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423-225000241

600 18th Street N/12N-0973  
Birmingham, AL 35203  
205-937-0600 tel  
pdgray@southernco.com

October 12, 2022

20221206000442640  
12/06/2022 09:55:14 AM  
MISCINST 1/3

Jared C. Batte  
Bradley Arant Boult Cummings  
1819 Fifth Avenue North  
Birmingham, AL 35203

**Re: Alabama Power Company Easement Containment Letter**  
**Parcel #99002**  
**Chelsea Acres, Shelby County, Alabama**

Jared:

Alabama Power Company (APC) previously acquired and recorded the following easements in the Office of the Judge of Probate of Jefferson County, Alabama:

That certain easement recorded in the Probate Court of Shelby County, Alabama in Deed Book 136 at page 308.

The above easements were acquired to construct, operate, and maintain APC electrical line facilities. APC does not claim the right to construct additional lines on the subject tax parcel(s) under the authority granted in the above-referenced document. APC does retain all rights and privileges associated with the existing facilities and right(s)-of-way specifically associated therewith, which are located on or adjacent to said property as of the date of this letter. APC does hereby contain its rights in the existing easements to remain substantially as presently constructed, with certain exceptions. APC agrees not to set additional poles or anchors at locations within the easement area(s), except as needed for the safety and maintenance of the existing facilities.

Land Description: Those certain distribution easements attached hereto and made a part hereof.

Please feel free to contact me at (205) 937-0600 if you have any questions or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read "P. David Gray".  
P. David Gray  
Corporate Real Estate  
Land Acquisition-Legal

/Enclosure

Filed in the office of the Probate Judge on the 24th day of November 1948, at 11 o'clock A.M. and recorded in deed record 136, page 307, on this the 11th day of Jan. 1949.

L.C. Walker

Judge of Probate

STATE OF ALABAMA  
SHELBY COUNTY

I hereby certify that  
\$..... J.D. Privilege Tax  
has been paid on the within-  
in instrument as required  
by law

L. C. WALKER,  
JUDGE OF PROBATE

136/308

99002

# 1006

STATE OF ALABAMA

COUNTY OF SHELBY

We, E.H. Payne and wife Edna Payne for and in consideration of the sum of one and No/100 Dollars (\$1.00) to \_\_\_\_\_ in hand paid by Alabama Power Company, a corporation, the receipt whereof is acknowledged do hereby grant to said Alabama Power Company, its successors and assigns, the right to construct, operate and maintain its lines of poles and towers and appliances necessary in connection therewith, as located by the final location survey heretofore made by said Company, for the transmission of electric power with the right to string thereon from time to time electric power and telephone wires and the right to permit other corporations and persons to attach wires to said poles and towers upon, over and across the following described lands situated in Shelby County, Alabama:

The SW 1/4 of NW 1/4 E; NE 1/2 of NW 1/4 of SW 1/4 of Sec. 35 Tp 19 RW

In the event it becomes necessary or desirable for Alabama Power Company to move its lines of poles towers and appliances in connection with the construction or improvement of any public road or highway in proximity to its said power lines, the said Company is hereby granted the right to relocate its said lines of poles, towers and appliances on lands of grantors hereinabove described, provided, however, the said Company shall relocate its said line of poles or towers at a distance not greater than ten feet outside the boundary of the right of way of any such public road or highway as established or re-established from time to time.

Together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from said lines; and also the right to cut and keep clear all trees, and to keep clear other obstructions, that may injure or endanger said lines.

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

IN WITNESS WHEREOF, We have hereunto set our hands and seals, this the 3rd day November 1948.

WITNESS

E.H. Payne (SEAL)  
Mrs. Edna Payne (SEAL)

STATE OF ALABAMA

COUNTY OF SHELBY

I, Robert D. Coats, a Notary Public State at Large in and for said County in said State, do hereby certify that E.H. Payne and wife Edna Payne whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument they executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal, this the 3rd day of November, 1948

Robert D. Coats

Notary Public State at Large

STATE OF ALABAMA

COUNTY OF SHELBY

I, Robert D. Coats, a Notary Public State at Large in and for said County in said State, do hereby certify that on the 3rd day of November, 1948, came before me the within named Edna Payne, known to me

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to be the wife of the within named E.M. Payne who being examined separate and apart from the husband touching her signature to the within instrument, acknowledged that she signed the same of her own free will and accord, and without fear, constraint or threats on the part of the husband.

Given under my hand and official seal, this the 3rd day of November, 1948

Robert D. Coats

Notary Public State At Large

Filed in the office of the Probate Judge on the 24th day of November 1948, at 11 o'clock A.M. and recorded in deed record 136, pages 308 and 309, on this the 11th day of Jan. 1949.

L.C. Walker

Judge of Probate

STATE OF ALABAMA  
SHELBY COUNTY  
I hereby certify that  
\$100.00 Probate Tax  
has been paid on this  
instrument as required  
by law  
L. C. WALKER,  
JUDGE OF PROBATE



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
12/06/2022 09:55:14 AM  
\$28.00 JOANN  
20221206000442640

*Allen S. Bayl*

98866

#1007

STATE OF ALABAMA

COUNTY OF SHELBY

We, Ralph Smitherman and wife Mary Smitherman for and in consideration of the sum of one and No/100 Dollars (\$100) to us in hand paid by Alabama Power Company, a corporation, the receipt whereof is acknowledged, do hereby grant to said Alabama Power Company, its successors and assigns, the right to construct, operate and maintain its lines of poles and towers and appliances necessary in connection therewith, as located by the final location survey heretofore made by said Company, for the transmission of electric power with the right to string thereon from time to time electric power and telephone wires and the right to permit other corporations and persons to attach wires to said poles and towers upon, over and across the following described lands situated in Shelby County, Alabama:

Lot 13 of Block 1 of Almont Subdivision as recorded in Plot book 3, page 3 in office of Judge of Probate.

In the event it becomes necessary or desirable for Alabama Power Company to move its lines of poles towers and appliances in connection with the construction or improvement of any public road or highway in proximity to its said power lines, the said Company is hereby granted the right to relocate its said lines of poles, towers and appliances on lands of grantors hereinabove described, provided, however, the said Company shall relocate its said line of poles or towers at a distance not greater than ten feet outside the boundary of the right of way of any such public road or highway as established or re-established from time to time.

Together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from said lines; and also the right to cut and keep clear all trees, and to keep clear other obstructions, that may injure or endanger said lines.

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

IN WITNESS WHEREOF, We have hereunto set our hands and seals, this the 21 day of October 1948.

WITNESS:

Fred J. Bowers

Ralph Smitherman  
Mary Smitherman

(SEAL)  
(SEAL)

STATE OF ALABAMA

COUNTY OF SHELBY