

APC Document # 72294405-001

EASEMENT – UNDERGROUND

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

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, **Third Avenue Partners, LLC, an Alabama limited liability company**, (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, under, and across the Property described below, all wires, conduits, cables, trans closures, 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.

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.

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 Instrument #20230915000277890, 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 Grantors, the Company and each of their respective heirs, personal representatives, successors and assigns and the words "Company" and "Grantors" 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 Grantor, has caused this instrument to be executed by David Forrest Walden, its authorized representative, as of the 28th day of November, 2023.

ATTEST (if required) or WITNESS:

By: [Signature]
Its: President ITF, LLC

Third Avenue Partners, LLC, an Alabama limited liability company
GRANTOR
By: [Signature] (SEAL)
Its: Managing Member
(Indicate President, Partner, Member, etc.)

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

A6173
W.E. # A6170-08-BL23

Tax ID#: 10 1 01 0 001 003.053

¼, ¼ STR & LOC to LOC: NE ¼ of the NW ¼ of Section 1, Township 19 South, Range 2 West

All facilities on Grantor: [Yes, less & except Road R/W] Electronically Filed: []

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CORPORATION/LLC NOTARY

STATE OF AlabamaCOUNTY OF Jefferson

I, Jennifer McCollister Anvil, a Notary Public, in and for said County in said State, hereby
 certify that David Forrest Walden, whose name as owner of
Third Avenue Partners, LLC, an Alabama limited liability company, 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 this instrument, as such officer and with full authority executed the
 same voluntarily for and as the act of said LLC.

Given under my hand and official seal, this the 28th day of November, 2023.

[SEAL]

Jennifer McCollister Anvil
 Notary Public

My commission expires: 6/20/26



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
12/15/2023 11:50:41 AM
\$26.00 JOANN
20231215000360990

Allie S. Bayl