

EASEMENT – UNDERGROUND

STATE OF ALABAMA

COUNTY OF SHELBY

This instrument prepared by: Dean Fritz

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

20210927000470190  
09/27/2021 03:01:01 PM  
ESMTAROW 1/2

**KNOW ALL MEN BY THESE PRESENTS**, That the undersigned, **City of Helena, Alabama, an Alabama municipal corporation**, (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, trans closures, 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 a portion of the real property more particularly described in that certain instrument recorded in Instrument #20210114000023250, 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 15<sup>TH</sup> day of SEPTEMBER, 2021.

**IN WITNESS WHEREOF**, the said Grantor, has caused this instrument to be executed by J. BREAN PUCKETT, its authorized representative, as of the 15<sup>TH</sup> day of SEPTEMBER, 2021.

ATTEST (if required) or WITNESS:

City of Helena, Alabama, an Alabama municipal corporation  
GRANTOR

By: \_\_\_\_\_

By: [Signature] (SEAL)

Its: \_\_\_\_\_

Its: MAYOR  
(Indicate President, Partner, Member, etc.)

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

W.E. # A6170-06-B721

Transformer # T02D9X

All facilities on Grantor: Yes, less & except road R/W

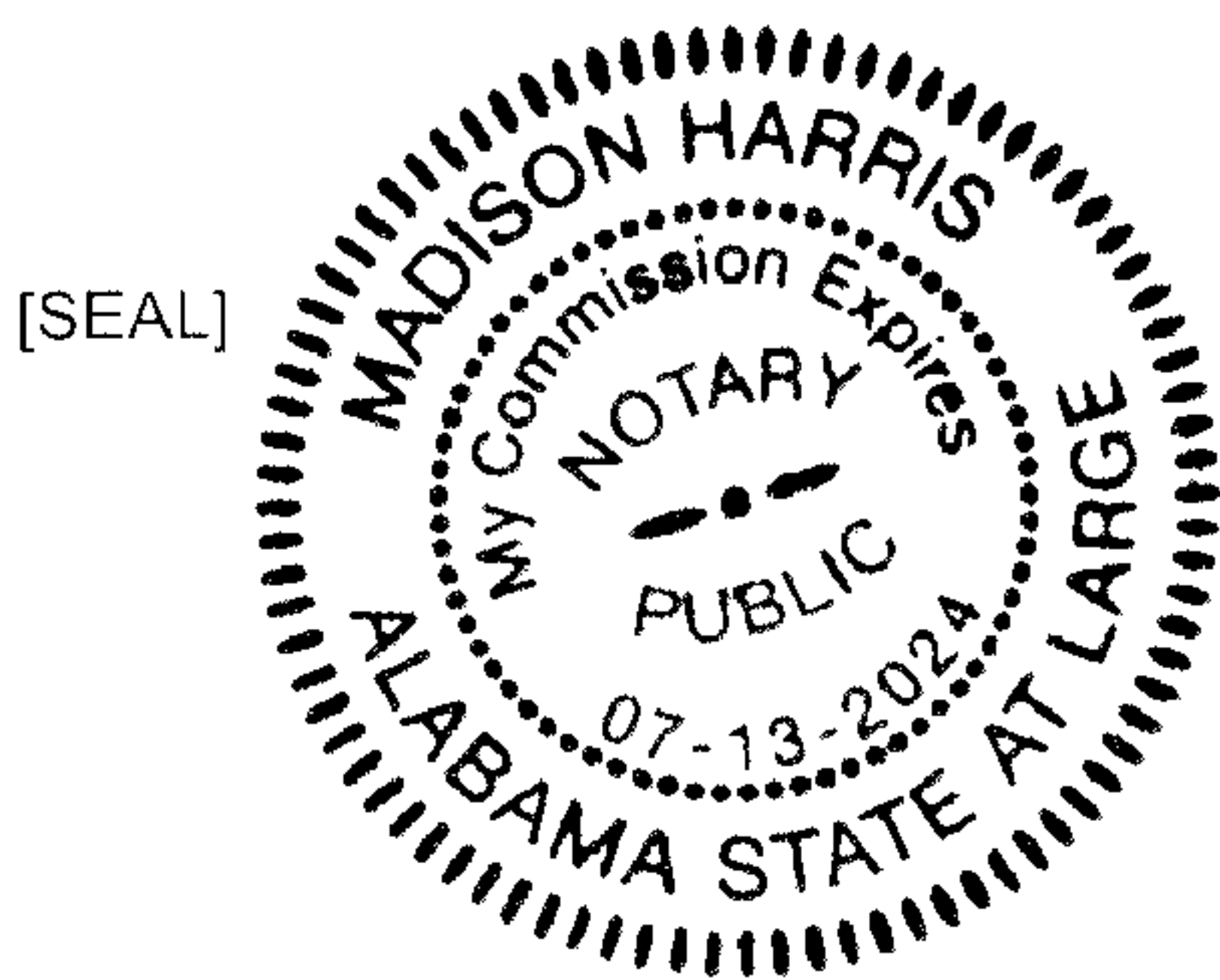
1/4, 1/4 STR & LOC to LOC: SE 1/4 of the SW 1/4 of Section 16, Township 20 South, Range 3 West

20210927000470190 09/27/2021 03:01:01 PM ESMTAROW 2/2

**CORPORATION/LLC NOTARY**STATE OF AlabamaCOUNTY OF Shelby

I, Madison Harris, a Notary Public, in and for said County in said State, hereby  
 certify that J. Brian Puckett, whose name as Mayor of  
City of Helena, Alabama, an Alabama municipal 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 15 day of September, 2021.



Madison Harris  
 Notary Public

My commission expires: 07/13/2024



**Filed and Recorded**  
**Official Public Records**  
**Judge of Probate, Shelby County Alabama, County**  
**Clerk**  
**Shelby County, AL**  
**09/27/2021 03:01:01 PM**  
**\$26.00 CHERRY**  
**20210927000470190**

*Allen S. Bayl*