

Council Member _____ introduced the following Resolution, which was seconded by Council Member _____.



RESOLUTION 101424-A

**GRANT UTILITY EASEMENT TO ALABAMA POWER FOR
THE ALABASTER AMPHITHEATER**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALABASTER, ALABAMA AS FOLLOWS:

WHEREAS, Alabama Power services city residents, providing a valuable public service; and

WHEREAS, the easements, rights and privileges granted hereby shall apply to, and the word “Property” as used in this instrument shall mean the real property more particularly tax parcel ID number 23 1 02 3 002 001.001, in the Office of the Tax Commissioner of Shelby County, more specifically underground service for the Amphitheater as shown Exhibit A Instrument #20040617000330280, attached hereto; and

WHEREAS, it is in the best interests of the public to grant such Easement.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALABASTER, AS FOLLOWS:

- 1. The Council hereby grants the requested Easement to Alabama Power for the purpose of supplying underground power for the Alabaster Amphitheater located at PIN# 23 1 02 3 002 001.001.
- 2. The Easement attached as “Exhibit A” is hereby authorized to be executed by the Mayor and attested by the City Clerk and recorded as required by law.

ADOPTED AND APPROVED THIS 14TH DAY OF OCTOBER 2024.

ATTEST: CITY OF ALABASTER, ALABAMA

J. Mark Frey, City Clerk

Sophie Martin, Council President

APPROVED:

Scott Brakefield, Mayor

APC Document # 72304137-001

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, **City of Alabaster, Alabama, a municipal corporation**, (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 #20040617000330280, in the Office of the Judge of Probate of the above-mentioned 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 _____, its authorized representative, as of the _____ day of _____, 20_____.

ATTEST (if required) or WITNESS: City of Alabaster, Alabama, a municipal corporation
GRANTOR

By: _____ By: _____(SEAL)

Its: _____ Its: _____
(Indicate President, Partner, Member, etc.)

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

W.E. # A6170-06-B424 Tax ID#: 23 1 02 3 002 001.001

¼, ¼ STR & LOC to LOC: NE ¼ of the SW ¼ and the NW ¼ of the SW ¼ of Section 2, Township 21 South, Range 3 West

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

APC Document #72304137-001

CORPORATION/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 City of Alabaster, Alabama, a municipal 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 this instrument, 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 _____ day of _____, 20_____.

[SEAL] _____
Notary Public
My commission expires: _____

SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Map Center UTM:

Map Center Lat/Lon:

1 inch = 104 feet

Customer CITY OF ALABASTER Amphitheater	Location 1953 MUNICIPAL WAY	County Shelby	Section 2	Township 21S	Range 3W	Estimate No. A617006B424
Division Birmingham	District Metro South - Varnons	Town Alabaster	Created: 9/27/2024	Substation X - 39886	Y - XD2123	MISSALL#
		UserID labell	Linc: 205-288-7376			



LL	LLG	LL	LG	LGR
3480	3291	3016	2863	726.5
Dist to Sub				
15534.2 ft				

Note(s)
Install UG SERVICE to Amphitheater

ENERGIZED LINE WORK
Sub
OCB/OCR V5100
REF PTS XD2123, T01C1E

Transformer Loading 50 KVA (WINTER)	Loc T01C1E
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