

## EASEMENT - UNDERGROUND

STATE OF ALABAMA

COUNTY OF SHELBY

W.E. No. A617018AB10

APC Parcel No. 70234860

Transformer No.

This instrument prepared by: BILL CHILDRESS

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

Source of Title:

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

\$500.00

20110216000053970 1/3 \$18.50  
Shelby Cnty Judge of Probate, AL  
02/16/2011 10:31:23 AM FILED/CERTKNOW ALL MEN BY THESE PRESENTS, That Charles G. Kessler, III, Jason D. Kessler and Margaret A. Kessler

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 described below.

The right from time to time to construct, install, operate and maintain upon, under and across the Property described below, all wires, cables, trans closures, transformers, conduits, fiber optics, communication lines and other facilities useful or necessary in connection therewith (collectively, the "Facilities"), for the underground transmission and distribution of electric power and communications, along a route selected by the Company which is generally shown on the Company's drawing attached hereto and made a part hereof and which is to be determined by the locations in which the Company's Facilities are installed, such drawing showing the general location of underground facilities in an area ten feet (10') in width and also the right to clear and keep clear a strip of land extending five feet (5') from each side of said 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 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, adjacent to, and above said Facilities.

The easements, rights and privileges granted hereby shall apply to, and the word "Property" as used in this instrument shall mean, the following real property situated in SHELBY County, Alabama (the "Property"):

A parcel of land situated in the NW1/4 of the SE1/4 of Section 15, Township 18 South, Range 1 West as recorded in Instrument Number 1998-08149, dated March 9, 1998, 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 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 said 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 17<sup>th</sup> day of November 2010.

Witness

Witness

Witness

(Grantor)

(Grantor)

(Grantor)

As:

(SEAL)

(SEAL)

(SEAL)

For Alabama Power Company Corporate Real Estate Department Use Only

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

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

sta 3+675 to sta 3+775Shelby County, AL 02/16/2011  
State of Alabama  
Deed Tax: \$.50

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



20110216000053970 2/3 \$18.50  
Shelby Cnty Judge of Probate, AL  
02/16/2011 10:31:23 AM FILED/CERT

I, William R. Childress, a Notary Public, in and for said County in said State, hereby certify that Charles G. Kessler, III, a married man  
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 17<sup>th</sup> day of November, 2010.

William R. Childress  
Notary Public

[SEAL]

My commission expires: 12-1-2013

STATE OF ALABAMA

COUNTY OF Shelby

I, William R. Childress, a Notary Public, in and for said County in said State, hereby certify that Jason D. Kessler, a single man and Margaret A. Kessler, a single woman  
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 17<sup>th</sup> day of November, 2010.

William R. Childress  
Notary Public

[SEAL]

My commission expires: 12-1-2013

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 \_\_\_\_\_, 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\_\_\_\_\_.

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

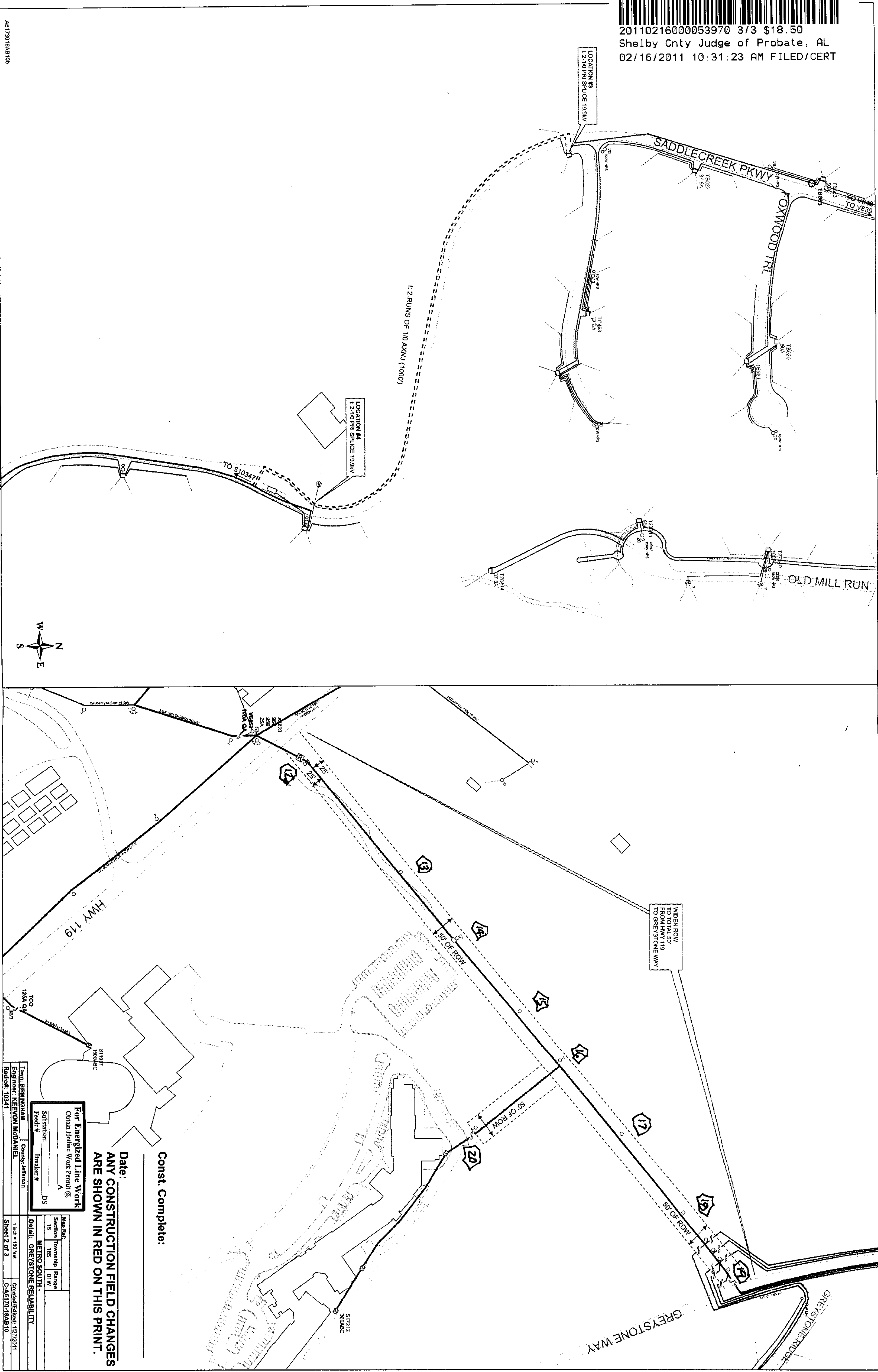
[SEAL]

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





20110216000053970 3/3 \$18.50  
Shelby Cnty Judge of Probate, AL  
02/16/2011 10:31:23 AM FILED/CERT



Parcel-70234860