

APC Document # 72277653-001

EASEMENT – OVERHEAD FACILITIES

STATE OF ALABAMA

COUNTY OF SHELBY

This instrument prepared by: Dean Fritz

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

20230206000029900  
02/06/2023 10:18:42 AM  
ESMTAROW 1/2

**KNOW ALL MEN BY THESE PRESENTS**, That the undersigned **Alabaster City Board of Education**, (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, trans closures, 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 #20140929000304460, 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 L. Wayne Vickers, its authorized representative, as of the 12th of December, 2022.

ATTEST (if required) or WITNESS:

[Signature]  
Signature  
Chief Operations Officer  
Title

Alabaster City Board of Education  
GRANTOR:  
[Signature]  
Signature  
Superintendent  
Title

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

W.E. # A6170-GM-DV22 All facilities on Grantor: Yes

¼, ¼ STR & LOC to LOC: SE ¼ of the SE ¼ and the NE ¼ of the SE ¼ of Section 9, Township 21 South, Range 3 West

APC Document # 72277653-001

CORPORATION/LLC/LLP NOTARY

STATE OF ALABAMA  
COUNTY OF SHELBY

I, Maxine Youngblood Burns, a Notary Public, in and for said County in said State, hereby certify that L. Wayne Vickers, whose name as Superintendent of Alabaster City Board of Education, 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 L. Wayne Vickers/Superintendent, and with full authority, executed the same voluntarily for and as the act of said Board.

Given under my hand and official seal, this the 12th day of December, 2022.

[SEAL]

Maxine Youngblood Burns  
Notary Public  
My commission expires: March 16, 2026

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\_\_\_\_.

[SEAL]

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

REV 12/2019



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County Clerk  
Shelby County, AL  
02/06/2023 10:18:42 AM  
\$26.00 JOANN  
20230206000029900

Allie S. Bayl