

APC Document #: 72298269-001

**EASEMENT – UNDERGROUND**

STATE OF ALABAMA

COUNTY OF SHELBY

This instrument prepared by: Dean Fritz

Alabama Power Company  
2 Industrial Park Dr  
Pelham, AL 35124

**KNOW ALL MEN BY THESE PRESENTS**, That the undersigned, **Timothy Ferguson and wife, Bethany Ferguson**, (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, 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 (hereinafter referred to as the "Easement Area").

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 burden the "Easement Area", which is located within the real property more generally described in Instrument #20210219000084410, 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 15<sup>th</sup> day of March, 2024.

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

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

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

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

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

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

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

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

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

W.E. #: A6170-08-AA24

Tax ID #: 03 7 35 0 000 041.000

¼, ¼ STR: SE ¼ of the NW ¼ of Section 35, Township 18 South, Range 1 West

All Facilities on Grantor: [Yes] Electronically Filed: [ ]

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STATE OF Alabama

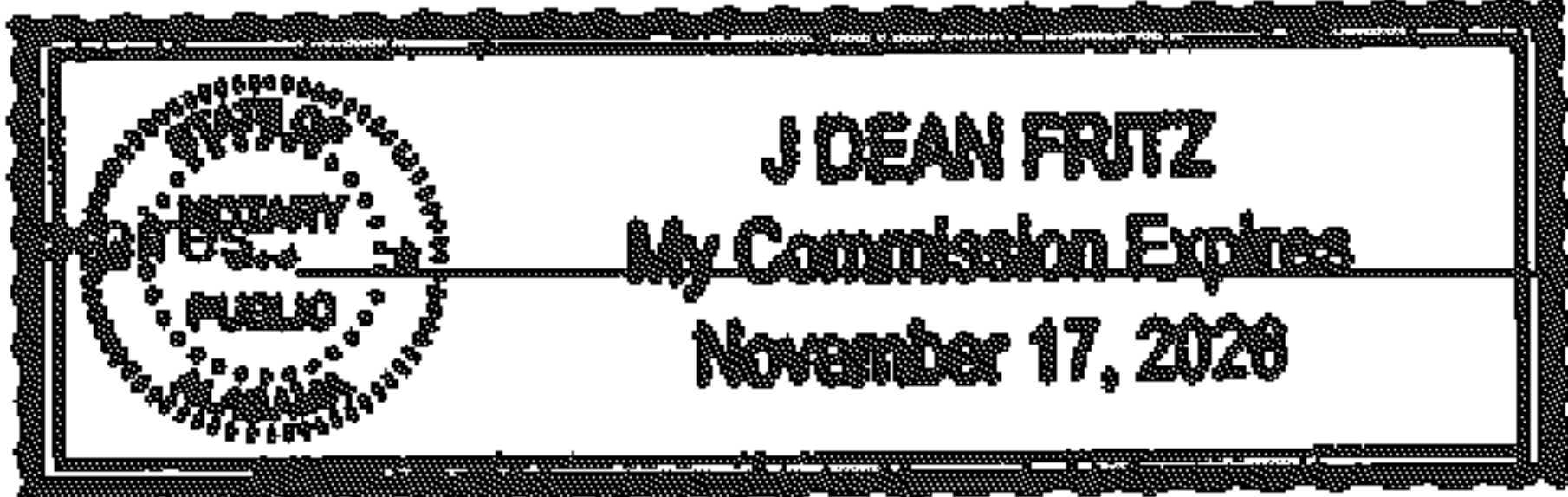
COUNTY OF Shelby

I, J. Dean Fritz, a Notary Public, in and for said County in said State, hereby certify that

Timothy Ferguson and Bethany Ferguson  
whose name(s) is/are 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 1<sup>st</sup> day of March, 20 24.

[SEAL]

J. Dean Fritz  
Notary Public  
My commission  J DEAN FRITZ  
My Commission Expires  
November 17, 2026

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

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

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

whose name(s) is/are 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 \_\_\_\_\_.

[SEAL]



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
03/04/2024 12:16:18 PM  
\$26.00 BRITTANI  
20240304000058140

Notary Public

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

Allen S. Bayl