

**Source of Title:**

Instrument #20151005000347950

**EASEMENT – POLE LINE**

W.E. No. A6173-00-BE17

APC Document #

7222 9602-001

500.00

STATE OF ALABAMA

COUNTY OF SHELBY

This instrument prepared by: Dean Fritz

Alabama Power Company  
2 Industrial Park Drive  
Pelham, AL 35124

20171019000379820

10/19/2017 08:09:22 AM

ESMTAROW 1/3

**KNOW ALL MEN BY THESE PRESENTS**, That the undersigned **Creekwater Development, LLC** (hereinafter known as "Grantors", whether one or more) for and in consideration of One and No/100 Dollar (\$1.00) and other good and valuable consideration paid to Grantors in hand by Alabama Power Company, a corporation, the receipt and sufficiency of which are hereby acknowledged, do hereby grant to said Alabama Power Company, its successors and assigns (hereinafter the "Company"), the following easements, rights, and privileges:

The right from time to time to construct, install, operate and maintain upon, over and across the Property described below, all poles, towers, wires, fiber optics, cables, communication lines, translosures, transformers, anchors, guy wires and other facilities useful or necessary in connection therewith (collectively, the "Facilities") for the overhead transmission and distribution of electric power and communications, along a route selected by the Company, as determined by the location(s) in which the Company's Facilities are to be installed. The width of the Company's right of way will extend fifteen (15) feet on all sides of said Facilities as and where installed.

The Company is further granted all the rights or privileges necessary or convenient for the full enjoyment and use of said right of way for the purposes above described, including, without limitation, the right of ingress and egress to and from said Facilities, as applicable, the right to excavate for installation, replacement, repair and removal of said Facilities, the right in the future to install and utilize intermediate poles and facilities on said right of way, the right to install, maintain, and use anchors and guy wires on land adjacent to said right of way, and also the right to cut, remove, and otherwise keep clear any and all trees, undergrowth, structures, obstructions, or obstacles of whatever character, on, under and above said right of way, as applicable. Further, 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 aforementioned right of way that, in the opinion of the Company, may now or hereafter endanger, interfere with, or fall upon any of said overhead Facilities.

The easements, rights and privileges granted hereby shall apply to, and the word "Property" as used in this instrument shall mean the real property more particularly described in those certain instruments recorded in Instrument #20151005000347950, in the Office of the Judge of Probate of the above named 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 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 said Grantor, has caused this instrument to be executed by Connor Farmer, its authorized

representative, as of the 16<sup>th</sup> day of August, 2017.

ATTEST (if required) or WITNESS:

By: \_\_\_\_\_

Creekwater Development, LLC  
(Grantor - Name of Corporation/Partnership/LLC)

By: [Signature] (SEAL)  
[Indicate: President, General Partner, Member, etc.]

Its: Member

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

All Facilities on Grantor: \_\_\_\_\_ Location to Location: Loc 2+00 to Loc 2+15(S); Loc 3+00 to Loc 3+15(S)  
Guy's at Loc 2+00 & Loc 3+00

The SE¼ of the NE ¼ of Section 27, Township 20 South, Range 4 West Transformer # 700690

CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF Alabama

COUNTY OF Shelby

I, Shady T. Herrington, a Notary Public in and for said County in said State, hereby certify that Connor Farmer, whose name as member of Creekwater Development, LLC 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 LLC.

Given under my hand and official seal this the 16<sup>th</sup> day of August, 20 17

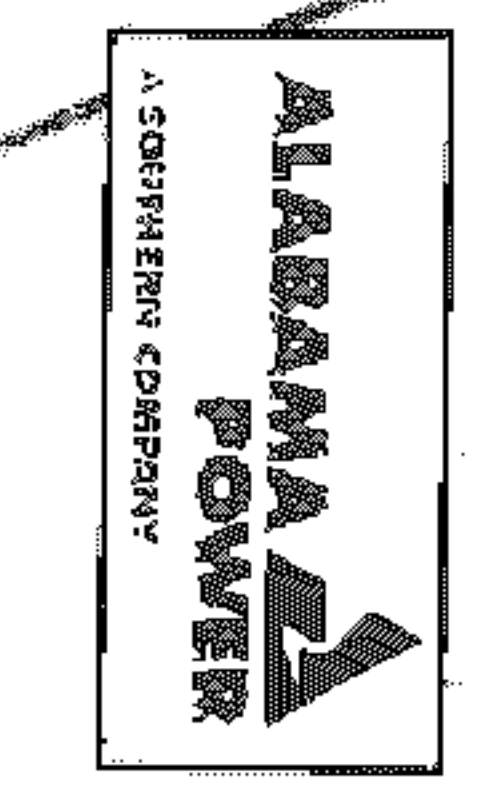
Shady T. Herrington  
Notary Public

[SEAL]

My commission expires: March 12, 2018

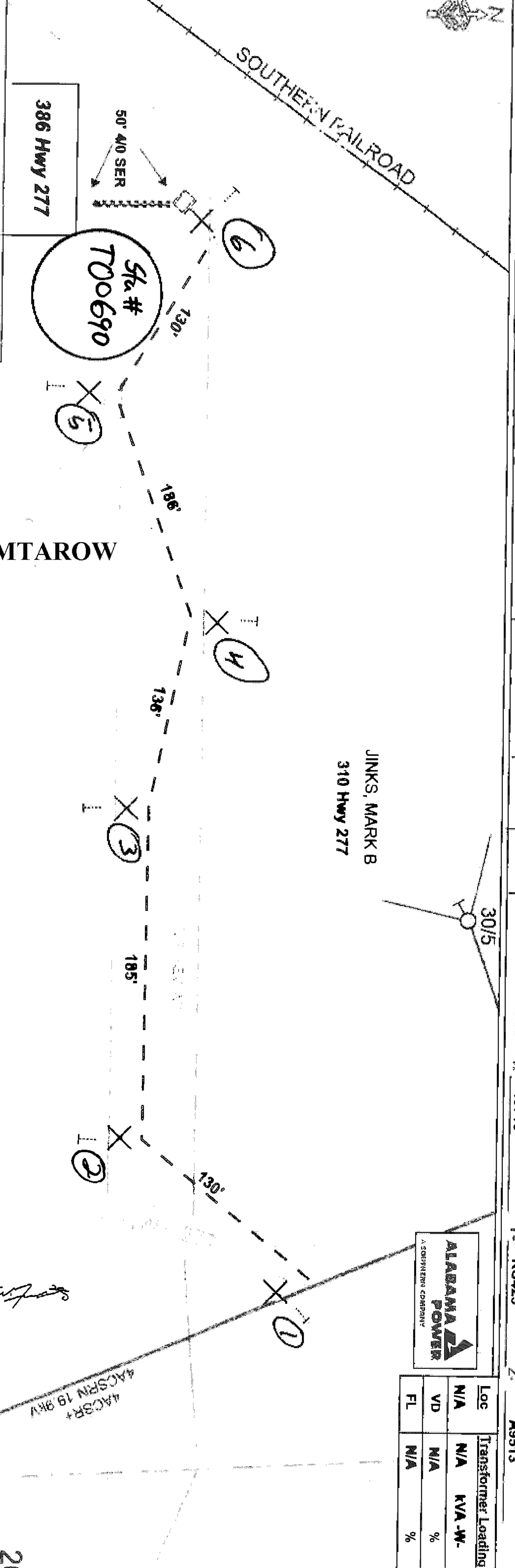


Customer <b>David Higgins</b>	Location <b>386 Hwy 277</b>	County Shelby	Township 20S	Range 04W	Voltage Pri: 35 Sec: 240	Sub: E.W.P.	SW: A6173-00-BE17
Division Ham South	District Pattons Chapel	GOAT M. MacMILLAN	Created 8/7/2017	Section 27	Substation INDIAN SPRINGS	X- 48716	Estimate No.
	Town Hoover					Y- RC423	A9513



Loc	Transformer Loading
N/A	N/A
VD	N/A
FL	N/A

JINKS, MARK B  
310 Hwy 277



**NOTE:**  
Customer to remove two trouble trees.  
Customer to do all UG trenching at  
30" are deeper in company provide  
conduit.



Filed and Recorded  
Official Public Records  
Judge James W. Fuhrmeister, Probate Judge,  
County Clerk  
Shelby County, AL  
10/19/2017 08:09:22 AM  
\$21.50 CHERRY  
20171019000379820

20171019000379820 10/19/2017 08:09:22 AM ESMTAROW  
3/3

RW Agent Den F. 12  
Date Assigned 8-14-17  
Date Cleared 9-1-17  
Parcel # 72229603-001 + 72229601-001  
72229603-001  
STA / +00 TO STA / +50  
40' DEDICATED ROAD  
Guy at loc 1700