

EASEMENT - DISTRIBUTION FACILITIES

# 500 00

Source of Title:

STATE OF ALABAMA

Deed Book \_\_\_\_\_, Page \_\_\_\_\_

COUNTY OF SHELBY

W.E. No. A617005C210

APCO Parcel No. 70235525

Transformer No. S17774

This instrument prepared by: BILL CHILDRESS



20101216000423540 1/3 \$18.50  
Shelby Cnty Judge of Probate, AL  
12/16/2010 01:01:38 PM FILED/CERT

Shelby County, AL 12/16/2010  
State of Alabama  
Deed Tax: \$.50

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

KNOW ALL MEN BY THESE PRESENTS, That Roy Martin Construction, LLC

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, does 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"):

A parcel of land in the SE¼ of the NW¼ of Section 14, Township 20 South, Range 3 West, as recorded in Deed Record 20100820000267970, dated August 20, 2010, in the office of the Judge of Probate, Shelby County, Alabama

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/their hand(s) and seal(s) this 22nd day of Nov, 2010.

Witness

Roy Martin Const, LLC (SEAL)  
(Grantor)

Witness

Roy L. Martin Sole-Member (SEAL)  
(Grantor)

Witness

By: Roy L. Martin (SEAL)

As: Sole Member

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: \_\_\_\_\_

Station to Station: \_\_\_\_\_

sta 1+50 to sta 2+57

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by Roy L. Martin  
its authorized representative, as of the 22<sup>nd</sup> day of November, 20 10.

ATTEST (if required) or WITNESS:

Roy Martin Construction, LLC  
(Grantor - Name of Corporation/Partnership/LLC)

By: \_\_\_\_\_

By: Roy L. Martin (SEAL)

Its: \_\_\_\_\_

Its: Sole Member  
[Indicate President, General Partner, Member, etc.]

INDIVIDUAL NOTARIES

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\_\_\_\_.

Notary Public

[SEAL]

My commission expires: \_\_\_\_\_

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\_\_\_\_.

Notary Public

[SEAL]

My commission expires: \_\_\_\_\_

CORPORATION/PARTNERTNERSHIP/LLC NOTARY

STATE OF ALABAMA

COUNTY OF Shelby

I, Brenda H. Clayton, a Notary Public, in and for said County in said State, hereby certify that Roy L. Martin  
whose name as Sole Member of Roy Martin Construction LLC, a Limited Liability Co.  
[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 sole member and with full  
authority, executed the same voluntarily, for and as the act of said \_\_\_\_\_ [acting in such capacity as  
aforesaid].

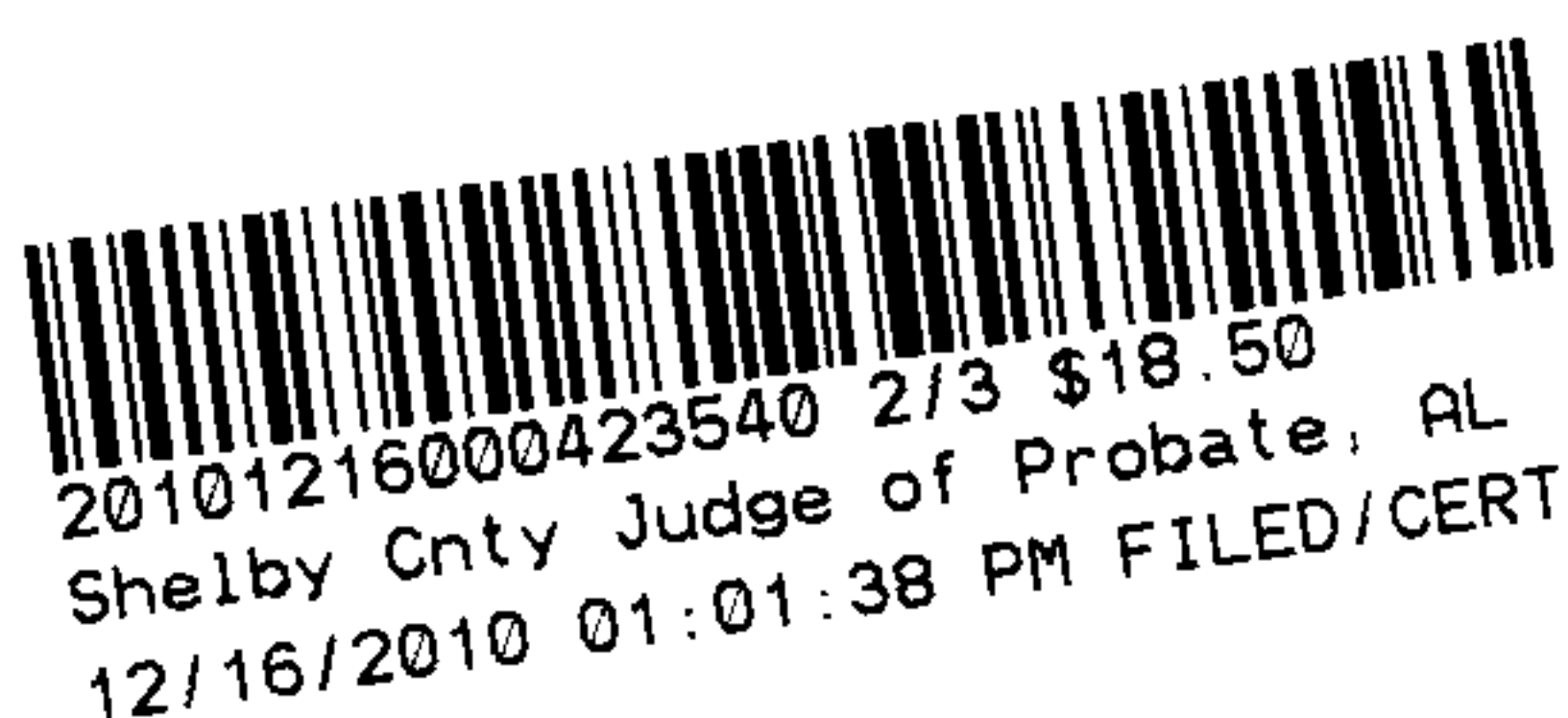
Given under my hand and official seal this the 22nd day of Nov, 2010.

Brenda H. Clayton  
Notary Public

[SEAL]

My commission expires: 4-20-13

4-20-13



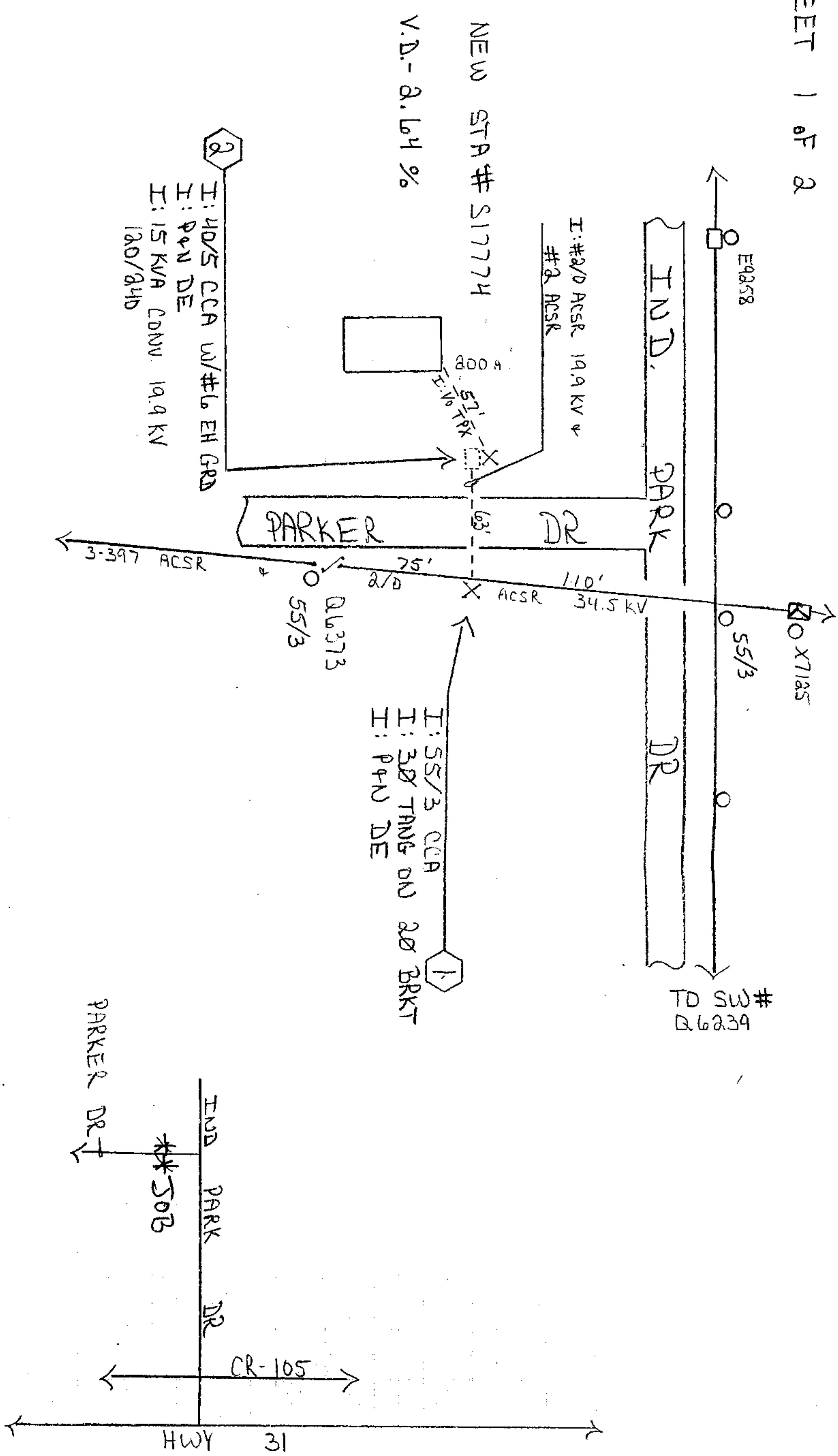


Parcel - 70235525



Customer RBY MARTIN CONST.	Location 100 PARKER DR	Agreed Serv. Date 12-15-10	County SHELBY	Section 14	Township 205	Range D3W	Add'l Info	Estimate No. AL6170-05C810
Division BIRMINGHAM	Operation METRO-SOUTH	Town PELHAM	Engineer B. PHILLIPS	LINC# 17064	Date 10-8-10	Substation HELENA D.S.	39814	Y D6239
MUNIS Ticket #							LOC 2	Transformer Loading 15 KVA

SHEET 1 of 2



R/W Note  
Dedicated Rd. - 50 ft.  
Sta 1+00 to Sta 1+50

20101216000423540 3/3 \$18.50  
Shelby Cnty Judge of Probate, AL  
12/16/2010 01:01:38 PM FILED/CERT

SHORT CIRCUITS  
30 - G = 3585  
0 - G = 2963  
0 - G Res = 726

ENERGIZED LINE WORK  
SUB HELENA D.S.  
OCB/OCR# RC7164  
SWITCH#  
FUSE SIZE

"MISS-ALL" # 1-800-292-8525  
DATE CALLED  
LOCATION REQUEST #  
WATER WORKS  
DATE CALLED

TRANSFER OF ATTACHMENTS  
YES NO  
OTHER  
KNOWLEDGE  
CHARTER  
OTHER

Voltage Pri Sec.	35 120
KV 240	
PHONE CO.	
Co. Name	
CATV CO.	
Co. Name	
Accessible Heavy Traffic SW Amp	
TREE CREW	
PERMITS REQD	
R/W	
CITY	
COUNTY	
STATE	
OTHER	
SCALE NTS	
Ft. Per Inch	

target  
**ZERO**  
ONE DAY AT A TIME  
PERFORM  
JSA

Cnst. Completed By \_\_\_\_\_ Date \_\_\_\_\_