

APC Document # 7223054-002

Source of Title: 7223054-002

Instrument Number 20170717000255540

EASEMENT - DISTRIBUTION FACILITIES

STATE OF ALABAMA
COUNTY OF SHELBY

This instrument prepared by: Shannon Floyd

Alabama Power Company
Attn: Corporate Real Estate
600 North 18th St
Birmingham, AL 35203

20171109000406690

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ESMTAROW 1/3

KNOW ALL MEN BY THESE PRESENTS, That the undersigned Hardee's, Lessee, to the extent of its interest, (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:

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 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 depend on whether the Facilities are underground or overhead: for underground, the right of way will extend five (5) feet on all sides of said Facilities as and where installed; for overhead Facilities, the 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 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, 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 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 that certain instrument recorded in Instrument Number 20170717000255540, 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, Grantors hereby grant 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 Grantors, the Company and each of their respective heirs, personal representatives, successors and assigns and the words "Company" and "Grantors" 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 said Grantors have caused this instrument to be executed by George B. Long, its authorized representative, as of the 1st of November, 2017.

ATTEST (if required) or WITNESS:

By: [Signature]
Its: Deputy

Hardee's

By: [Signature] (SEAL)
Its: President

[Indicate President, General Partner, Member, etc.]

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: No Location to Location: _____

SW 1/4 of the NE 1/4 and the SE 1/4 of the NW 1/4 both in, Section 11, Township 21 South, Range 3 West

W.E. No. A6170-06-AV17

Transformer No. T007YL

REV 3/15/16

CORPORATION NOTARY

STATE OF Alabama

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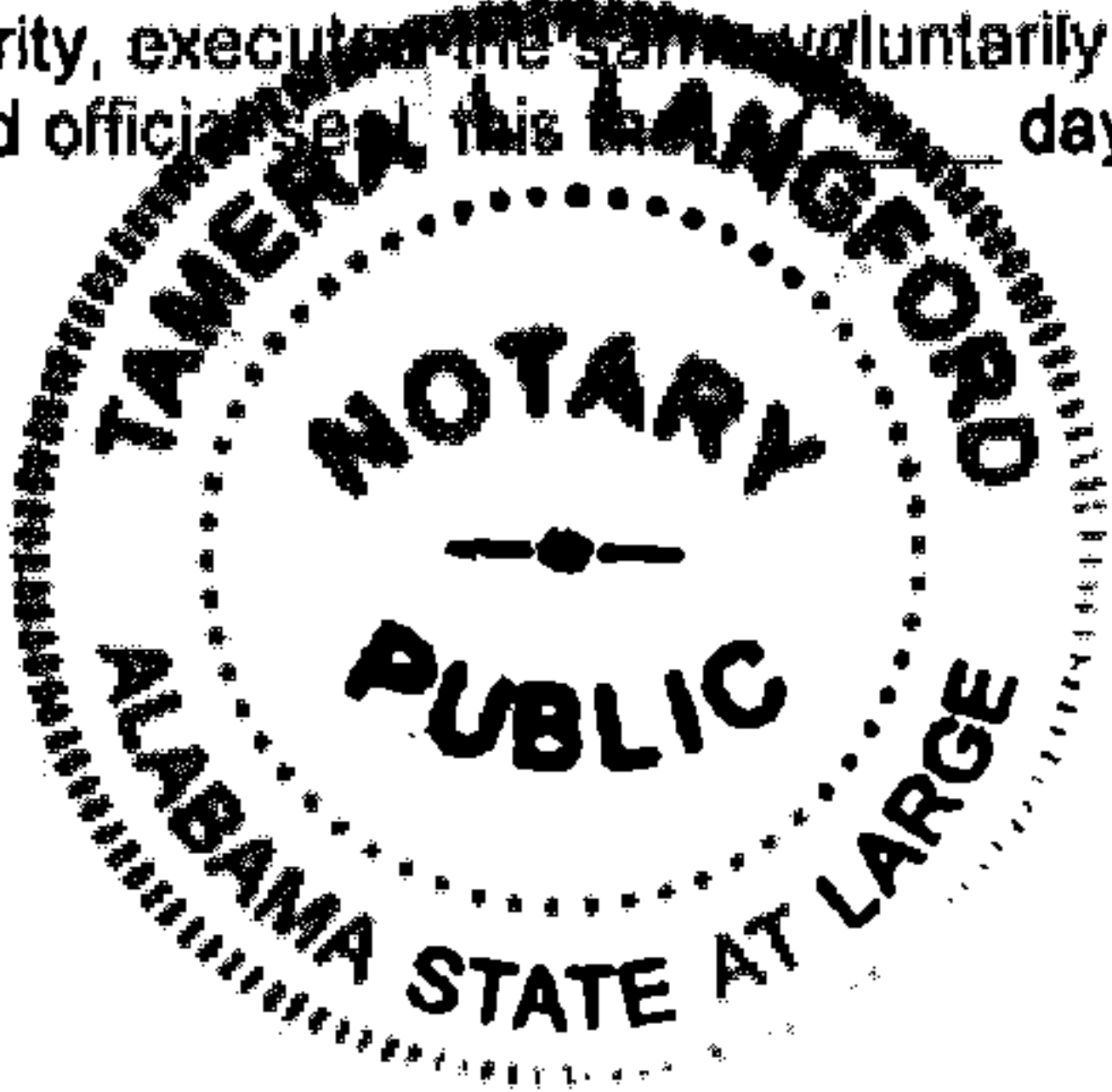
COUNTY OF Lefferson

I, Tamera L Langford
George Blum

a Notary Public, in and for said County in said State, hereby certify that
whose name as President of Hardee's, a corporation, 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 this instrument, he/she, as such
officer and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and official seal this 11th day of November, 2017

[SEAL]



Tamera L. Langford
Notary Public

My commission expires: 2-22-20

72230524-002

1 INCH = 100 FEET N.I.S.

Customer HARDEE'S	Location 9940 AL HWY 119	Cmntd. Svc Date 11/30/2017	County Shelby	Section 11	Township 21S	Range 03W	Add'l Info.	Estimate No. A6170-06-AV17
Division BIRMINGHAM- SOUTH	District METRO SOUTH	Town ALABASTER	UserID #11507 aachand	Created: 10/18/2017	Substation : ELLIOTSVILLE D.S.	X- 39886	Y- XA4859 (F)	MISSALL#

Transformer Loading	Loc
77kVA {T007YL}	6



ALABAMA POWER
A SOUTHERN COMPANY

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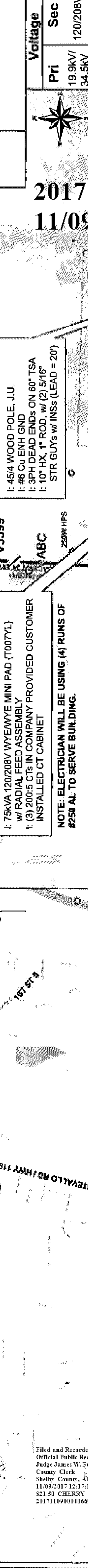
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Phone Co.	Cable Co.	Accessible	Tree Crew	Rock Hole	Permits	R/W	CITY	COUNTY	STATE	OTHER
Y	Y	Y	N	N	Y	Y				

NOTE: ELECTRICIAN WILL BE USING (4) RUNS OF #250 AL TO SERVE BUILDING.

NOTE TO MAPPING: ONLY FACILITIES CROSSING ROAD IS SPAN GUY, NO PRIMARY AND NO SPAN OUT IN FIELD.

NOTE: WORK ORDER REQUIRED IN ORDER TO INSTALL APCO FACILITIES TO PROVIDE 120/208V UNDERGROUND SERVICE TO NEW HARDEE'S RESTAURANT ALONG WITH FACILITIES TO SERVE (2) ADJACENT FUTURE LOTS.

2) NO CSP BILLING PER APPENDIX F.

3) ENHANCED GROUNDING INSTALLED AT POLE LOCATIONS #3 & #5 TO ACCOMMODATE FUTURE TRANSFORMERS AND/OR RISERS.

4) FOR R.O.W. PROPERTY OWNED BY [REDACTED]

5) MISC REP. [REDACTED]

6) ALDOT CONTACT [REDACTED]

7) GENERAL CONTRACTOR [REDACTED]

8) ELECTRICIAN [REDACTED]

ENERGIZED WORK PERMIT:
Substation: ELLIOTSVILLE D.S.
Feeder: #1, 39886
Switch: N/A
Fused: N/A
OCR: XA0400

STATION 1 + 00 TO STA 2 + 00
DEDICATED ROAD

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