

Source of Title:

Instrument # 20100714000222790

# 500.00

**EASEMENT – DISTRIBUTION FACILITIES**

STATE OF ALABAMA

COUNTY OF SHELBY

W.E. No. A6170-00-AJ12

**APCO Parcel No. 70246353**

Transformer No. S18020

This instrument prepared by: Dean Fritz

Alabama Power Company

P. O. Box 2641

Birmingham, Alabama 35291



20120313000086900 1/3 \$18.50  
Shelby Cnty Judge of Probate, AL  
03/13/2012 11:13:21 AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That Gerald W Cummings and wife, Jimmie Ruth Cummings

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 located in the NE¼ of the NW¼ of Section 11, Township 22 South, Range 3 West, more particularly described in that certain instrument recorded in Instrument #20100714000222790, in the office of the Judge of Probate of said County.

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 20<sup>th</sup> day of February, 2012.

Witness Signature

Print Name

Witness Signature

Print Name

(Grantor)

(Grantor)

(SEAL)

(SEAL)

All facilities on Grantor: 1

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

STATE OF ALABAMA

COUNTY OF Shelby

I, Joel Dean Fritz

, a Notary Public, in and for said County in said State, hereby certify that Gerald W.

Cummings and wife, Jimmie Ruth Cummings 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 20<sup>th</sup> day of February, 2012

[SEAL]

Notary Public

My commission expires: 12-7-14



20120313000086900 2/3 \$18.50  
Shelby Cnty Judge of Probate, AL  
03/13/2012 11:13:21 AM FILED/CERT

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: \_\_\_\_\_

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: \_\_\_\_\_

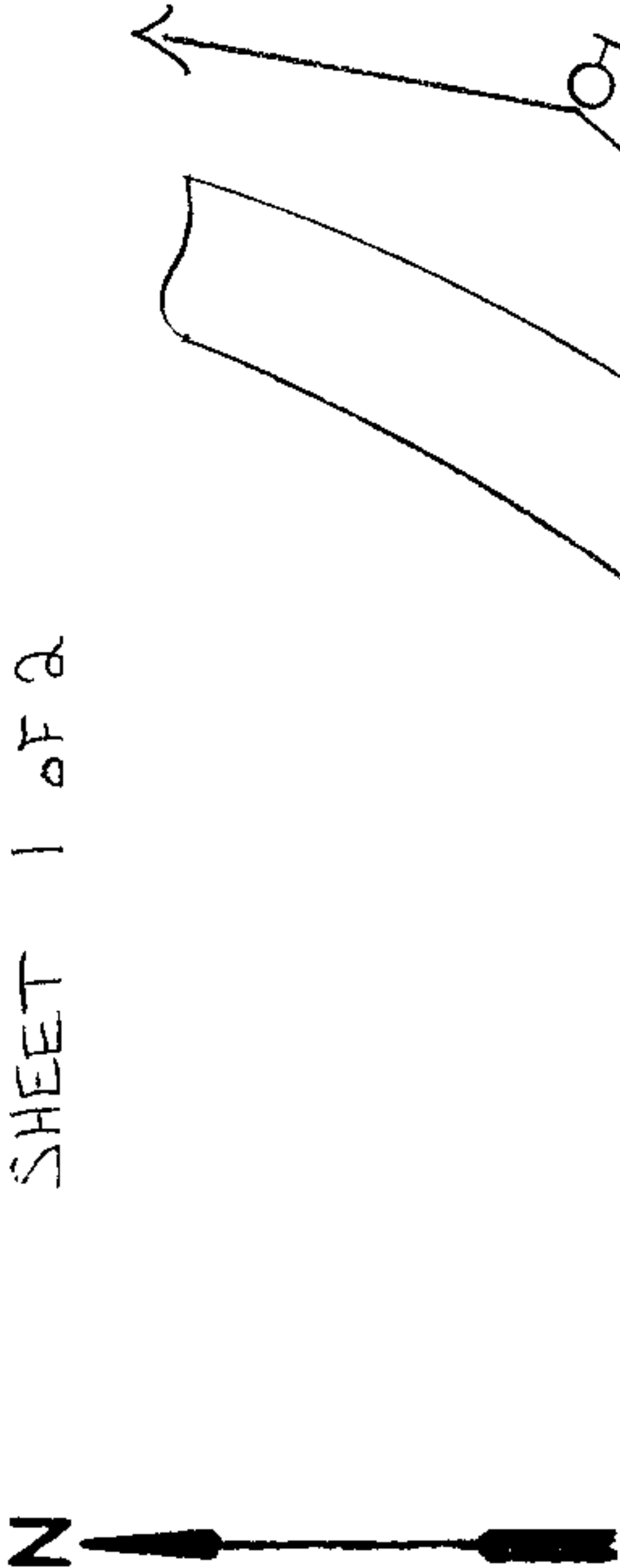


Sketch of Proposed Work – Simplified W. E.



Customer	GERALD CLUMMINGS	Location	59 ALEX MILL RD	Agreed Serv. Date	3-30-12	County	SHELBY	Section	11	Township	22S	Range	D3W	Add'l Info	Estimate No.	A 6170-00AJ12						
Division	BIRMINGHAM	Operation	METRO-SOUTH	Town	MONTEVALLO	Engineer	B. PHILLIPS	LINE#	17064	Date	2-16-12	Substation	DGWOOD D.S.	X	35256	Y	X6227	NJUNS Ticket #	LOC	2	Transformer Loading	10.3 KVA

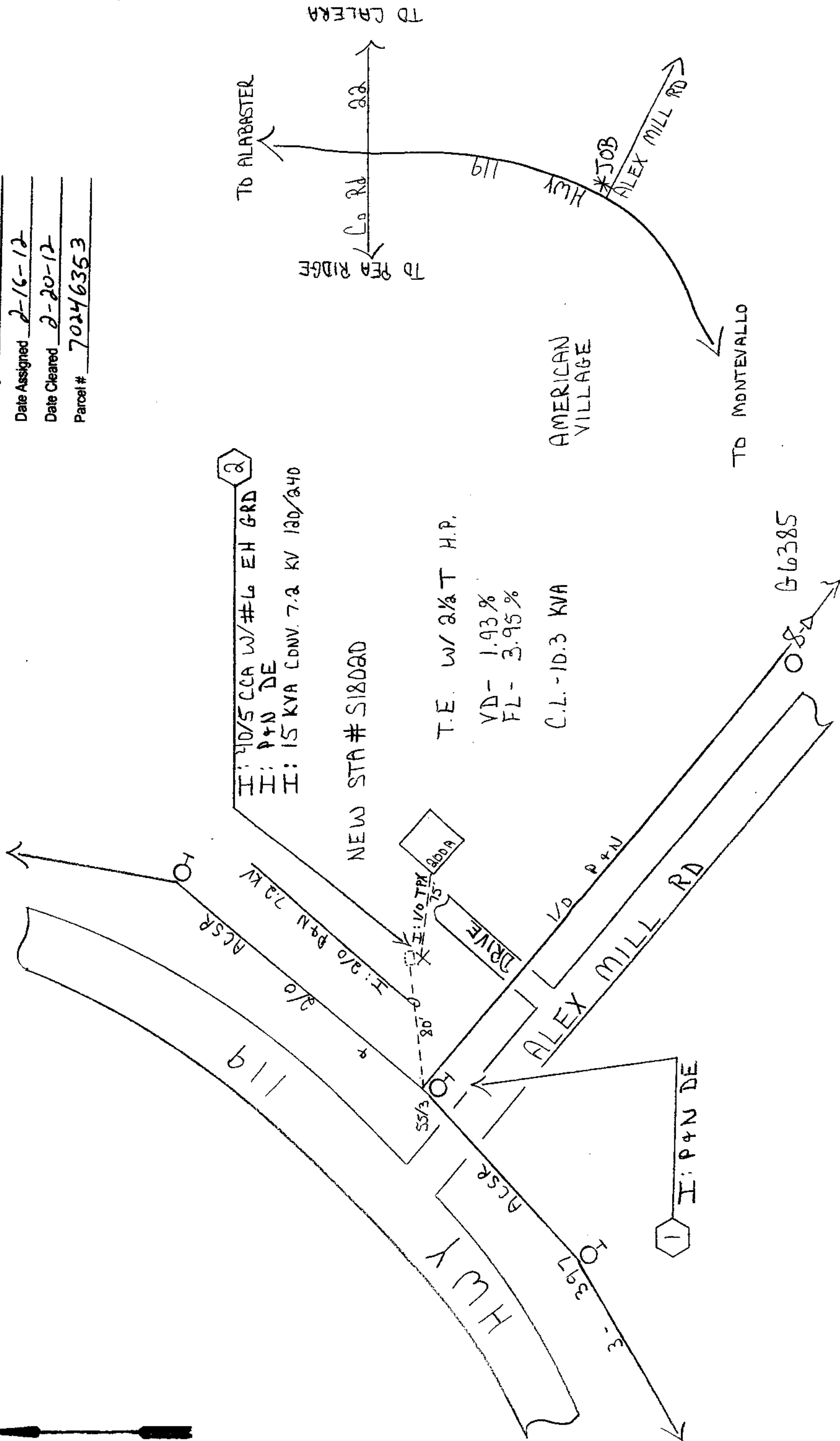
SHEET 1 OF 2



R/W Agent D. Fritz  
Date Assigned 2-16-12  
Date Cleared 2-20-12  
Parcel # 70246353

SHORT CIRCUITS	ENERGIZED LINE WORK
3Ø - G=	SUB <u>DGWOOD D.S.</u>
Ø - G= <u>964</u>	OCB/OCR# <u>X6056</u>
Ø - G Res= <u>255</u>	SWITCH#
	FUSE SIZE <u>SLD A</u>

"MISS-ALL" # 1-800-292-8525	Voltage	
DATE CALLED	Pri	Sec.
LOCATION REQUEST #	12	120
WATER WORKS	KV	240
DATE CALLED	PHONE CO.	
TRANSFER OF ATTACHMENTS	Co. Name	
YES NO	AT&T	
OTHER	CATV CO.	
KNOWLEDGE	Co. Name	
CHARTER	CHTR	
OTHER	Accessible Heavy Traffic SW Amp	A
	TREE CREW	N
	PERMITS REQD	
	R/W	Y
	CITY	N
	COUNTY	N
	STATE	N
	OTHER	
	SCALE	NTS
	Ft. Per Inch	



Cnst. Completed By	Date
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Shelby County, AL 03/13/2012  
State of Alabama  
Deed Tax: \$.50