

72268146

STATE OF ALABAMA)

COUNTY OF SHELBY)



20221007000382950 1/3 \$29.00
Shelby Cnty Judge of Probate, AL
10/07/2022 09:38:08 AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That **Fox Lake Farm LLC** (hereinafter known as "Grantors," whether one or more), for and in consideration of the sum of Eighty Five Thousand and No/100s Dollars (\$85,000.00) 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" or "Grantee"), the following easements, rights, and privileges:

The right to construct, operate, and maintain electric transmission lines and advanced communications capabilities, and all towers, poles, conduits, conductors, cables, wires, antennas, insulators, anchors, guy wires, counterpoise conductors, and all other appliances, equipment, and fixtures necessary or convenient in connection therewith, from time to time, upon, over, under, and across, a strip of land **30 feet** in width, with said strip being more particularly described within **Exhibit A** attached hereto (hereinafter, "Right of Way").

The Company is further granted all the rights or privileges necessary or convenient for the full enjoyment or use of said Right of Way on the property of the Grantors, which is identified and described within Exhibit A attached hereto (hereinafter, "Grantors' Property"), for the purposes above described, including, without limitation, the right of ingress and egress to and from said Right of Way across Grantors' Property, together with the right to use and make necessary or convenient improvements to existing roads on Grantors' Property, the right to cut, remove, and otherwise keep clear by any means, including herbicides, all trees, undergrowth, structures, materials, and all other obstructions, whether natural or man-made, under, on, or above said Right of Way, the right to cut any timber located upon Grantors' Property which in falling would come within five (5) feet of any conductor of the Company located on said Right of Way or located on any other property, including public road right of way, the right to install, maintain, and use anchors and guy wires on Grantors' Property adjacent to said Right of Way, and the right to install grounding devices on Grantors' fences now or hereafter located on said Right of Way and on fences or other structures of Grantors now or hereafter located on Grantors' Property adjacent to said Right of Way. Grantee shall have the right to prevent any use of the Right of Way which, in the opinion of the Grantee, could interfere with or otherwise be inconsistent with the exercise of Grantee's easements, rights, and privileges herein granted. Further, Grantee shall have the right to grant, or permit the exercise of, the herein granted easements, rights, and privileges, whether in whole or in part, to others.

The Grantors covenant with the said Grantee, that Grantors are lawfully seized in fee of the above described land; that said land is free from all encumbrance; that Grantors have a good right to convey the same to the said Company, and that Grantors will warrant and defend the said land to the said Company forever.

Pursuant to Code of Alabama (1975), § 37-16-7(g), this instrument serves as notice of the Grantee's intent to install broadband systems within said Right of Way.

TO HAVE AND TO HOLD the same to the said Grantee, its successors and assigns, forever.

Grantors shall have the right to use the Right of Way for any purpose not inconsistent with the rights which Grantee may from time to time exercise hereunder.

IN WITNESS WHEREOF, we have here unto set our hands and seals, this the 20th day of SEPTEMBER, 2022.

Fox Lake Farm LLC

BY: Maryanne Majerik

ITS: MANAGING MEMBER

Right of Way
Birmingham Division
10587469

Valleydale-Inverness (29-21-61)

Page 1 of 3

This instrument prepared by the
Corporate Real Estate Office
Alabama Power Company
P.O. Box 2641
Birmingham, AL 35291

REV 10/2019

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COUNTY OF SHELBY)



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I, Terrl S Keith, a Notary Public in and for said County in said State,
hereby certify that Mary Anne Majevik, whose name as
Managing member of Fox Lake Farm LLC, a limited liability
company, 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, as such Managing
Member and with full authority, executed the same voluntarily, for and as the act of said Managing
Member.

Given under my hand and official seal this the 20th day of September, 2022.

Terrl S Keith

My Commission Expires: 11/16/24



72268146

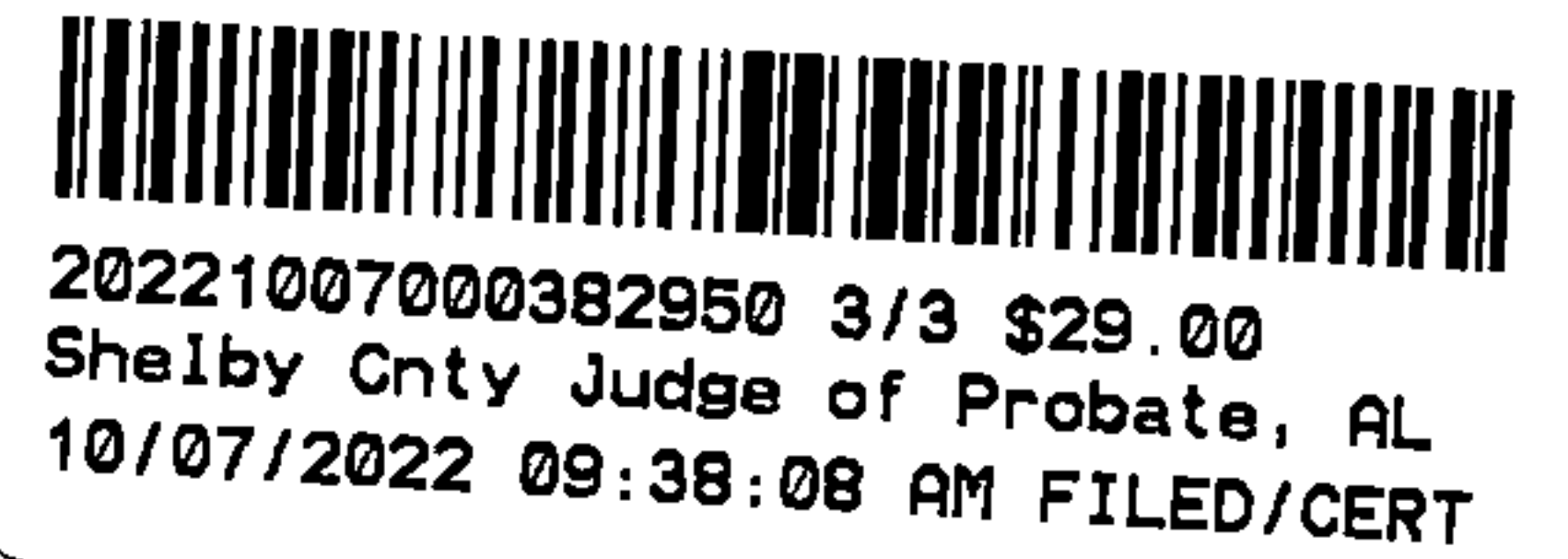


EXHIBIT A

Grantors own property which lies within the NE ¼ of the SW 1/4, the NW ¼ of the SE ¼, the SE ¼ of the SW ¼ and the SW ¼ of the SE ¼ all in Section 11, Township 19 South, Range 02 West, , and more particularly described as Instrument # 20030107000012770 in the Probate Office of Shelby County, Alabama ("Grantors' Property").

The Right of Way herein granted by Grantors consists of a strip of land, 30 feet in width, lying within the Northeast Quarter of Southwest Quarter (NE ¼ of the SW ¼), of Section 11, Township 19 South, Range 02 West, Shelby County, Alabama, such strips being more particularly described as follows:

To reach the point of beginning of said strip, commence at a found 3" capped pipe located at the Southwest corner of the Northeast quarter of the Southwest quarter of Section 11, T-19-S, R-02-W; thence run S81°49'43"W, a distance of 268.19 feet thence run N33°19'53"E, a distance of 418.74 feet; thence run N35°30'59"E, a distance of 345.71 feet to a point; such point being the **Point of Beginning** of right of way herein described; therefrom the strip is varying in width and lies either side of said survey centerline, and the continuation thereof, which begins at such Point of Beginning and runs N35°30'59"E, a distance of 59.32 feet to a set 5/8" rebar with yellow APCO cap; thence run N03°43'14"E, a distance of 296.50 feet to a set 5/8" rebar with yellow APCO cap; thence run N18°50'46"E, a distance of 314.65 feet to a set 5/8" rebar with yellow APCO cap; thence run N31°53'53"E, a distance of 97.91 feet to the intersection of the Grantor's north property line and the survey centerline; such point being the **POINT OF ENDING** of the strip of right of way herein described.

All bearings based on Alabama State Plane West Zone Grid North.

MAM

Grantor's Initials