

EASEMENT - DISTRIBUTION FACILITIES

STATE OF ALABAMA

10500

COUNTY OF **SHELBY**

This instrument prepared by: S HOPKINS

20181026000379780

10/26/2018 11:13:34 AM

ESMTAROW 1/2

**Alabama Power Company
Corporate Real Estate
2 Industrial Park Drive
Pelham, AL 35124**

KNOW ALL MEN BY THESE PRESENTS That the undersigned HOWARD C KIRBY and TERRI T. KIRBY, husband and wife (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, 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 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# 20180125000026080, 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 undersigned Grantors have executed this instrument on this the 28 day of July, 2018.

Mary Kay Lynde Maas
Witness Signature (non-relative)

Mary Kay Lynde-Maas
Print Name

Michelle Judd
Witness Signature (non-relative)

Michelle Judd
Print Name

Howard C Kirby (SEAL)
(Grantor) HOWARD C KIRBY

HOWARD C KIRBY
Print Name

TERRI T Kirby (SEAL)
(Grantor) TERRI T. KIRBY

TERRI T KIRBY
Print Name

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

W.E. # A6170-00-DL18 Transformer # T00PGF All facilities on Grantor: YES ¼, ¼ STR & LOC to LOC NW/NW 20S-2W-13

WORK ORDER DRAWING

Map Center UTM: 1730407 12987040
 Map Center Lat / Long: 33.286985 -89.785389

Created: 7/26/2018

Estimate No. A6170-00-DL18	Customer TOMMY TURNER	Location LOT 7, CHELSEA RESERVE (Co Rd 336)	Town BIRMINGHAM	County Shelby	Substation CHELSEA	Feeder (X) 34724	Switch (Y) XA271	JET'S REF # 3323918
Division / District BHAM-SOUTH/VANORA	Section 13	Township Range 20S 02W	Used LINC: 101303	W.O. Statement / Add'l Info. INSTALL TRANSFORMER AND UG SERVICE TO SERVE NEW HOME				

Primary Voltage [KV]	12.47	Secondary Voltage	120/240	XFMR Loading	--	FLICKER & VD	FL 3.99% VD 3.28%	Time Trimming Req'd	Y/N	MISSALL	Y/N	LOC 1 MISSALL #	CLEAR:	EXP:	R/W CITY	REPORTS COUNTY STATE	ATTACH PHONE CABLE	METER INFO	
												LOC 2 MISSALL #	CLEAR:	EXP:					400A MAIN

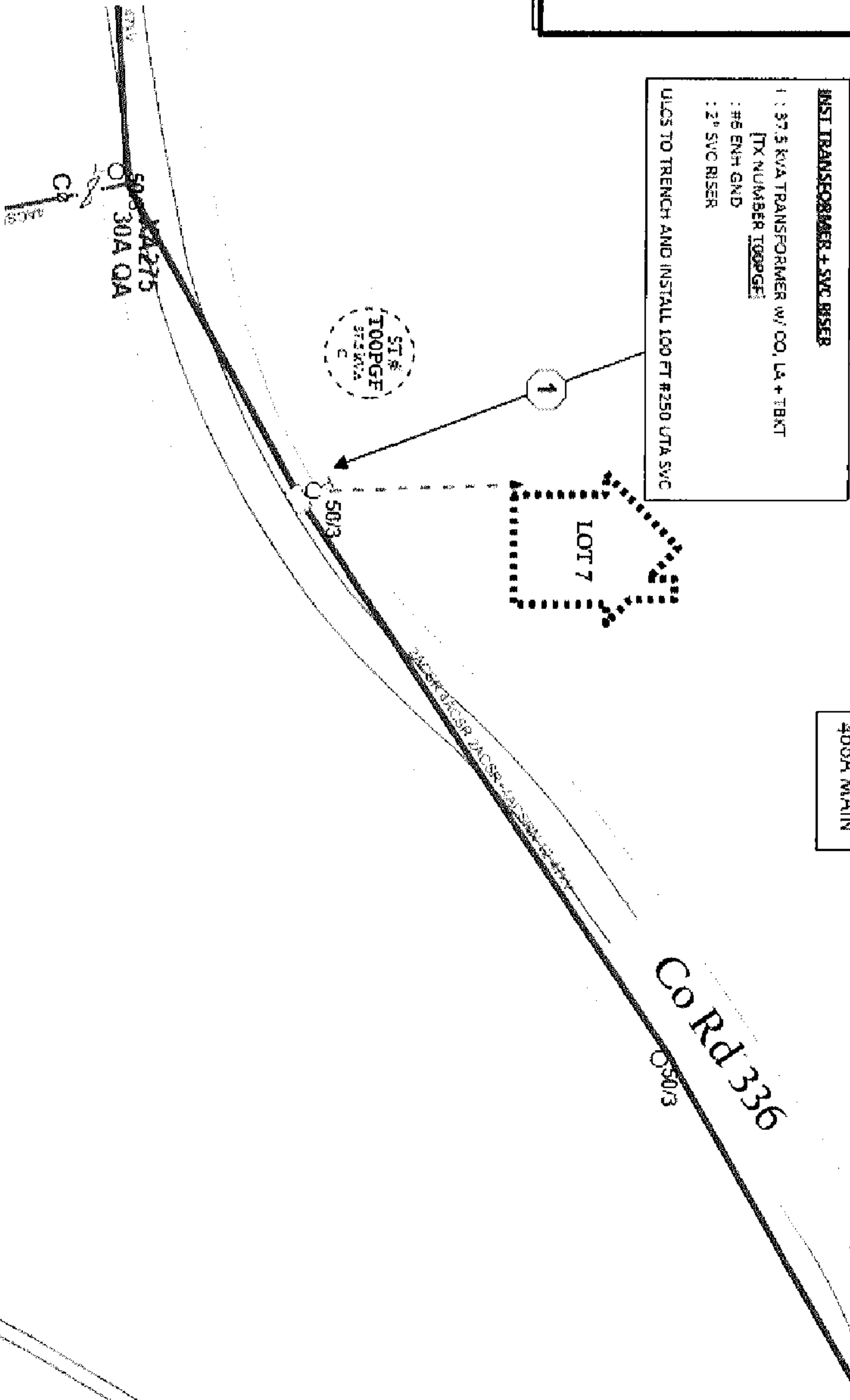
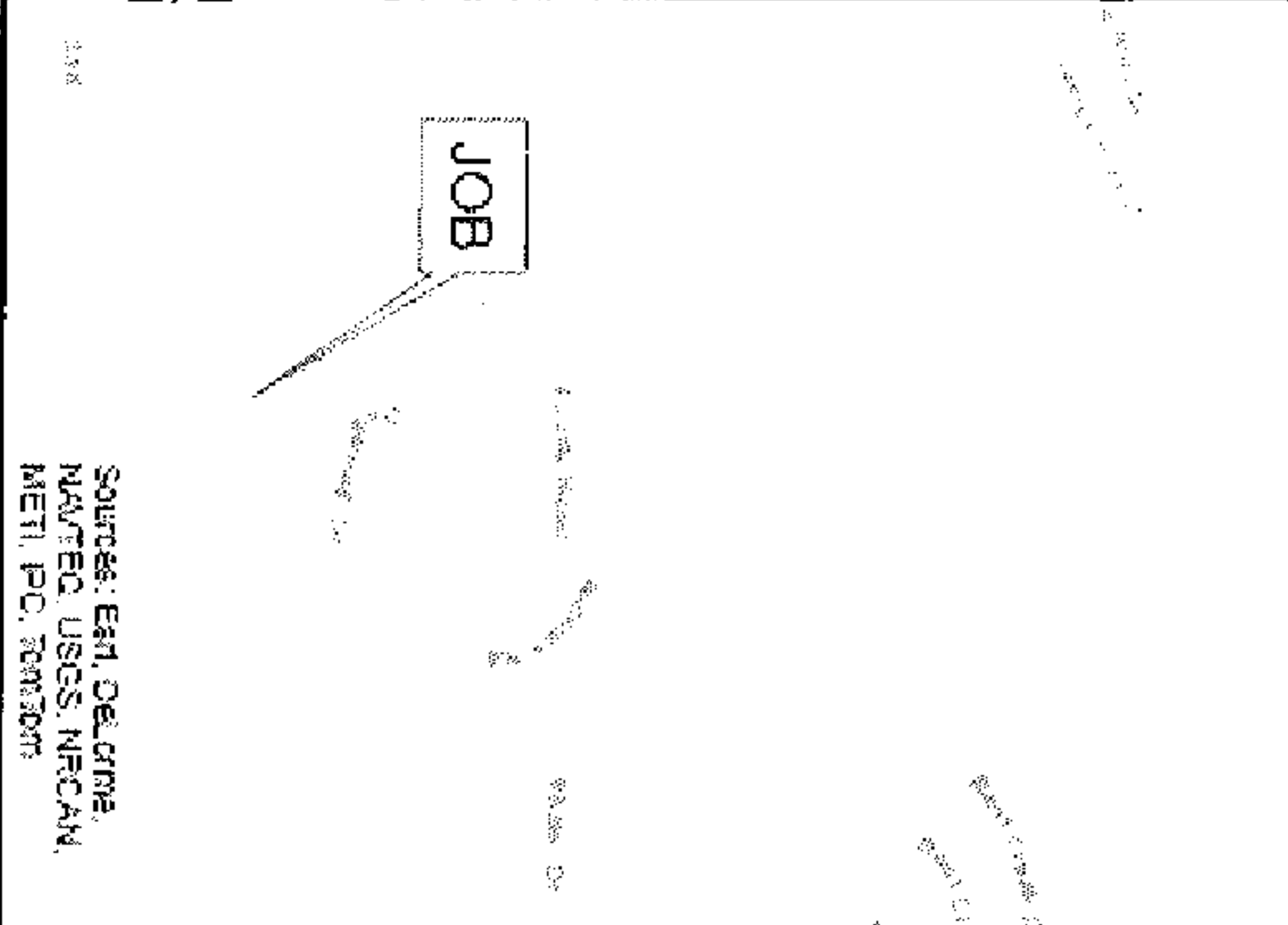
All facilities covered by R/W acquired from:

Job: _____
 Parcel No. 12239230-001
RECORD THIS DRAWING!

WORK LOCATION

ENERGIZED LINE WORK

Sub CHELSEA
 OCB 34724
 OCR XD8770
 Size 100A 4H



NOTES:
 5100 SQ FT
 A.E., ST HP
 400A MAIN



Filed and Recorded
 Official Public Records
 Judge of Probate, Shelby County Alabama, County
 Clerk
 Shelby County, AL
 10/26/2018 11:13:34 AM
 S18.50 CHARITY
 20181026000379780

Allen S. Boyd