

APC Document #: 72282853-001

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06/06/2023 08:09:31 AM  
ESMTAROW 1/2

EASEMENT - UNDERGROUND

STATE OF ALABAMA

COUNTY OF SHELBY

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 MONTEVALLO WATER AND SEWER BOARD, an Alabama Utility Corporation, (hereinafter known as "Grantor", whether one or more) for and in consideration of One and No/100 Dollar (\$1.00) and other good and valuable consideration paid to Grantor 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, under, and across the Property described below, all wires, conduits, cables, translosures, transformers, fiber optics, communication lines, and other facilities useful or necessary in connection therewith (collectively "Facilities"), for the 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 Company's right of way will extend five (5) feet on all sides of said Facilities as and where installed, and shall include the right to clear and keep clear said right of way (hereinafter referred to as the "Easement Area").

Mutually Agreed upon 4-27-23

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, and also the right to cut, remove, and otherwise keep clear any and all structures, obstructions, or obstacles of whatever character, on, under, adjacent to, and above said Facilities.

Due to water tank 4-27-23

The easements, rights and privileges granted hereby shall burden the "Easement Area" which is located within the real property more generally described in INSTRUMENT #20060831000431190, in the Office of the Judge of Probate of the above-named county in Alabama.

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 undersigned Grantor has executed this instrument on this the 27 day of April, 2023

\_\_\_\_\_  
Witness Signature (non-relative)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Witness Signature (non-relative)

\_\_\_\_\_  
Print Name

[Signature]  
Grantor Signature

MICHAEL HARMON  
Print Name

\_\_\_\_\_  
Grantor Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
For Alabama Power Company Corporate Real Estate Department Use Only

W.E. #: A6170-06-A223 Tax ID #: 27-9-29-1-001-001.000

1/4, 1/2 STR: 22S-03W-20 SE/SE

All Facilities on Grantor: [ ]

Electronically Filed: [ ]

APC Document #:

72282853-001STATE OF AlabamaCOUNTY OF ShelbyI, Shirley D Dubose, a Notary Public, in and for said County in said State, hereby certify thatMichael Harmon

whose name 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, executed the same voluntarily.

Given under my hand and official seal this the 27 day of April, 2023.Shirley D. Dubose  
Notary Public

[SEAL]

My commission expires: August 7, 2024

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public, in and for said County in said State, hereby certify that

whose name 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, executed the same voluntarily.

Given under my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

[SEAL]

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



Filed and Recorded  
 Official Public Records  
 Judge of Probate, Shelby County Alabama, County  
 Clerk  
 Shelby County, AL  
 06/06/2023 08:09:31 AM  
 \$26.00 JOANN  
 20230606000170240

Allen S. Bayl