

APC Document # 72230774-001

Source of Title:
Instrument #20081215000465980

EASEMENT – SECONDARY VOLTAGE

STATE OF ALABAMA
COUNTY OF SHELBY

500.00

20171221000455170
12/21/2017 11:41:15 AM
ESMTAROW 1/3

This instrument prepared by: Dean Fritz

Alabama Power Company
2 Industrial Park Drive
Pelham, AL 35124

KNOW ALL MEN BY THESE PRESENTS, That the undersigned **J & R Properties, L.L.C., an Alabama limited liability company** (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, along a route to be selected by the Company, as determined by the actual location(s) in which the Company's facilities are to be installed, all poles, wires, and other appliances and facilities useful or necessary in connection therewith (collectively "Facilities"), for the overhead distribution of communications and secondary voltages not to exceed 600 volts of electric power for overhead service upon, over, under and across real property more particularly described in that certain instrument recorded in **Instrument #20081215000465980**, in the Office of the Judge of Probate of the above named County.

Together with all rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from said Facilities; 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, which shall extend five feet (5') from all sides of said Facilities; and 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 Company, may now or hereafter endanger, interfere with, or fall upon any of said overhead facilities.

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 Company, its successors and assigns, forever.

Signature on following page.

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: Yes

Location to Location: _____

NW ¼ of the SW ¼ of Section 9, Township 24 North, Range 12 East

WE No. A6170-00-F817

Transformer No. 2275

REV 3/15/16

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by Jack N Spinks, its authorized representative, as of the 16th day of November, 2017.

ATTEST (if required) or WITNESS:

J & R Properties, L.L.C., an Alabama limited liability company
(Grantor - Name of Corporation/Partnership/LLC)

By: _____
Its: JEFF HOLLEY, NPCA ENCL.

By: Jack N Spinks (SEAL)
Its: Member Jack SPINKS
[Indicate President, General Partner, Member, etc.]

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CORPORATION/PARTNERSHIP/LLC NOTARY
STATE OF Alabama
COUNTY OF Shelby

I, Kenneth W. Jones, a Notary Public in and for said County in said State, hereby certify that Jack N. Spinks, whose name as member of J & R Properties, L.L.C., an Alabama limited liability company, a 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 member and with full authority, executed the same voluntarily, for and as the act of said L.L.C.

Given under my hand and official seal this the 16th day of November, 2017.

Kenneth W Jones
Notary Public MY COMMISSION EXPIRES FEBRUARY 14, 2021
My commission expires: _____

[SEAL]

Alabama Power

I: 30'5 CCA Pole
 I: Sec DE
 I: 40' #1/0 Tpx Sec
 I: 35' #1/0 Tpx Svc
 I: 200A AMI Meter