

EASEMENT – UNDERGROUND

STATE OF ALABAMA

COUNTY OF SHELBY

This instrument prepared by: Soneakqua Jones

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

20200610000236010

06/10/2020 01:35:15 PM

ESMTAROW 1/2

KNOW ALL MEN BY THESE PRESENTS, That the undersigned D R HORTON INC – BIRMINGHAM, (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, under, and across the Property described below, all wires, conduits, cables, translosures, transformers, fiber optics, communication lines, and other facilities useful or necessary in connection therewith (collectively, "Facilities"), for the 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 Company's right of way will extend five (5) feet on all sides of said Facilities as and where installed, and shall include the right to clear and keep clear said right of way.

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, and also the right to cut, remove, and otherwise keep clear any and all structures, obstructions, or obstacles of whatever character, on, under, adjacent to, and above said 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 # 20191030000400840 in the Office of the Judge of Probate of the above named County.

If, in connection with the construction or improvement of any public road or highway, it becomes necessary or desirable for the Company to move any of the Facilities, Grantor 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 Andrew Hancock, its authorized representative, as of the 20th of May, 2020.

ATTEST (if required) or WITNESS:



Signature

HOA Board President

Title

GRANTOR



Signature

Division Pres. Cart

Title

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

W.E. # A6170-40-A919 A6170-08-AA20 Transformer # _____ All facilities on Grantor: _____¼, ¼ STR & LOC to LOC: 21S-02W-30 NW/NW

APC Document #

72254056-001

CORPORATION NOTARY

STATE OF

Alabama

COUNTY OF

Shelby

I,

Jerry Howard, Jr

, a Notary Public, in and for said County in said State, hereby

certify that

Andrew Hancock

, whose name as

Division President

of

DR Horton, Inc - Birmingham

, 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, 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 the 20th day of May, 2020.

[SEAL]

Notary Public

My commission expires:

JERRY DOYLE HOWARD JR.
Notary Public
Alabama State at Large

CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF _____

COUNTY OF _____

I,

, a Notary Public in and for said County in said State, hereby certify that

, whose name as _____ of

, a _____,

acting in its

capacity as _____ of _____, 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 _____

and with full authority, executed the same voluntarily, for and as the act of said _____

acting in such capacity as aforesaid.

Given under my hand and official seal this the _____ day of _____, 20____.

[SEAL]

Notary Public

My commission expires: _____



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
06/10/2020 01:35:15 PM
\$26.00 CHARITY
20200610000236010

Allen S. Beyle