

This Instrument Prepared By:

AT&T COMMUNICATIONS, INC.  
1200 Peachtree Street, N.E.  
Post Office Box 7800  
Atlanta, Georgia 30359

PROJECT: Birmingham - Montgomery

TRACT NUMBER: AL-SH 001700

OPTION FOR COMMUNICATIONS SYSTEMS RIGHT OF WAY AND EASEMENT

KNOW ALL MEN BY THESE PRESENTS that, <sup>deceased</sup> George Kirksey and  
<sup>deceased</sup> Jessie Kirksey, c/o Jerome Kirksey, P.O. Box 11, Helena, Alabama 35080

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the undersigned (hereinafter referred to as "Grantor", whether one or more), for and in consideration of the sum of Fifty and no/100 DOLLARS (\$ 50.00) and other good and valuable consideration, in hand paid to the undersigned by AMERICAN TELEPHONE AND TELEGRAPH COMPANY, a New York Corporation, by and through AT&T Communications, Inc., a Delaware Corporation, as agent (hereinafter referred to as "Grantee"), the receipt of which is hereby acknowledged, does hereby agree to hold a strip of land 16½ feet wide upon, over and under the land of the undersigned (hereinafter referred to as the Proposed Easement Area), for a communications systems right-of-way and easement, until the 21<sup>st</sup> day of JULY, 19 88 at 12:00 o'clock Noon, and further hereby grants and conveys unto said Grantee, its successors, assigns, lessees and agents, an option for a right-of-way and easement to construct, operate, maintain, inspect, test, replace and remove communications systems as the Grantee may from time to time require, consisting of, by way of example but not limited to, underground lightwave fiber optics systems, cables, splice boxes, wires, surface testing terminals, manholes, markers and other appurtenances, upon, over and under the Proposed Easement Area and across the land which the undersigned own or in which the undersigned have any interest, in Shelby County, State of Alabama, together with the following rights; of ingress and egress over and across the lands of the undersigned to and from said Proposed Easement Area for the purpose of exercising the rights herein granted; to clear and keep cleared all trees, roots, brush and other obstructions from the surface and subsurface of said Proposed Easement Area, and during construction, a ( 20 ) foot wide temporary easement abutting and parallel to the west side(s) of said Proposed Easement Area, along with such additional temporary widths necessary to the construction in crossing waterways, existing utilities or roads, if appropriate to the property described herein; to install gates in any fences crossing said Proposed Easement Area; and the right to enter upon the lands of the undersigned to survey and engineer the proposed communications systems.

The Proposed Easement encumbered by this option is situated in the County and State aforesaid, is further described as follows:

Being part of a tract of land containing 7 acres more or less, located in the E/2 SE/4 NW/4, North of Buck Creek in Sec. 15, T20S, R3W, Shelby County, Alabama

The Proposed Easement Area is located within the East 16½ feet of the existing Alabama Power Company easement.

The west boundary of said Proposed Easement Area shall be parallel to and 9½ feet west of the first cable laid, which cable shall have its location indicated by surface markers set at intervals along said Proposed Easement Area or in the vicinity thereof.

*Ralston Assoc*



