

Source of Title:

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

Inst Number 20151028000375920

EASEMENT - DISTRIBUTION FACILITIES

STATE OF ALABAMA

COUNTY OF SHELBY

W.E. No. NA170-00-ENH

Document ID 1222432-001

This instrument prepared by: S. Floyd

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

500-  
20160926000350310  
09/26/2016 09:07:25 AM  
ESMTAROW 1/4

KNOW ALL MEN BY THESE PRESENTS, That DAVID COMER AND WIFE, CHRISTINA COMER  
AKA DAVID G. COMER

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, transducers, 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 the above named county in Alabama, (the "Property"). See Exhibit "A" attached hereto and made a part hereof.

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 20<sup>TH</sup> day of May, 2016.

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Print Name

David G. Comer (SEAL)  
\_\_\_\_\_  
(Grantor)

David G. Comer  
\_\_\_\_\_  
Print Name

Christina Comer (SEAL)  
\_\_\_\_\_  
(Grantor)

Christina Comer  
\_\_\_\_\_  
Print Name

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: ☒ Pole to Pole: \_\_\_\_\_

Parcel ID 71222432-001

STATE OF ALABAMA

20160926000350310 09/26/2016 09:07:25 AM ESMTAROW  
2/4

COUNTY OF SHELBY

I, SHANNON DENTON FLOYD, a Notary Public, in and for said County in said State, hereby certify that

DAVID B. COMER AND WIFE CHRISTINA COMER 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 MAY, 2016.

Shannon Denton Floyd  
Notary Public  
My commission expires: 12-30-2018

(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\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

WE NUMBER:

A6170-00-CN16

APCO PARCEL NUMBER:

7122432-001

20160926000350310 09/26/2016 09:07:25 AM ESMTAROW 3/4

**EXHIBIT "A" – LEGAL DESCRIPTION**

A parcel of land located in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 7, Township 22 South, Range 1 West, more particularly described in that certain instrument recorded in Instrument Number 20151028000375920 in the office of the Judge of Probate of Shelby County, Alabama.

SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Map Center UTM: 1736137 12025720

Map Center LatLon: 33.127332 -86.687232

mm

Customer DAVID COMER	Location MOUNTAIN FOREST TRAIL	Created. Svc Date 6/30/2016	County Shelby	Section 7	Township 22S	Range 01W	Add'l Info. CHRIS LINC:	Estimate No. A617000CN16
Division BIRMINGHAM	District METRO SOUTH	Town CALERA	UserID chrisph	Created: 5/19/2016	Substation X- 45192	Y- XD3149	MIS SALL#	
ENERGIZED LINE WORK Sub CALERA D.S. 45192 OCB/OCR XA74 100A 4H Switch# Fuse Size			Loc 1		Transformer Loading			
LOC 2 I: 45/4 CCA I: 10 SUSP PRI & NEU I: 25 KVA XFMR, C/O. LA. TBKT & WILDLIFE PRO I: 2" SVC RISER I: 100' 40 UTA DIRECT BURIED WITH ULCS TRENCHING I: 320A AMI METER I: 5/16" DOWN GUY & 5/8" ROD TRANSFER 368' 1-#2 ACSR			LOC 1 R: 45/5 POLE & EXISTING OVERHEAD CONSTRUCTION R: 5/16" DOWN GUY & 5/8" ROD TCO. RISER & UG PRIMARY IS NOT ON THIS POLE IN THE FIELD IT IS ONE POLE SOUTH OF THIS POLE		Voltage Pri Sec 7200 120/240			
RISER & UG PRIMARY COME FROM THIS POLE IN THE FIELD			MOUNTAIN FOREST TRAIL		Phone Co. Cable Co. Accessible Tree Crew Rock Hole Permits RW CITY COUNTY STATE OTHER			

20160926000350310  
09/26/2016 09:07:25 AM  
ESMTAROW 4/4

RW Agent Shannon  
Date Assigned 5-19-16  
Date Cleared 5-20-16  
Parcel # 7222432-001



Filed and Recorded  
Official Public Records  
Judge James W. Fuhrmeister, Probate Judge,  
County Clerk  
Shelby County, AL  
09/26/2016 09:07:25 AM  
\$24.50 CHERRY  
20160926000350310

*James W. Fuhrmeister*