

EASEMENT - DISTRIBUTION FACILITIES

STATE OF ALABAMA

COUNTY OF SHELBY

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This instrument prepared by: S HOPKINS

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

KNOW ALL MEN BY THESE PRESENTS That the undersigned EBSCO DEVELOPMENT CO INC (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:

Overhead and/or Underground. The right from time to time to construct, install, operate and maintain, upon, over, under and across the Property described below, all poles, towers, wires, conduits, fiber optics, cables, communication lines, trans closures, transformers, anchors, guy wires, and other facilities useful or necessary in connection therewith (collectively, "Facilities"), for the overhead and/or 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 width of the Company's right of way will depend on whether the Facilities are underground or overhead: for underground, the right of way will extend five (5) feet on all sides of said Facilities as and where installed; for overhead Facilities, the right of way will extend fifteen (15) feet on all sides of said Facilities as and where installed.

The location of the right of way conveyed herein is generally described in Exhibit A and sketch attached hereto and made a part hereof but shall be more precisely determined by the actual location(s) as installed.

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, the right to install, maintain, and use anchors and guy wires on land adjacent to said right of way, the right in the future to install intermediate poles and facilities on said right of way, and also the right to cut, remove, and otherwise keep clear any and all trees, undergrowth, structures, obstructions, or obstacles of whatever character, on, under and above said right of way, as applicable. Further, with respect to overhead Facilities, the Company is also granted the right to trim and cut, and keep trimmed and cut, all dead, weak, leaning or dangerous trees or limbs outside of the aforementioned right of way that, in the opinion of the Company, may now or hereafter endanger, interfere with, or fall upon any of said overhead 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 as INSTRUMENT #20210615000292230 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 said Grantors have caused this instrument to be executed by Nicholas Dawson, its authorized representative, as of the 22nd of September, 2022.

ATTEST (if required) or WITNESS:

Bryan King
Signature

Vice President
Title

GRANTOR:

Signature

Vice President
Title

see
Exhibit
D
ND

For Alabama Power Company Corporate Real Estate Department Use Only

W.E. # A6170-08-B522 Transformer # _____ All facilities on Grantor _____

1/4, 1/4 STR & LOC to LOC: 19S-01W-03

CORPORATION NOTARY

STATE OF Alabama

COUNTY OF Shelby

I, Mary E. Pharris, a Notary Public, in and for said County in said State, hereby
certify that Nicholas Dawson, whose name as
VP of EBSCO Dev. Co. Inc., a 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 22nd day of Sept., 2022.

[SEAL]



Mary E. Pharris
Notary Public

My commission expires: 03/24/26

CORPORATION/PARTNERSHIP/LLC

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public in and for said County in said State, hereby certify that
_____, whose name as _____ of
_____, a _____, acting in its
capacity as _____ of _____, a
_____ 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/she, as such _____
and with full authority, executed the same voluntarily, for and as the act of said _____
acting in such capacity as aforesaid.

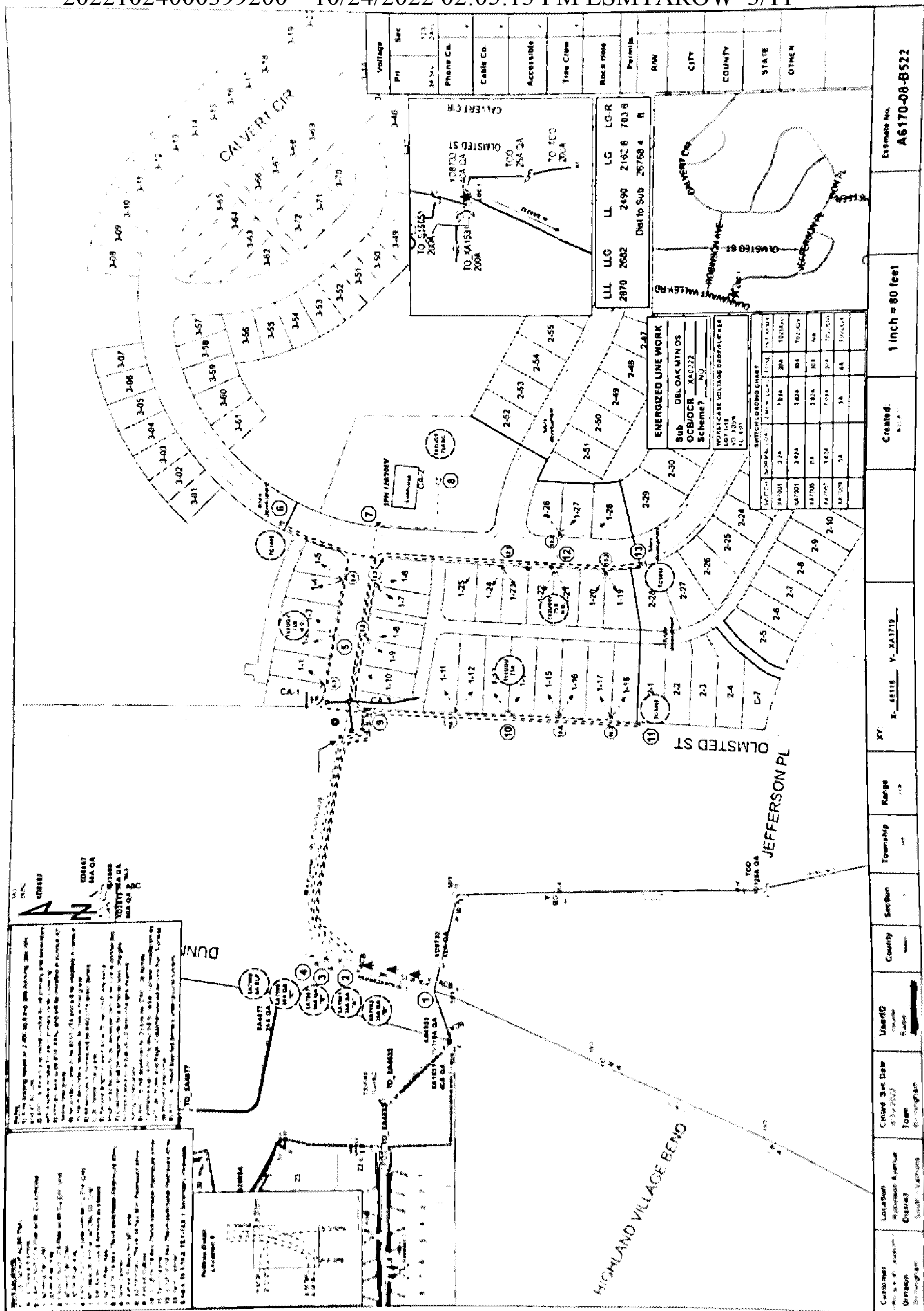
Given under my hand and official seal this the _____ day of _____, 20____.

[SEAL]

Notary Public

My commission expires _____

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EXHIBIT A

Legal Description of Shared Roads

A parcel of land situated in the West 1/2 of the Southeast 1/4 of Section 3, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:
Commence at the Southwest corner of the Northwest 1/4 of the Southeast 1/4 of Section 3 Township 19 South, Range 1 West, Shelby County, Alabama and run in an Easterly direction along the South line of said 1/4-1/4 section for a distance of 346.00 feet to the point of intersection of said South line and the Easterly proposed right-of-way of Olmsted Street, said point being the POINT OF BEGINNING; thence leaving said South line, turn a deflection angle to the right of $92^{\circ}36'52''$ and run in a Southerly direction along said proposed right-of-way for a distance of 493.59 feet to an ALA ENG capped iron; thence continue along the previously described course and along said proposed right-of-way for a distance of 121.79 feet to an ALA ENG capped iron at the point of intersection of the previously described proposed right-of-way and the Northeasterly proposed right-of-way of Jefferson Drive, said point being the P.C. (Point of Curvature) of a non-tangent curve to the right having a radius of 835.00 feet and a central angle of $19^{\circ}13'58''$; thence turn an exterior angle to the right of $100^{\circ}41'53''$ (angle measured to tangent) run in a Southeasterly direction along the arc of said curve and along the Northeasterly proposed right-of-way of Jefferson Drive for a distance of 280.29 feet to an ALA ENG capped iron, said point being the P.T. (Point of Tangency) of said curve; thence run tangent from said curve and along said proposed right-of-way for a distance of 192.72 feet to the P.C. of a curve to the left having a radius of 565.50 feet and a central angle of $9^{\circ}07'02''$; thence run in a Southeasterly direction along the arc of said curve and along said proposed right-of-way for a distance of 89.99 feet to an ALA ENG capped iron, said point being the P.T. of said curve; thence run tangent from said curve and along said proposed right-of-way for a distance of 39.08 feet to an ALA ENG capped iron; thence turn an interior angle to the left of $90^{\circ}0'0''$ and run in a Southwesterly direction along said proposed right-of-way for a distance of 70.00 feet to an ALA ENG capped iron on the Northeasterly boundary of Parcel B as recorded in Instrument Number 20130423000164680 in the Office of the Judge of Probate, Shelby County, Alabama, said boundary being the Southwesterly proposed right-of-way of Jefferson Drive; thence turn an interior angle to the left of $90^{\circ}0'0''$ and run in a Northwesterly direction along said proposed right-of-way for a distance of 39.08 feet to an ALA ENG capped iron, said point being the P.C. of a curve to the right having a radius of 635.50 feet and a central angle of $09^{\circ}07'02''$; thence run in a Northwesterly direction along the arc of said curve and along said proposed right-of-way for a distance of 101.12 feet to an ALA ENG capped iron, said point being the P.T. of said curve; thence run tangent from said curve and along said proposed right-of-way for a distance of 192.72 feet to an ALA ENG capped iron, said point being the P.C. of a curve to the left having a radius of 765.00 feet and a central angle of $21^{\circ}13'40''$; thence run in a Northwesterly direction along the arc of said curve and along said proposed right-of-way for a distance of 283.43 feet to an ALA ENG capped iron, said point being the P.T. of said curve; thence run tangent from said curve and along said proposed right-of-way for a distance of 107.37 feet to an ALA ENG capped iron, said point being the P.C. of a curve to the right having a radius of 430.00 feet and a central angle of $09^{\circ}28'50''$; thence run in a Northwesterly direction along the arc of said curve and along said proposed right-of-way for a distance of 71.15 feet to an ALA ENG capped iron at the end of said curve, said point being on the Northeasterly boundary of Parcel 1 as recorded in Instrument Number 20030527000327730 in the Office of the Judge of Probate, Shelby County, Alabama, said boundary being the Southwesterly

proposed right-of-way of Jefferson Drive; thence turn an interior angle to the left of $174^{\circ}58'10''$ (angle measured from tangent) and run in a Northwesterly direction along said proposed right-of-way for a distance of 75.55 feet to an ALA ENG capped iron on the Easterly boundary of Parcel C as recorded in Instrument Number 20130423000164680 in the Office of the Judge of Probate, Shelby County, Alabama, said boundary being described as a proposed right-of-way for the following 5 calls; thence turn an interior angle to the left of $110^{\circ}16'20''$ and run in a Northerly direction along said proposed right-of-way for a distance of 57.42 feet to an ALA ENG capped iron; thence turn an interior angle to the left of $70^{\circ}19'43''$ and run in a Southeasterly direction along said proposed right-of-way for a distance of 60.66 feet to an ALA ENG capped iron, said point being the P.C. of a curve to the left having a radius of 375.00 feet and a central angle of $19^{\circ}11'14''$; thence run in a Southeasterly direction along the arc of said curve and along said proposed right-of-way for a distance of 125.58 feet to an ALA ENG capped iron, said point being the P.R.C. (Point of Reverse Curvature) of a curve to the right having a radius of 825.00 feet and a central angle of $02^{\circ}19'03''$; thence run in a Southeasterly direction along the arc of said curve and along said proposed right-of-way for a distance of 33.37 feet to an ALA ENG capped iron at the end of said curve, said point being the point of intersection of said proposed right-of-way and the Westerly proposed right-of-way of Olmsted Street; thence turn an interior angle to the left of $275^{\circ}48'51''$ (angle measured from tangent) and run in a Northerly direction along the Westerly proposed right-of-way of Olmsted Street for a distance of 322.80 feet to an ALA ENG capped iron at the Northeasterly corner of Parcel C; thence leaving Parcel C, continue along the previously described course and along said proposed right-of-way for a distance of 474.61 feet to the point of intersection of said proposed right-of-way and the Southwesterly proposed right-of-way of Robinson Avenue; thence turn an interior angle to the left of $262^{\circ}41'30''$ and run in a Northwesterly direction along the Southwesterly proposed right-of-way of Robinson Avenue for a distance of 360.67 feet to an ALA ENG capped iron, said point being the P.C. of a curve to the left having a radius of 25.00 feet and a central angle of $85^{\circ}48'14''$; thence run in a Southwesterly direction along the arc of said curve and along said proposed right-of-way for a distance of 37.44 feet to an ALA ENG capped iron at the end of said curve, said point being on the Easterly right-of-way of Dunnivant Valley Road (Shelby County Highway 41), said point being in a curve to the left having a radius of 2904.79 feet and central angle of $02^{\circ}21'01''$; thence run in a Northerly direction along the arc of said curve and along said right-of-way for a distance of 119.15 feet to an ALA ENG capped iron, said point being the point of intersection of said right-of-way and the Northeasterly proposed right-of-way of Robinson Avenue, said point being the P.C. of a curve to the left having a radius of 25.00 feet and a central angle of $91^{\circ}50'46''$; thence run in a Southeasterly direction along the arc of said curve and along said proposed right-of-way for a distance of 40.08 feet to an ALA ENG capped iron, said point being the P.T. of said curve; thence run tangent from said curve and along said Northeasterly proposed right-of-way of Robinson Avenue for a distance of 343.87 feet to an ALA ENG capped iron, said point being the point of intersection of said proposed right-of-way and the Westerly proposed right-of-way of Olmsted Street; thence turn an interior angle of $279^{\circ}24'04''$ and run in a Northerly direction along the Westerly proposed right-of-way of Olmsted Street for a distance of 556.58 feet to an ALA ENG capped iron, said point being the point of intersection of said proposed right-of-way and the Southerly right-of-way of Hawthorn Street as recorded in Map Book 27, Page 72-A & 72-B, in the Office of the Judge of Probate, Shelby County, Alabama, said point being in a curve to the left having a radius of 690.00 feet and an interior angle of $05^{\circ}42'10''$; thence turn an interior angle to the left of $94^{\circ}35'15''$ (angle measured to tangent) and run in an Easterly direction along the arc of said curve and along said right-of-way for a distance of 68.68 feet to an ALA ENG capped iron, said

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point being the P.T. of said curve; thence run tangent from said curve and along said right-of-way for a distance of 1.96 feet to an ALA ENG capped iron, said point being the point of intersection of said right-of-way and the Easterly proposed right-of-way of Olmsted Street; thence turn an interior angle to the left of $79^{\circ}41'42''$ and run in a Southerly direction along said proposed right-of-way for a distance of 172.16 feet to an ALA ENG capped iron; thence turn an interior angle to the left of $180^{\circ}0'0''$ and run in a Southerly direction along said proposed right-of-way for a distance of 234.85 feet to an ALA ENG capped iron; thence turn an interior angle to the left of $180^{\circ}0'0''$ and run in a Southerly direction along said proposed right-of-way for a distance of 200.71 feet to an ALA ENG capped iron; thence turn an interior angle to the left of $177^{\circ}54'26''$ and run in a Southerly direction along said proposed right-of-way for a distance of 214.71 feet to the POINT OF BEGINNING. Said parcel containing 4.25 acres, more or less.

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EXHIBIT B

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EXHIBIT C

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EXHIBIT D

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A parcel of land situated in the West 1/2 of the Southeast 1/4 of Section 3, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:
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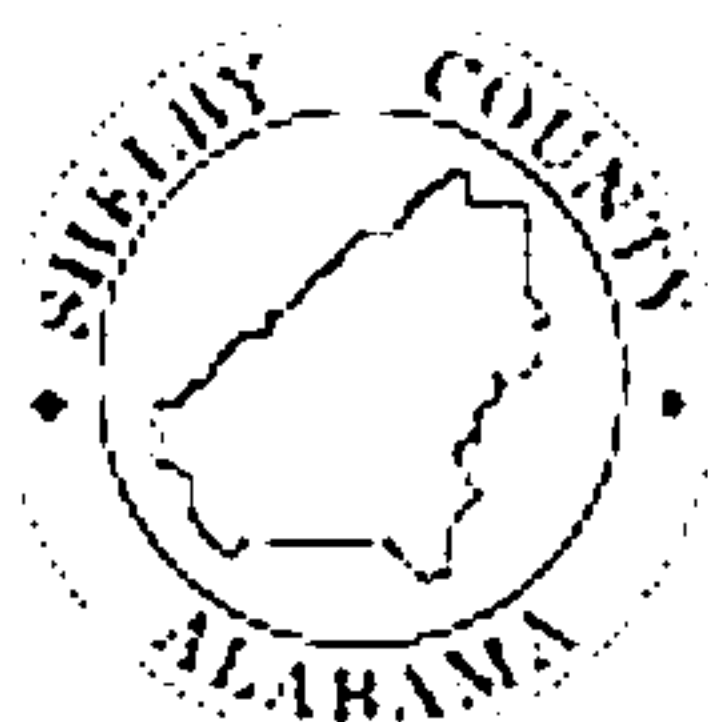
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Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
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