

## EASEMENT - DISTRIBUTION FACILITIES

Source of Title:

STATE OF ALABAMA

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

COUNTY OF SHELBY


\$ 50.00

W.E. No. A617005C910

APCO Parcel No. 70235872

Transformer No.

This instrument prepared by: BILL CHILDRESS

  
20110131000033050 1/3 \$18.50  
Shelby Cnty Judge of Probate, AL  
01/31/2011 02:42:55 PM FILED/CERTAlabama Power Company  
P.O. Box 2641  
Birmingham, Alabama 35291KNOW ALL MEN BY THESE PRESENTS, That Edwin B. Lumpkin, Jr., a married man, sole owner

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 SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 31, Township 19 South, Range 2 West, as recorded in Instrument Number 1995-02158, dated January 26, 1995, 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 the 22 day of Dec, 20 10.

Witness

(Grantor)

Edwin B. Lumpkin Jr. (SEAL)

Witness

(Grantor)

Shelby County, AL 01/31/2011  
State of Alabama  
Deed Tax: \$.50

By: \_\_\_\_\_ (SEAL)

Witness

As: \_\_\_\_\_

**For Alabama Power Company Corporate Real Estate Department Use Only**

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

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

Sta 1+50 to Sta 1+75

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, William R. Childress, a Notary Public, in and for said County in said State, hereby certify that Edwin B. Lumpkin, Jr., a married man,  
whose name(s) [as \_\_\_\_\_] is/are signed to the sole owner  
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 3<sup>rd</sup> day of January, 20 11.

William R. Childress  
Notary Public

My commission expires: 12-1-2013

[SEAL]

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

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

[SEAL]

**CORPORATION/PARTNERTNERSHIP/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 \_\_\_\_\_]  
\_\_\_\_\_ 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\_\_\_\_.

\_\_\_\_\_  
Notary Public

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

[SEAL]

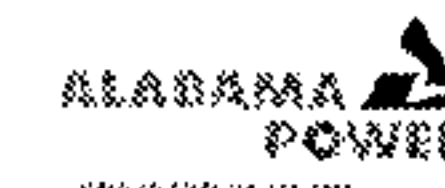
  
20110131000033050 2/3 \$18.50  
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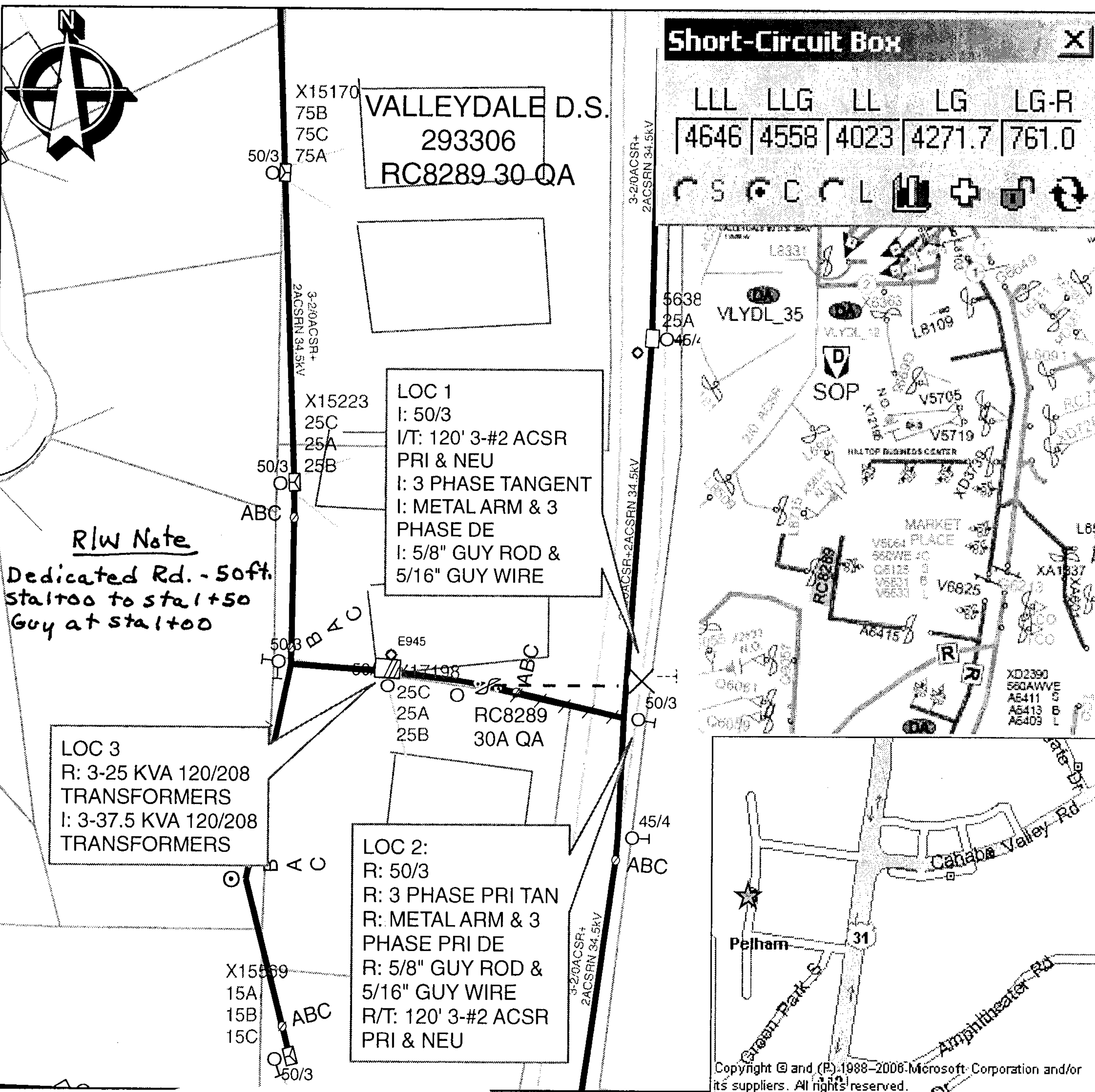
# SKETCH OF PROPOSED WORK SIMPLIFIED W.E.

Map Center UTM  
1702893 12100011

Parcel- 70235872  
Map Center LatLon  
33.331808 -86.795381



Customer CUTTING TOOL ENGINEER			Location 208 COMMERCE PKWY			Agreed Serv. Date 12/31/2010			Estimate No. A617005C910			
Region BIRMINGHAM			Oper. Cntr. METRO SOUTH			Town/City PELHAM			UserID chrisjoh			
County Shelby			Section 31		Township 19S		Range 02W		Add'l Info CHRIS JOHNSON LINC: 14445			
Acquisition Agent			Date R/W Assigned		Date R/W Cleared		Spatial Reference		LOC 2		Transformer Loading 99 KVA	
Voltage 34.5 KV	Phone Co	CATV Co	Accessible	Tree Crew	Rock Hole	Permits	R/W	City	County	State	Miss All	Other
											X	



Cnst Completed By



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Date:

Scale: 1 inch = 100 feet

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