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09/11/2023 03:23:57 PM
AGREEMNT 1/9

600 18th Street N/12N-0073
Birmingham, AL 35203
205-937-0600 tel
pdgray@southernco.com

July 31, 2023

Scott Frederick
Baker, Donelson, Bearman, Caldwell and Berkowitz, P.C.
1901 6th Ave N, Ste. 2600
Birmingham, AL 35203

Re: Alabama Power Company Easement Containment Letter
5005 Highway 31, Calera, AL
Parcel ID: 28-2-04-0-001-010.006

Scott:

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

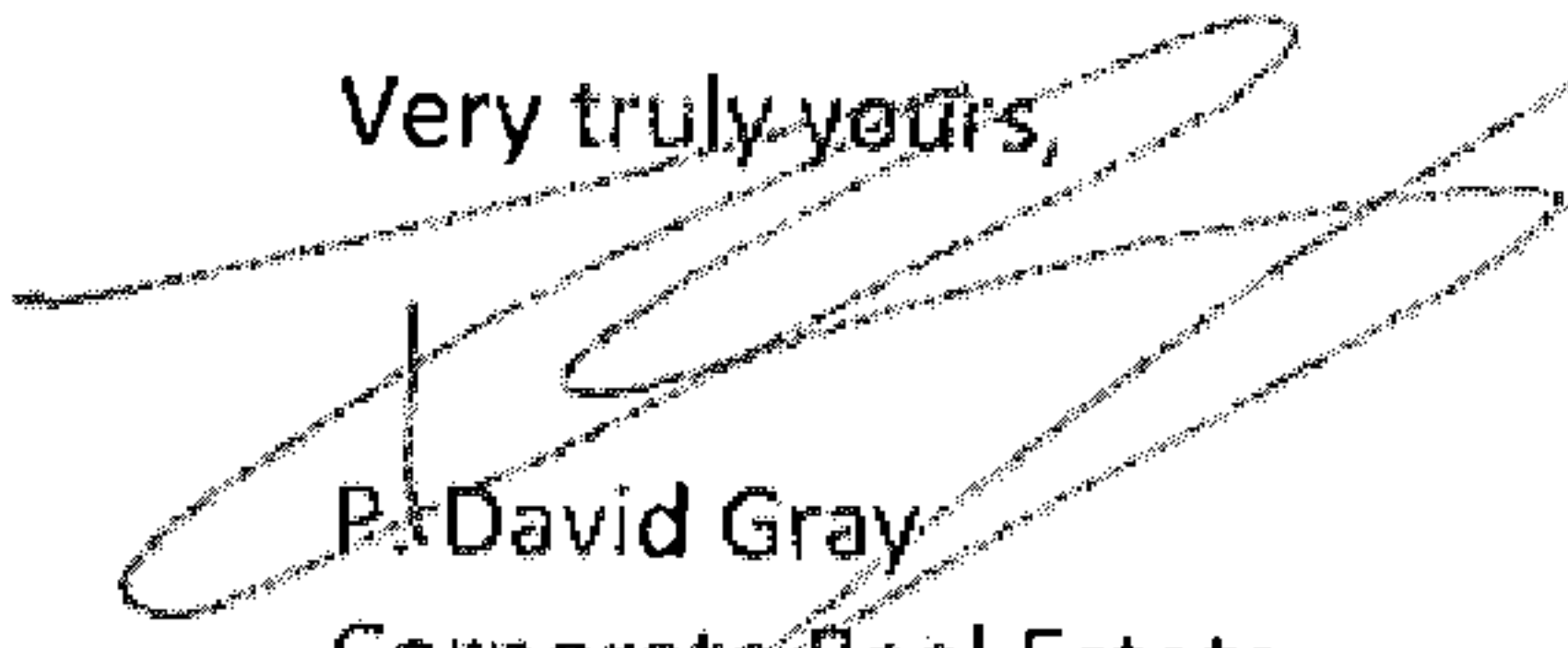
Those certain easement recorded in Deed Book 131 at Page 315, Deed Book 195 at Page 318, Real 23 at Page 733, Real 23 at Page 731 and Instrument No. 1996-4168 in the Probate Court of Shelby County, Alabama. Said easement is attached hereto and made part hereof as Exhibit A.

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 easement 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)257-7686 if you have any questions or concerns.

Very truly yours,



David Gray
Corporate Real Estate
Land Acquisition-Legal

/Enclosure

85476

STATE OF ALABAMA

COUNTY OF SHELBY

J. O. Self and wife Jeannette Self for and in consideration of the sum of One and 15/100 Dollars (\$1.00) 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:

Lands in E $\frac{1}{2}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of Sec. 4, township 22, Range 2 West.

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 hereinafter 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 24th day of September 1947.

J. O. Self

(Seal)

Mrs. Jeannette Self

(Seal)

STATE OF ALABAMA

SHELBY COUNTY

I, L. E. Shaw, a Justice of the Peace in and for said County in said State, do hereby certify that J. O. Self and wife Jeannette Self whose names are signed to the foregoing instrument, and who are known to me, acknowledged before on this day the 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 24th day of September 1947.

L. E. Shaw

Justice of the Peace

STATE OF ALABAMA

COUNTY OF SHELBY

I, L. E. Shaw, a Justice of the Peace in and for said County in said State, do hereby certify that on the 24th day of Sept., 1947, came before me the within named Jeannette Self, known to me to be the wife of the within named J. O. Self, who being examined separately 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 24th day of Sept 1947.

L. E. Shaw Justice of the peace

Filed in the office of the Probate Judge on the 12th day of November 1947, at 8 O'clock A.M. and recorded in the Deed Book 131 on page 315 on the 15th day of January 1948.

L. C. Walker

11

BOOK 195 PAGE 318
CLASS - JTB - JTB010
Herald Co. Pub. Indiv.

Decol 195 p 318

171758

STATE OF ALABAMA

County of Shelby

Whereof J. C. Longmire and wife, May 27, 1907, Sergeant
for and in consideration of the sum of One and no/100 Dollars

for and in consideration of the sum of One and no/100 Dollars.

(Shirley) to me 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, under and across the following described lands situated in _____

 County, Alabama:

E 1/4 of Sec 44 of NE 1/4 cont. with of SE 1/4 of NE 1/4
belong to the said 123, Range 2 west.

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 herunto set our hands and seals, this the

7 day of July 1958

WITNESSE:

W. H. S. [Signature] (Seal)
W. H. S. [Signature] (Seal)

STATE OF Alabama
County of Shelby

I, Frank J. Rogers

NOTARY PUBLIC STATE AT LARGE

in and for said County in said State, hereby certify that J. C. Sargeant, Jr.
Wife, Mary M. Sargeant whose name
signed to the foregoing instrument and who was 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 7 day of July

NOTARY PUBLIC STATE OF

STATE OF ARIZONA, MARICOPA COUNTY

SOUTHERN ALABAMA, SHELBY COUNTY
I, J. C. Walker, Judge of Probate, hereby certify that the within 10 day of April, 1954 at Shelby Ala.
was filed for record the 1st page 524, and the Mortgage for the
and recorded in all 1st page 524, and the Mortgage for the
dated the 1st day of April, 1954.
J. C. Walker, Judge of Probate.

Director of Finance

LAN 2488 - Rev. 5/81

EASEMENT - POLE LINE, CORPORATION

STATE OF ALABAMA,

County of Shelby

S4 T22S R2W

GRANTED BY
ALABAMA POWER CO.
P. O. BOX 1804
BIRMINGHAM, AL 35201
ATT: CORP. REAL ESTATE
Brenda Bowen

467722

Job No. 46000000133500as Grant Lessor
Board

KNOW ALL MEN BY THESE PRESENTS, That the undersigned Shelby County Industrial Development
a corporation, for and in consideration of the sum of One and No/100

Dollars (\$ 1.00), to it in hand paid by Alabama Power Company, a corporation, the receipt whereof is hereby acknowledged, does hereby grant to said Alabama Power Company, its successors and assigns, the right to construct, operate and maintain its lines of poles and appliances necessary in connection therewith, as located by the final location drawing heretofore made by said Company, for the transmission of electric power, with the right to set poles in line, to set in the future intermediate poles in line, to attach guy wires and anchors thereto, and to string thereon from time to time electric power wires and the right to permit other corporations and persons to attach telephone and other wires to said poles upon, over, under and across the following described lands situated in Shelby County, Alabama:

A parcel of land in the South 1/2 of the Northeast 1/4 of Section 4, Township 22 South, Range 2 West more particularly described as follows: Commence at the Southeast corner of said 1/4 section and run North 143.73 along the East line of said 1/4 section. Thence 82°25'30" Left 618.37 feet. Thence 0°54'48" Left 31.0 feet. Thence 91°15'25" Right 29.81 feet. Thence 91°15'25" Left 419.55 feet. Thence continue the last described course 1500.00 feet. Thence 01°21'02" Right 310.74 feet to a point on the Eastern Right of Way of U. S. Highway #21. Thence 53°17'03" Right 209 feet along said Right of Way. Thence 21°45'31" Right 555.70 feet to the point of beginning. Thence continue the last described course 329.20 feet along said Right of Way. Thence 104°53'26" Right 394.60 feet. Thence 90°00'00" Right 318.4 feet. Thence 90°00'00" Right 200.00 feet to the point of beginning.

In the event it becomes necessary or desirable for Alabama Power Company to move its lines of poles 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 and appliances on lands of grantors hereinabove described, provided, however, the said Company shall relocate its said lines of poles 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 clear a strip extending 15 feet to either side of the center line of the line of poles and keep it cleared of all trees, undergrowth or other obstructions; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the said 30-foot strip which might interfere with or fall upon the poles, lines, or other appliances of Alabama Power Company.

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

IN WITNESS WHEREOF, the said Shelby County Industrial Development has causedthis instrument to be executed in its name by M. M. Argo Jr.as its President and attested by Cora S. McMaster, its Secretary,and its corporate seal to be affixed, on this the 25th day of March, 19 85

ATTEST:

Cora S. McMaster
Secretary.

Shelby County Industrial Development
By M. M. Argo Jr. President.

This instrument prepared in
the Corporate Real Estate
Dept. of Alabama Power Co.
Birmingham, Ala.

BOOK 023 PAGE 731

STATE OF ALABAMA,

County of Shelby }1. Larry D. Gravitt

, a Notary Public, in and for said

County in said State, hereby certify that M. M. Argo Jr., whose name as President of Shelby County Industrial Development Board (Lessor), 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 the instrument, he, 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 25th day of March, 1985.

Larry D. Gravitt
Notary Public

Parcel No. 457722

THE STATE OF ALABAMA

County

DISTRIBUTION LINE EASEMENT

FROM

TO

ALABAMA POWER COMPANY

THE STATE OF ALABAMA

County

}

I hereby certify that the within instrument was filed in my office for record on the

day of

19

at

o'clock

M. and duly

recorded in Deed Book

Page

and examined.

Judge of Probate of said County.

202 MAR 120 1985

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1985 APR 11 PM 12:42

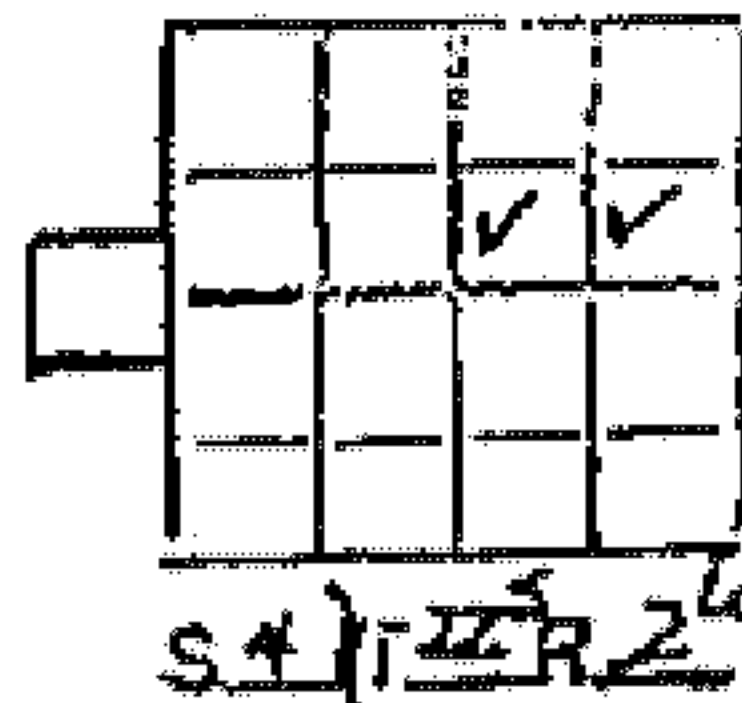
F. Thomas Jr. - Commissioner, Jr.
JUDGE OF PROBATE

Long TAX. 50
Rec 5.00
Sud 1.00
6.50

LAN 2488 - Rev. 8/81

EASEMENT - POLE LINE, CORPORATION

STATE OF ALABAMA,

County of Shelby

GRANTEE'S ADDRESS
ALABAMA POWER CO.
P.O. BOX 111
MONTGOMERY, AL 36102
ATTENTION: REAL ESTATE
Brenda Bowen

467723

Job No. 46000000133500

as Lessee

KNOW ALL MEN BY THESE PRESENTS, That the undersigned Wiley Sanders Truck Lines Inc.
a corporation, for and in consideration of the sum of One and No/100

00 Dollars (\$ 1.00), to it in hand paid by Alabama Power Company, a corporation, the receipt whereof is hereby acknowledged, does hereby grant to said Alabama Power Company, its successors and assigns, the right to construct, operate and maintain its lines of poles and appliances necessary in connection therewith, as located by the final location drawing heretofore made by said Company, for the transmission of electric power with the right to set poles in line, to set in the future intermediate poles in line, to attach guy wires and anchors thereto, and to string thereon from time to time electric power wires and the right to permit other corporations and persons to attach telephone and other wires to said poles upon, over, under and across the following described lands situated in Shelby County, Alabama:

A parcel of land in the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 4, Township 22 South, Range 2 West more particularly described as follows: Commence at the Southeast corner of said $\frac{1}{4}$ Section and run North 149.75 feet along the East line of said $\frac{1}{4}$ Section. Thence $88^{\circ}25'30"$ Left 618.37 feet. Thence $0^{\circ}54'45"$ Left 310.12 feet. Thence $91^{\circ}15'25"$ Right 29.88 feet. Thence $91^{\circ}15'25"$ Left 417.55 feet. Thence continue the last described course 150.00 feet. Thence $01^{\circ}21'00"$ Right 310.74 feet to a point on the Eastern Right of Way of U.S. Highway #31. Thence $53^{\circ}17'09"$ Right 209.92 feet along said Right of Way. Thence $21^{\circ}49'51"$ Right 555.70 feet to the point of beginning. Thence continue the last described course 329.20 feet along said Right of Way. Thence $104^{\circ}53'26"$ Right 384.60 feet. Thence $90^{\circ}00'00"$ Right 918.44 feet. Thence $90^{\circ}00'00"$ Right 300.00 feet to the point of beginning.

Witness my hand and the Corporate Seal of the Alabama Power Company, at Birmingham, Ala.

By R.C. Coggins

In the event it becomes necessary or desirable for Alabama Power Company to move its lines of poles 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 and appliances on lands of grantors hereinabove described, provided, however, the said Company shall relocate its said lines of poles 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 clear a strip extending 15 feet on either side of the center line of the line of poles and keep it cleared of all trees, undergrowth or other obstructions; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the said 30-foot strip which might interfere with or fall upon the poles, lines, or other appliances of Alabama Power Company.

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

IN WITNESS WHEREOF, the said Wiley Sanders Truck Lines Inc. (Lessee) has causedthis instrument to be executed in its name by John R. Wilsonas its President and attested by Evan H. Hubbardand its corporate seal to be affixed, on this the 11th day of April, 1985

Witness:

ATTEST:

Evan H. Hubbard
Terminal Manager

1985 APR 11 PM 12:42
JUL 11 1985

John R. Wilson
President.
Paid TAX. 50
Rec 2.50
Bnd 1.00
600

44-24883

Form 5-42488

BOOK 023 PAGE 733

12

EASEMENT - DISTRIBUTION FACILITIES

STATE OF ALABAMA }

COUNTY OF Shelby }

GRANTEE'S ADDRESS
ALABAMA POWER CO.
P.O. BOX 2641
BIRMINGHAM, AL 35291-1980

All facilities on Grantor: ☒W. E. No. 61700-00-0347-500

Parcel No. _____

A. GRANT KNOW ALL MEN BY THESE PRESENTS, That Wiley Sanders Truck Lines, Inc.

as grantor(s), (the "Grantor", whether one or more) for and in consideration of One and No/100 Dollars (\$1.00), and other good and valuable consideration, to Grantor in hand paid by Alabama Power Company (the "Company"), a corporation, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to the Company, the easements, rights and privileges described and designated in Section B below, together with the right to permit other persons, partnerships and corporations to use and exercise such easements, rights and privileges in common with the Company.

B. ~~RIGHTS~~

applicable paragraphs:

The easements, rights and privileges granted hereby are as follows (if less than all of 1-3 are granted, then check and initial

1. **Overhead and/or Underground.** The right from time to time to construct, install, operate and maintain, upon, over, under and across the Property described in Section C below, along a route to be selected by the Company which is generally shown on the attached drawing (which shows the general location of underground facilities, if any, by cross-hatching indicating an area not greater than ten feet (10') in width), all poles, towers, wires, conduits, fiber optics, cables, translosures, transformers, anchors of concrete, metal or other material, guy wires and other materials, appliances, facilities and other apparatuses of whatever type, whether now or in the future existing or known which are useful or necessary in connection therewith (collectively, "Facilities"), for the overhead and/or underground transmission and distribution of electric power and for overhead and/or underground communication service, and also the right to clear a strip extending fifteen feet (15') to either side of the center line of the lines of poles and keep it cleared of all trees, undergrowth or other obstructions; further, the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the thirty foot (30') strip which, in the sole opinion of the Company, might endanger, interfere with or fall upon the poles, lines, or other appliances of the Company.

2. **Line Clearing.** The right to cut and trim and to keep cut and trimmed, and remove all dead, weak, leaning or dangerous trees or limbs, which, in the Company's sole discretion, now or may hereafter endanger or interfere with the electric transmission lines, telephone lines, poles, towers or other facilities of the Company or others now constructed, or which may hereafter be constructed, on or adjacent to the Property described in Section C below, and also the right to clear a strip extending fifteen feet (15') to either side of the center line of the lines of poles and keep it cleared of all trees, undergrowth or other obstructions.

3. **Guy Wire and Anchor.** The right to implant, install and maintain anchor(s) of concrete, metal or other material at point(s) on the Property described in Section C below, and to construct, extend and maintain guy wires from such anchor(s) to structures now erected or hereafter to be erected on such Property or property adjacent thereto (collectively, "Guy Wire Facilities").

In addition to the easements, rights and privileges granted in all or any of 1, 2, or 3 above, Grantor hereby grants to the Company all easements, rights and privileges necessary or convenient for the full enjoyment and use thereof, including without limitation the right of ingress and egress to and from the Company's Facilities and Guy Wire Facilities, as applicable, and the right to excavate for installation, replacement, repair and removal thereof; and also the right to cut, remove and otherwise keep clear any and all structures, obstructions or obstacles of whatever character, on, under and above said Facilities and Guy Wire Facilities, as applicable.

C. **PROPERTY DESCRIPTION** The easements, rights and privileges granted hereby shall apply to, and the word "Property" as used in this instrument shall mean, the following described real property situated in Shelby County, Alabama (the "Property"):

A parcel of land in the SE 1/4 of the NE 1/4 of Section 4,

Township 22S, Range 2W, as is recorded in BB13 at PG481

in the office of the Judge of Probate of Shelby County, Alabama

This instrument prepared in
Birmingham Div. Real Estate
Dept. of Alabama Power Co.
Birmingham, AL

By Larry Gravit

D. **GENERAL** In the event it becomes necessary or desirable for the Company to move any of its Facilities in connection with the construction or improvement of any public road or highway in proximity to its Facilities, Grantor hereby grants to the Company the right to relocate its Facilities on said Property, provided, however, the Company shall relocate its Facilities at a distance no 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. In the event that none of options 1 through 3 in Section B above are marked, then Grantor hereby grants all easements, rights and privileges described in such option 1. 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 foregoing easements, rights and privileges to the Company, its successors and assigns, forever.

Inst # 1996-04168

_____[individuals and parties in representative capacity - indicate capacity]_____
 IN WITNESS WHEREOF, the undersigned Grantor(s) has/have set his/her/their hand(s) and seal(s) this the ____ day of _____, 199__.

Witness _____	(Grantor) _____
Witness _____	(Grantor) _____
Witness _____	By: _____ (SEAL) As: _____
Witness _____	By: _____ (SEAL) As: _____
Witness _____	By: _____ (SEAL) As: _____
Witness _____	By: _____ (SEAL) As: _____

_____[corporations, partnerships, L.L.C.'s, etc. - including in representative capacity]_____
 IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by _____, its authorized representative, as of _____, 1995.

ATTEST (if corporation) or WITNESS:

By: [Signature]
 Its: Secretary

Wiley Sanders Truck Lines, Inc.
 (Grantor)
 By: [Signature] Sr. V.P. (SEAL)
 Its: _____
 [indicate President, General Partner, Member, etc.]

ATTEST (if corporation) or WITNESS:

By: _____
 Its: Secretary

By: _____ (SEAL)
 Its: _____
 [indicate President, General Partner, Member, etc.]

_____[individuals and parties in representative capacity]_____

STATE OF ALABAMA }
 COUNTY OF Pike }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Priscilla Colquett whose name(s) [as _____] respectively] is/are signed to the foregoing instrument and who is/are known to me, acknowledged before me on this day that being informed of the contents of the instrument, he/she/they [in such capacity as aforesaid] executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal, this the 13 day of Sept, 1995.

[SEAL]

[Signature]
 Notary Public
 My commission expires SEPT. 22, 1998

_____[corporations, partnerships, L.L.C.'s, etc. - including in representative capacity]_____

STATE OF ALABAMA }
 COUNTY OF _____ }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that _____, whose name as _____ of _____ [as _____] 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 _____, 199__.

[SEAL]

Notary Public
 My commission expires: _____

