

**EASEMENT – UNDERGROUND**

STATE OF ALABAMA

COUNTY OF SHELBY

This instrument prepared by: S HOPKINS

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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 APRIL BETHEA, a married woman, (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 as Lot Numbers 1 and 2 in Block 2 in the Town of Wilton, according to a survey and map of Allotment made by T. O. Sparks, County Surveyor, for George A. Nabors, of land in the SW 1/4 of the NE 1/4, SE 1/4 of the NE 1/4, NW 1/4 of the SE 1/4 and NE 1/4 of the SE 1/4, Section 8, Township 24 North, Range 12 East; said map being dated December 22, 1908, and which is recorded in the office of the Probate Judge of Shelby County, Alabama, in Map Book 3 Page 33, and said lots hereby conveyed being in the NE 1/4 of the SE 1/4 of said Section 8, Township 24 North, Range 12 East and being the same lots that were deeded by Fannie Crosby, and G. H. Crosby to Allen J. Smitherman, situated, lying and being in the Shelby County, Alabama, 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 undersigned Grantors have executed this instrument on this the 1<sup>st</sup> day of March, 2021.

Kathy Yancy  
Witness Signature (non-relative)

Kathy Yancy  
Print Name

Ken Jones  
Witness Signature (non-relative)

Ken Jones  
Print Name

April Bethea  
Grantor Signature

APRIL BETHEA

April Bethea  
Print Name

Greg Ellison  
Grantor Signature

GREG ELLISON

Greg Ellison  
Print Name

\_\_\_\_\_  
For Alabama Power Company Corporate Real Estate Department Use Only

W.E. # A6170-00-BB21

Transformer # \_\_\_\_\_

All facilities on Grantor: \_\_\_\_\_

1/4, 1/4 STR & LOC to LOC 24N-12E-08 NE/SE

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## INDIVIDUAL NOTARY

STATE OF AlabamaCOUNTY OF Shelby

I, Stephanie Gatter, a Notary Public, in and for said County in said State, hereby certify that  
April Bethea whose name 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, executed the same voluntarily.

Given under my hand and official seal this the 26 day of February, 2021.Stephanie Gatter  
Notary PublicMy commission expires: MY COMMISSION EXPIRES DECEMBER 5, 2023

## INDIVIDUAL NOTARY

STATE OF AlabamaCOUNTY OF Shelby

I, Stephanie Gatter, a Notary Public, in and for said County in said State, hereby certify that  
Greg Ellison whose name 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, executed the same voluntarily.

Given under my hand and official seal this the 26 day of February, 2021.Stephanie Gatter  
Notary PublicMy commission expires: MY COMMISSION EXPIRES DECEMBER 5, 2023

Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
03/31/2021 01:43:19 PM  
\$26.00 CHERRY  
20210331000159690

Allen S. Bayl