

APC Document # 72275778-001

**EASEMENT – OVERHEAD FACILITIES**

STATE OF ALABAMA

COUNTY OF SHELBY

20221205000441590

12/05/2022 11:37:13 AM

ESMTAROW 1/2

This instrument prepared by: Dean Fritz

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

**KNOW ALL MEN BY THESE PRESENTS**, That the undersigned **Rose Office Systems, 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:

The right from time to time to construct, install, operate and maintain upon, over and across the Property described below, all poles, towers, wires, fiber optics, cables, communication lines, translosures, transformers, anchors, guy wires and other facilities useful or necessary in connection therewith (collectively, the "Facilities") for the overhead 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 extend fifteen (15) feet on all sides of said Facilities as and where 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 and utilize 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, 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 a portion of the real property more particularly described in that certain instrument recorded in Instrument #20210719000347950, 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 Grantor, the Company and each of their respective heirs, personal representatives, successors and assigns and the words "Company" and "Grantor" 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 GARY EAIN, its authorized representative, as of the 9th of Nov, 2022

ATTEST (if required) or WITNESS:

Signature

Title

Rose Office Systems, Inc  
GRANTOR:

Signature

Title

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

W.E. # ~~A6173-08-AH22~~ A6170-05-BV22

All facilities on Grantor: Yes, less and except Road R/W

¼, ¼ STR & LOC to LOC: NW ¼ of the SE ¼ of Section 1, Township 22 South, Range 3 West

APC Document # 72275778-001**CORPORATION/LLC/LLP NOTARY**STATE OF ALABAMA  
COUNTY OF CHILTON

I, Anita Winslett, a Notary Public, in and for said County in said State, hereby  
 certify that Garry Cain, whose name as President of  
Rose Office Systems, Inc., is signed to the foregoing instrument, and who is known to me, has acknowledged before me on this  
 day that, being informed of the contents of this instrument, he/she as such President, 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 9th day of November, 2022.

[SEAL]

Anita Winslett

Notary Public

My commission expires: My Commission Expires  
September 26, 2023

ANITA WINSLETT  
 Notary Public  
 Alabama State at Large

**CORPORATION/PARTNERSHIP/LLC NOTARY**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\_\_\_\_.



Filed and Recorded  
 Official Public Records  
 Judge of Probate, Shelby County Alabama, County  
 Clerk  
 Shelby County, AL  
 12/05/2022 11:37:13 AM  
 \$26.00 JOANN  
 20221205000441590

Notary Public

My commission expires: \_\_\_\_\_

Allie S. Bayl