

WE# A6170-08-A422

APC Document #72266823-001

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

20220204000052200

02/04/2022 12:27:17 PM

ESMTAROW 1/2

**KNOW ALL MEN BY THESE PRESENTS**, That the undersigned **Maria E Costa and husband, Victor J Costa and Mariana C Elchert and husband, Andrew Elchert**, (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 a portion of the real property more particularly described in that certain instrument recorded in Instrument #20200902000389770, 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 18<sup>th</sup> day of JANUARY, 2022

Witness Signature (non-relative)

Print Name

Witness Signature (non-relative)

Print Name

Witness Signature (non-relative)

Print Name

Witness Signature (non-relative)

Print Name

Maria E Costa

(SEAL)

Victor J Costa

(SEAL)

Mariana C Elchert

(SEAL)

Andrew Elchert

(SEAL)

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

W.E. # A6170-08-A422

Transformer # T02J57

All facilities on Grantor: Yes

1/4, 1/4 STR & LOC to LOC: SW 1/4 of the SE 1/4 of Section 19, Township 20 South, Range 3 West

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Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
02/04/2022 12:27:17 PM  
\$28.00 CHERRY  
20220204000052200

*Allen S. Bayl*