUN S 81 DEG 53'05"E FOR A DISTANCE OF 187.30'; THENCE RUN S 88 DEG 34'35"E FOR A DISTANCE OF 246.66'; THENCE RUN S 00 DEG 12'05"E FOR A DISTANCE OF 1437.09' TO THE POINT OF BEGINNING. CONTAINING 66.01 ACRE MORE OR LESS.

ALSO: ALL THAT PART OF THE E $\frac{1}{2}$ OF THE SW $\frac{1}{4}$ AND THE W $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 2 WESTLYING NORTH OF CROSS CUT ROAD AND EAST OF THAT CERTAIN PROPERTY SOLD TO ROBERT ASA THACKER, AND WIFE JAMIE MOSELY THACKER. CONTAINING 63.00 ACRE MORE OR LESS.



20100519000157330 3/4 \$20.50
Shelby Cnty Judge of Probate, AL
05/19/2010 02:30:58 PM FILED/CERT

70231036

1 inch = 104 feet

