

Source of Title:

Deed Book _____, Page _____

Recorded 20061023000521090

Parcel # 70234291

\$500.00

EASEMENT – DISTRIBUTION FACILITIES

STATE OF ALABAMA }

COUNTY OF Shelby }

W.E. No. A6170-06-AJ10

Shelby County, AL 10/12/2010

APCO Parcel No. _____

State of Alabama

Transformer No. _____

Deed Tax : \$.50



20101012000339480 1/3 \$18.50
Shelby Cnty Judge of Probate, AL
10/12/2010 02:52:56 PM FILED/CERT

This instrument prepared by: Larry D. Gravitt

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

KNOW ALL MEN BY THESE PRESENTS, That Stancil P. Handley, a married man

as grantor(s), (the "Grantor", whether one or more) for and in consideration of One and No/100 Dollar (\$1.00) and other good and valuable consideration paid to Grantor in hand by Alabama Power Company, a corporation, the receipt and sufficiency of which are hereby acknowledged, hereby grant to Alabama Power Company, its successors and assigns (the "Company"), the easements, rights and privileges below.

Overhead and/or Underground. The right from time to time to construct, install, operate and maintain, upon, over, under and across the Property described below, all poles, towers, wires, conduits, fiber optics, cables, communication lines, 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 communications, along a route selected by the Company, as generally shown on the Company's drawing attached hereto and made a part hereof, but which is to be determined by the actual location(s) in which the Company's facilities are installed. The width of the Company's easement will depend on whether the Facilities are underground or overhead: for underground, the easement will extend five (5) feet on each side of said Facilities as and where installed; for overhead Facilities, the easement will extend fifteen (15) feet on each side of the centerline of said Facilities as and where installed. The Company is granted the right to clear, and keep clear, all trees, undergrowth and other obstructions on a strip of land extending five (5) feet from each side of said underground Facilities, and to clear, and keep clear, all trees, undergrowth and other obstructions on a strip of land extending fifteen (15) feet from each side of the centerline of said overhead Facilities and the right in the future to install intermediate poles and facilities on said strip. Further, with respect to overhead Facilities, the Company is also granted the right to trim and cut, and keep trimmed and cut, all dead, weak, leaning or dangerous trees or limbs outside of the thirty (30) foot strip that, in the sole opinion of the Company, may now or hereafter endanger, interfere with, or fall upon any of said overhead 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 said 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, as applicable.

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 Attachment "A" for a description of the property involved
attached hereto and made a part hereof.

In the event it becomes necessary or desirable for the Company from time to time 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 said 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 hand(s) and seal(s) this the 15th day of September, 2010.

Witness

(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 + 30 to Sta # 1 + 40 (Wk) Lessor

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 required) 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 Shelby }

I, _____, a Notary Public, in and for said County in said State, hereby certify that Stencil P. Handley, a married man whose name(s) [as owner] 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 [in such capacity as aforesaid] executed the same voluntarily.

Given under my hand and official seal this the 15th day of September, 2010.

[SEAL]

Tary D. Smith
Notary Public
My commission expires: 2-5-14

STATE OF ALABAMA }

COUNTY OF _____ }

I, _____, a Notary Public, in and for said County in said State, hereby certify that _____ whose name(s) [as _____] 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 [in such capacity as aforesaid] executed the same voluntarily.

Given under my hand and official seal this the _____ day of _____, 20____.

[SEAL]

Notary Public
My commission expires: _____

CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF ALABAMA }

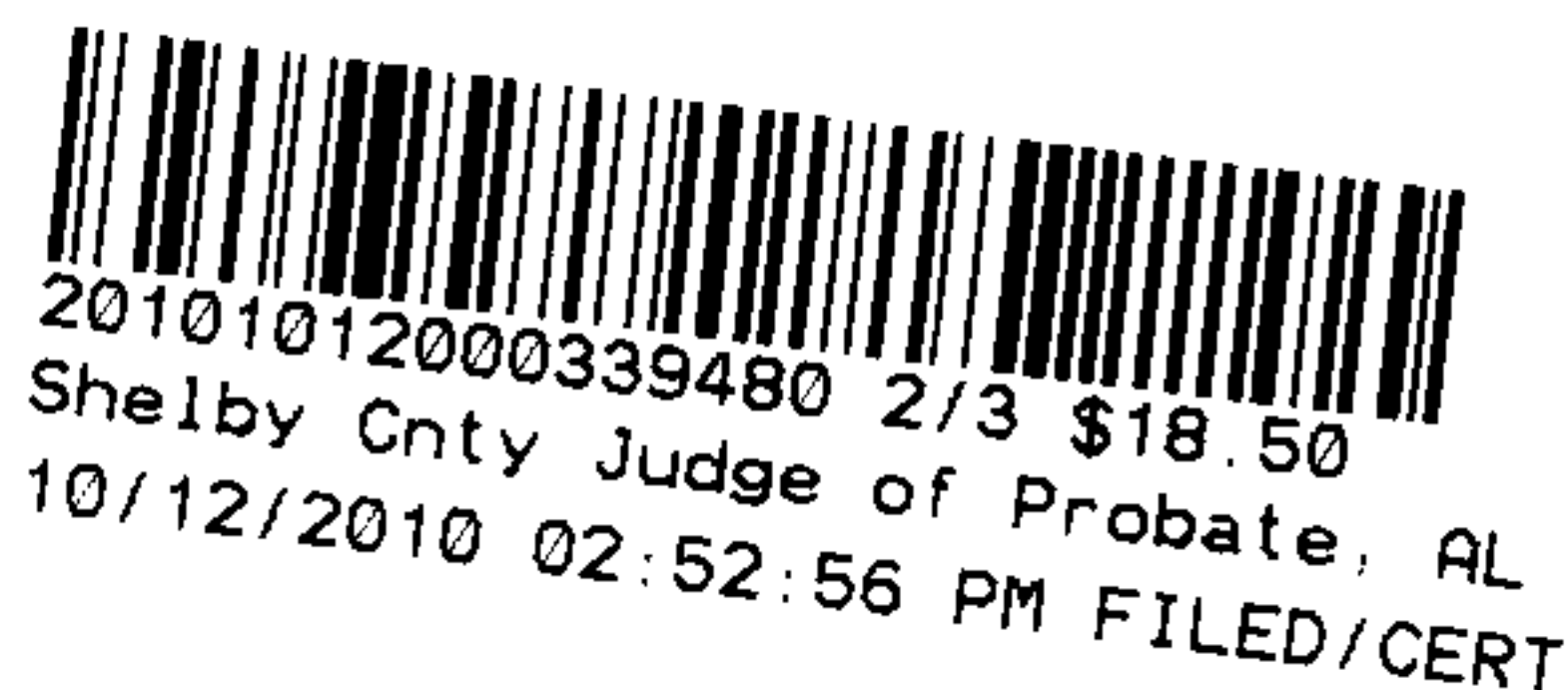
COUNTY OF _____ }

I, _____, a Notary Public in and for said County in said State, hereby certify that _____ whose name as _____ of _____, a _____, [acting in its capacity 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: _____



Parcel # 70234291



Shelby County, the
State of Alabama

Need Tax: \$2.00

STATE OF ALABAMA
SHELBY COUNTY

PROPOSED BELLSOUTH EASEMENT

A proposed BellSouth easement situated in the Southeast quarter of Section 28, Township 21 South, Range 1 West, Shelby County, Alabama. Said easement being more particularly described as follows:

Commence at the intersection of the West line of the Alabama Gas Corp. Parcel (the old railroad right of way) with an arc purported to be the South right of way margin of South Court Street (Old Alabama Highway 25) by document recorded as instrument number 20050906000456810 in the office of the Judge of Probate of Shelby County, Alabama, said document describing said South right of way margin to have a radius of 5855.88 feet and a chord bearing of S 44°25'32" W; thence proceed Southwesterly, along the previously described arc for 464.52 feet to a landscape nail found on a curve purported to be the South right of way margin of South Court Street (Old Alabama Highway 25), said curve having a radius of 5855.88 feet and a chord bearing of S 48°16'22" W; thence proceed Southwesterly, along the previously described arc for 338.08 feet to the POINT OF BEGINNING, which is an iron pin found (CA 0502); thence, along the West boundary of parcel described by document recorded as instrument number 20050906000456810 in the office of the Judge of Probate of Shelby County, Alabama, proceed S 18°00'32" E for 20.00 feet to an iron pin set; thence, departing said West boundary, proceed N 49°51'44" E for 20.00 feet to an iron pin set; thence proceed N 18°00'32" W for 20.00 feet to an iron pin set on a curve purported to be the South right of way margin of South Court Street (Old Alabama Highway 25), said curve having a radius of 5855.88 feet and a chord bearing of S 49°51'44" W; thence proceed Southwesterly along previously described arc for 20.00 feet to the POINT OF BEGINNING. Said easement contains 370.2 ± square feet or 0.01 ± acres.

PROPOSED BELL SOUTH ACCESS EASEMENT

A proposed BelleSouth access easement situated in the Southeast quarter of Section 28, Township 21 South, Range 1 West, Shelby County, Alabama. Said easement being more particularly described as follows:

Commence at the intersection of the West line of the Alabama Gas Corp. Parcel (the old railroad right of way) with an arc purported to be the South right of way margin of South Court Street (Old Alabama Highway 25) by document recorded as instrument number 20050906000456810 in the office of the Judge of Probate of Shelby County, Alabama, said document describing said South right of way margin to have a radius of 5855.88 feet and a chord bearing of S 44°25'32" W; thence proceed Southwesterly, along the previously described arc for 484.52 feet to a landscape nail found on a curve purported to be the South right of way margin of South Court Street (Old Alabama Highway 25), said curve having a radius of 5855.88 feet and a chord bearing of S 48°18'22" W; thence proceed Southwesterly, along the previously described arc for 336.06 feet to the POINT OF BEGINNING, which is an iron pin found (CA 0502); thence, along an extension of the West boundary of parcel described by document recorded as instrument number 20050906000456810 in the office of the Judge of Probate of Shelby County, Alabama, proceed N 18°00'32" W for 4.36 feet to a point; thence proceed N 40°15'07" E for 33.00 feet to a point on the centerline of located roadway of South Court Street (Alabama Highway 25), said centerline being in a curve to the left, said curve having a radius of 7684.14 and a chord which bears N 49°44'53" E; thence along the arc of said curve and along the centerline of the located roadway of South Court Street (Alabama Highway 25) proceed for 20.00 feet to a point; thence proceed S 40°15'07" E for 33.00 feet to a point; thence proceed S 18°12'17" E for 4.40 feet to an iron pin previously set on a curve purported to be the South right of way margin of South Court Street (Old Alabama Highway 25), said curve having a radius of 5855.88 feet and a chord bearing of S 49°31'44" W; thence proceed Southwesterly along previously described arc for 20.00 feet to the POINT OF BEGINNING. Said easement contains 741.2 ± square feet or 0.02 ± acres.

I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

Surveyor's Signature: Jim C. McCullers, PLS Alabama License No. 15154
Date: August 23, 2006

GENERAL NOTES:

Surveyor did not conduct a title search and offers no opinion as to title.

Easements or restrictions affecting property may exist of which the surveyor has no knowledge. Surveyor accepts no responsibility for research in this matter.

Other utilities may exist other than shown or mentioned.

It is intended for the easement created by this survey to be contiguous with the South right of way margin of South Court Street (Old Alabama Highway 25) and the West boundary of property described by document recorded as instrument number 20050908000455810 in the office of the Judge of Probate of Shelby County, Alabama.

It is intended for this easement to encompass BellSouth cables or equipment. If at any time the locally accepted corners prove to be in error or any discrepancies are discovered then the location of the easement shall revert to such an orientation as to encompass the cables or equipment.

Basis of bearing is document recorded as instrument number 20050906000458810 in the office of the Judge of Probate of Shelby County, Alabama.

Underground utilities may exist that have not been shown.

BELLSOUTH INFORMATION
PM TOOL 44386
TAX ID 21-7-26-4-001-009.007

McCULLERS-CAPPS & ASSOCIATES, INC.

Surveyors-Mappers-Consultants

(205) 957-1519

5533 Bankhead Highway

Birmingham, Alabama 35210

PROPOSED BELLSOUTH EASEMENT

ON SOUTH COURT STREET (OLD AL 25)

EGG AND BUTTER ROAD

SEC 26, T 21 S, R 1 W
COLUMBIANA, SHELBY COUNTY, ALABAMA

date 8/23/2005	job no. 08098	dwn. by JPM	dwg. no. 1	rev. 0
scale: 1" = 20'	f.b. no. 06008	chkd. by JPM		



20101012000339480 3/3 \$18.50

Shelby Cnty Judge of Probate, AL

10/12/2010 02:52:56 PM FILED/CERT