

Source of Title:

Instrument #20040609000308980

EASEMENT - POLE LINE

APC Document # 72234396-001

500.00

20190104000003910

01/04/2019 01:29:10 PM

ESMTAROW 1/4

STATE OF ALABAMA  
COUNTY OF SHELBY

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 **Cracker Barrel Old Country Store, Inc.** (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 20040609000308980**, in the Office of the Judge of Probate of the above named County, as well as in 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, widening or improvement of any public road or highway in proximity to the Facilities, Company agrees to consult with Grantor as to the desired relocation of Company's facilities on Grantor's property.

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 Richard M. Wolfson, its authorized representative, as of the 1<sup>st</sup> day of August, 2018.

ATTEST (if required) or WITNESS:

By: [Signature]  
Jean Shuttleworth

Cracker Barrel Old Country Store, Inc.  
(Grantor - Name of Corporation/Partnership/LLC)  
By: [Signature] (SEAL)  
Richard M. Wolfson  
Its: SVP & General Counsel  
[Indicate: President, General Partner, Member, etc.]

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

All on Grantor: X Location to Location: Less and except Road RW (Loc 29+00 to Loc 25.1+00; runs at Loc 28+00 + Loc 25.1+00)

NW¼ of SE¼ of Section 4, Township 22 South, Range 2 West

W.E. No. A6170-20-A117

Transformer No. T00B8E

CORPORATION/PARTNERSHIP/LLC NOTARY

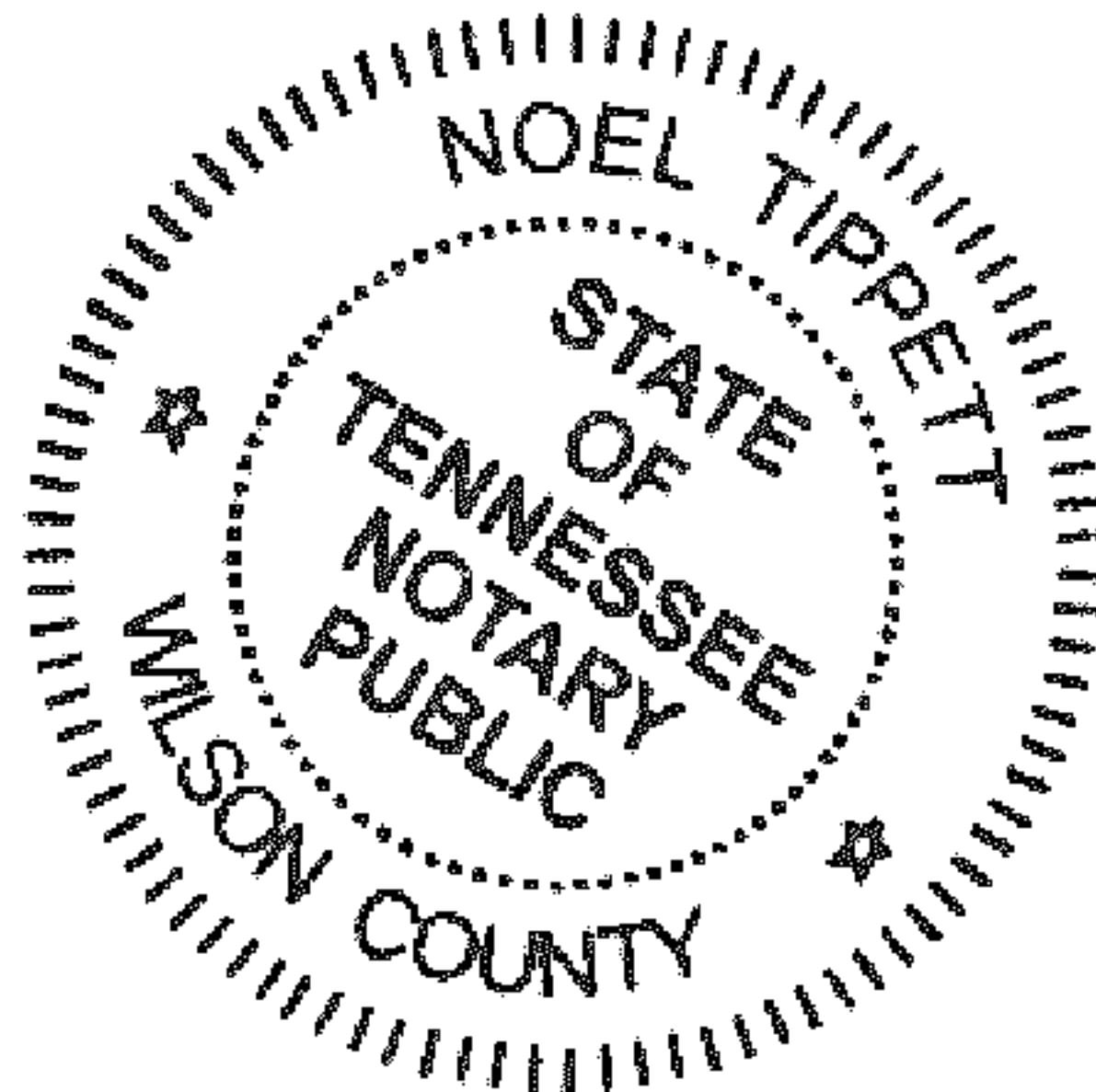
STATE OF Tennessee

COUNTY OF Wilson

I, Noël Tippet, a Notary Public in and for said County in said State, hereby certify that  
Richard m. Wolfson, whose name as SVP & General Counsel  
of Cracker Barrel Old Country Store, Inc. 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  
SVP & General Counsel and with full authority, executed the same voluntarily, for and as the act of said  
corporation.

Given under my hand and official seal this the 1<sup>st</sup> day of August, 20 18.

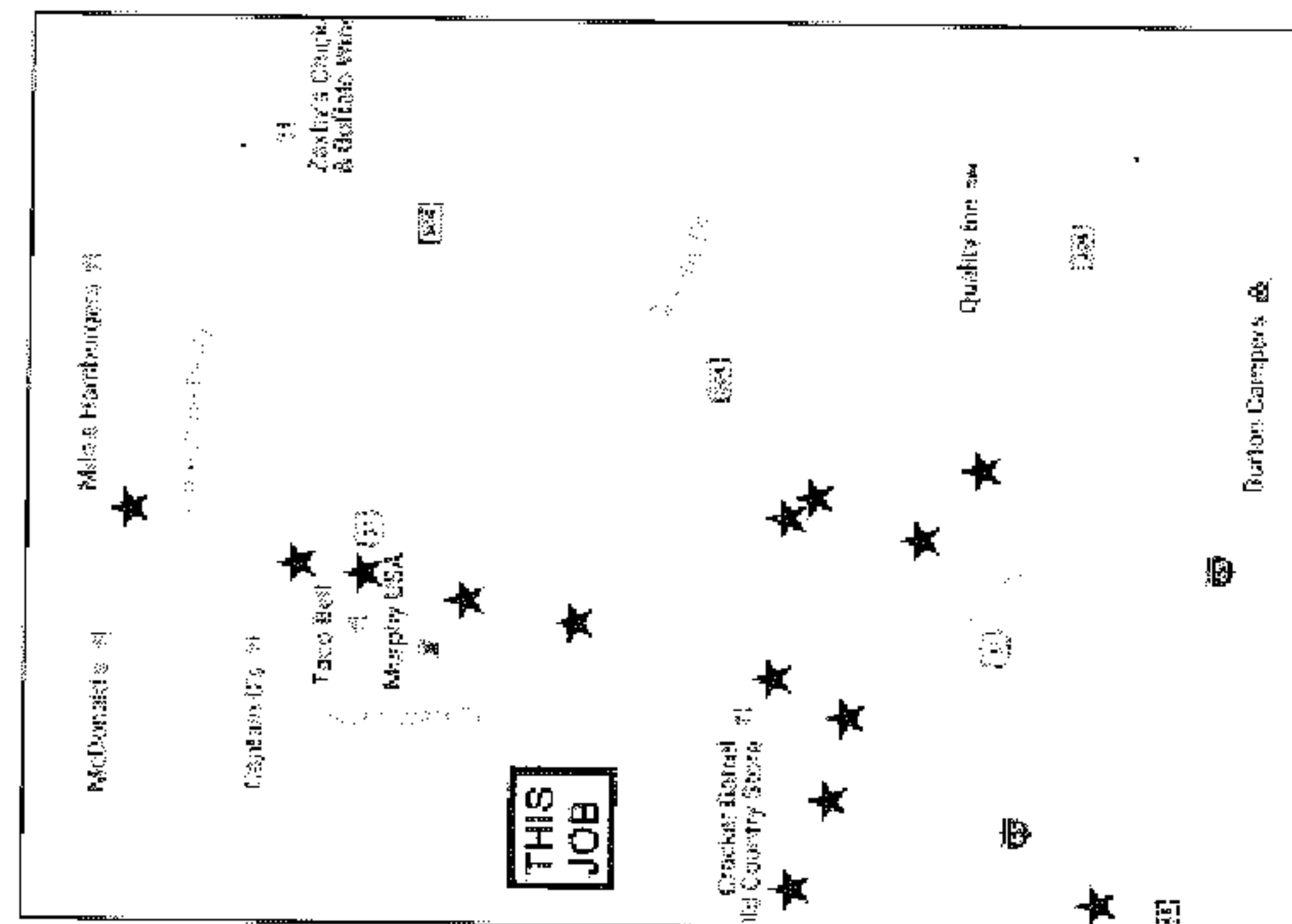
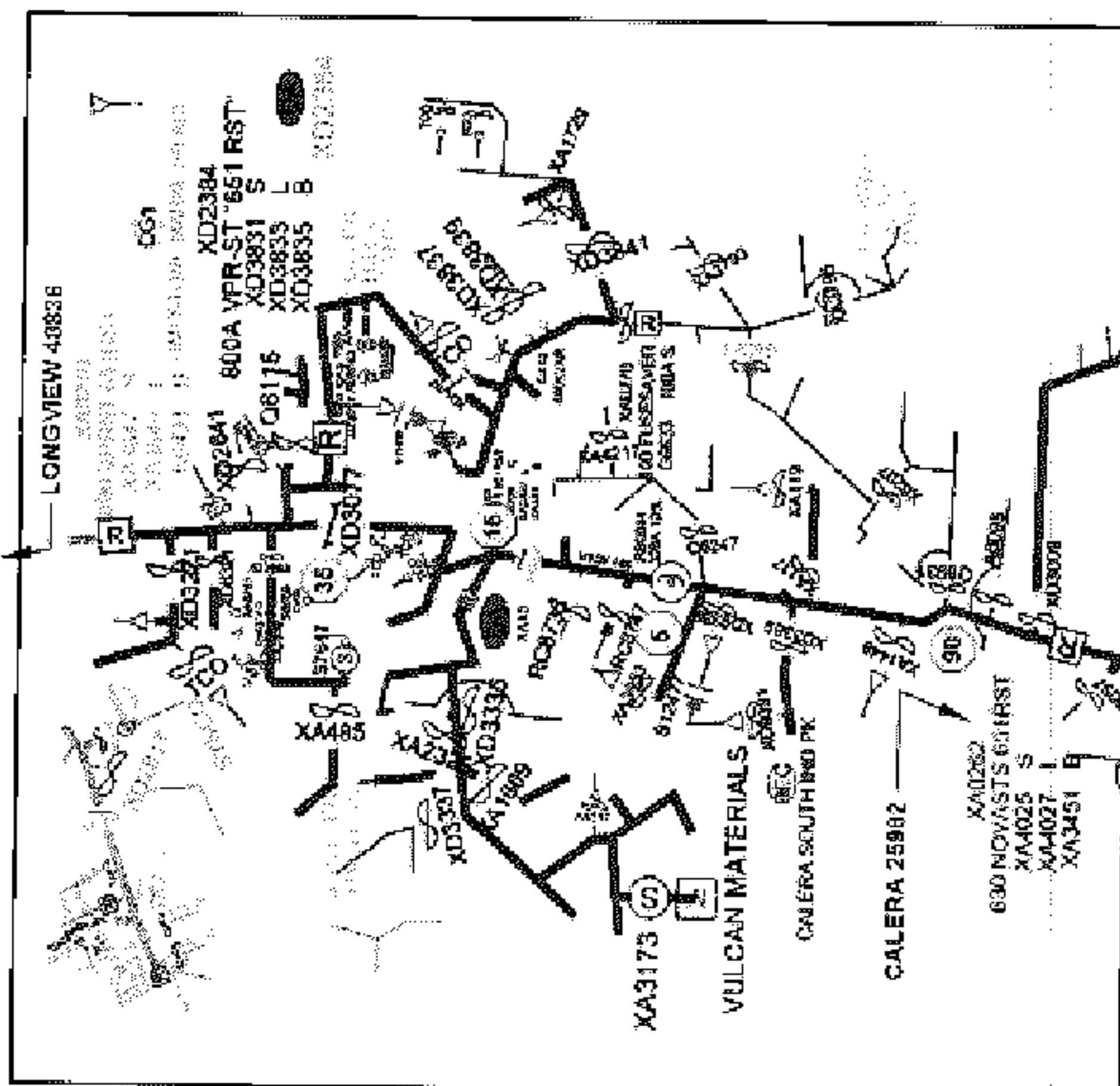
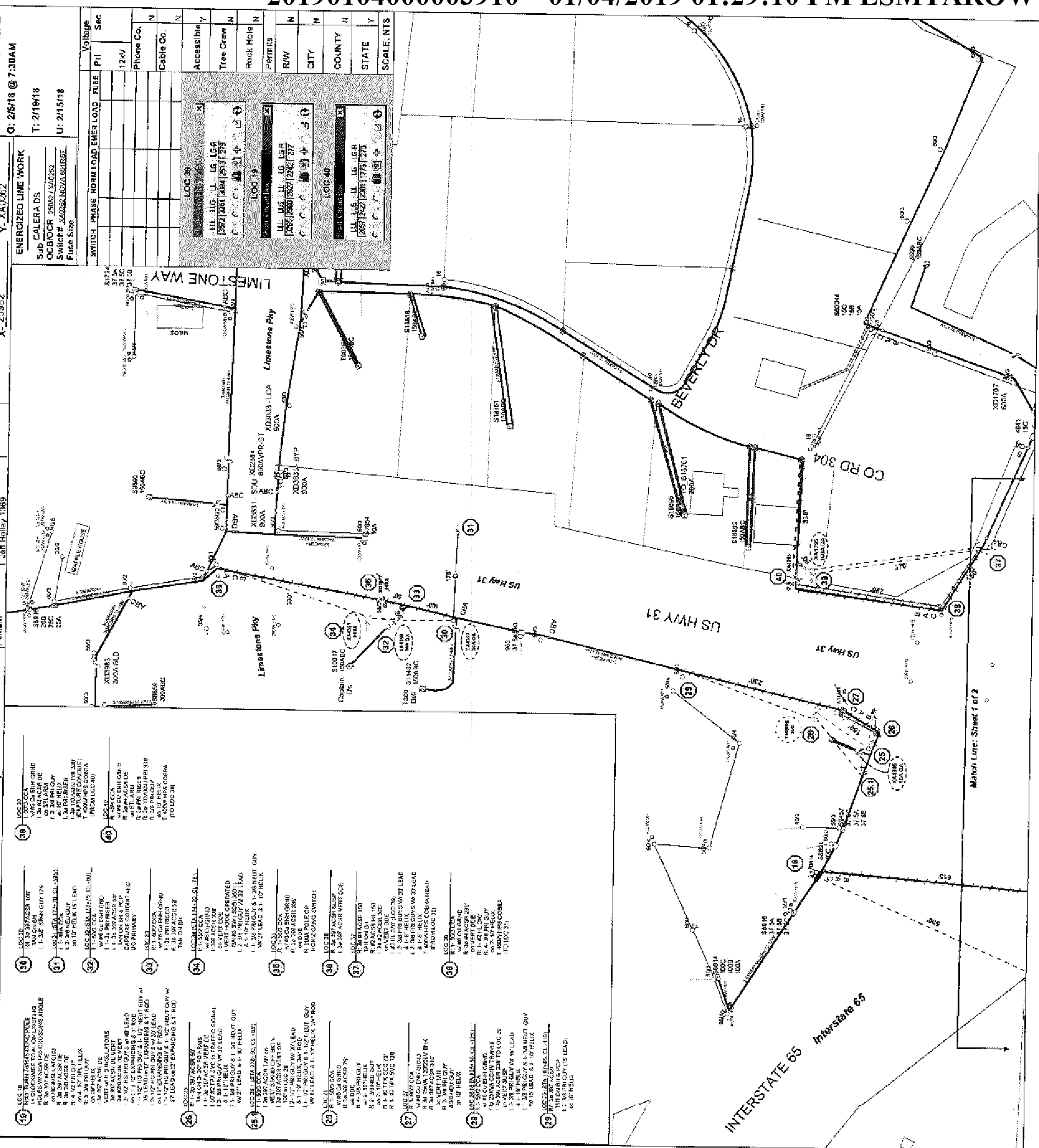
[SEAL]



Noël Tippet  
Notary Public

My commission expires: 12-6-20

Map Center UTM: 1717340 12032276  
Map Center Lat/Lon: 32.145497 -86.748924

[illegible]



**EXHIBIT B**  
Utility Easement Area  
Calera, AL

72234396-001



Red Line = Current location of power lines that will be removed

Blue Line = New location for power lines on Grantor's property

Green Line = Existing power lines that will remain in place



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
01/04/2019 01:29:10 PM  
\$24.50 CHERRY  
20190104000003910

*Allen S. Bayl*