

Source of Title:

Instrument Number: 20160114000013800

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**EASEMENT - DISTRIBUTION FACILITIES**

STATE OF ALABAMA

COUNTY OF SHELBY

W.E. No. A6170-00-CH16

APCO Parcel No. 72222404-001

Transformer No. S1015

This instrument prepared by: Shannon Floyd

Alabama Power Company

P. O. Box 2641

Birmingham, Alabama 35291

20160926000350280

09/26/2016 09:07:22 AM

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KNOW ALL MEN BY THESE PRESENTS, That J. Allen Brown III, as Trustee of the GST Exempt Family Trust fbo J. Allen Brown III under the Jadie A. Brown, Jr., Management Trust dated July 13, 2010

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, translosures, 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 SW ¼ of the SE ¼ of Section 21, Township 22 South, Range 3 West, more particularly described in that certain instrument recorded in Instrument Number: 20160114000013800, 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 has executed this instrument on this the 18<sup>TH</sup> day of May, 2016.

GST Exempt Family Trust fbo J. Allen Brown III  
under the Jadie A. Brown, Jr., Management Trust dated July 13, 2010

Shannon J. Spear  
Witness

J. Allen Brown III (SEAL)  
By: J. Allen Brown III  
As: Trustee of the GST Exempt Family Trust fbo J. Allen Brown III  
under the Jadie A. Brown, Jr., Management Trust dated July 13, 2010

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For Alabama Power Company Corporate Real Estate Department Use Only - Parcel No: 72222404-001

All facilities on Grantor: \_\_\_\_\_ Station to Station: Sta 1+84' to Sta 2+35' on grantor.

INDIVIDUAL NOTARIES

STATE OF ALABAMA

COUNTY OF Shelby

I, Pleasia D Spears, a Notary Public, in and for said County in said State, hereby certify that J. Allen Brown III whose name as Trustee of the GST Exempt Family Trust fbo J. Allen Brown III under the Jadie A. Brown, Jr., Management Trust dated July 13, 2010 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 [in such capacity as aforesaid] executed the same voluntarily.

Given under my hand and official seal this the 18<sup>th</sup> day of May, 2016.

Pleasia D Spears  
Notary Public  
My commission expires: 9/3/2018

[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]

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]

