

Source of Title: Instrument # 20190104000003690

APC Document # 72252973-001

EASEMENT - UNDERGROUND

STATE OF ALABAMA

COUNTY OF SHELBY

This instrument prepared by: Joe Norwood

Alabama Power Company
Corporate Real Estate
P.O. Box 1070, Attn: Joe Norwood
Tuscaloosa, AL 35403



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
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ESMTAROW 1/1

Allen S. Byrd

KNOW ALL MEN BY THESE PRESENTS, That the undersigned Stephen McMurry and wife Ashleigh McMurry (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 the real property more particularly described in that certain instrument recorded in Instrument # 20190104000003690 also known as Lot 2D-A and 2D-B of Fitts Family Subdivision being a Resurvey of Lots 1 and 2 of Whispering Pines Farms as recorded in Map Book 42, Page 35, 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 29th day of February, 2020.

Witness Signature (non-relative)

Richard B Counts Jr
Print Name

Witness Signature (non-relative)

Richard B Counts Jr
Print Name

Grantor Signature Stephen McMurry

Stephen McMurry
Print Name

Grantor Signature Ashleigh McMurry

Ashleigh McMurry
Print Name

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

W.E. # A6415-00-A720

Transformer # T001FHK, NE 1/4 of the SE 1/4 of

All facilities on Grantor: No

Loc 1 + 30 to Loc 2 + 50

1/4, 1/4 STR & LOC to LOC: SECTION 16, TOWNSHIP 21 SOUTH, RANGE 5 WEST