

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

LEVEL3 COMMUNICATIONS, L.L.C., )  
a limited liability company, )

Plaintiff, )

v. )

Case No. 40-020

ANDREW FRANKLIN SPEAR, III, )  
SHERYL SPEAR, HUE VAN LE AND )  
JULIE PHAN LE, ET AL. )  
Defendants. )

Inst # 2000-35591

10/12/2000-35591  
09:41 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
14.00  
002 CJ1

PAYMENT OF AWARD AND ORDER OF CONDEMNATION

This date came the plaintiff, Level3 Communications, L.L.C., a limited liability company, and paid into Court the damages and compensation ascertained and assessed by the commissioners herein for the defendants, the owners of, or the owners of an interest in, the lands described in Pars. 65 and 141 of Article Fourth of the complaint; as amended, and

It further appearing to the satisfaction of the Court that all things necessary and required by § 18-1A-1 et seq of the Code of Alabama, 1975, as amended, have been done and performed by the plaintiff.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the plaintiff, Level3 Communications, L.L.C., be and it is hereby GRANTED the right and authority to construct, operate, access, maintain, alter and replace underground fiber optics cable systems and all appliances necessary, convenient and useful in connection therewith for such purposes and the right on the surface of such ways and rights of way to install, maintain and replace markers to designate the location of plaintiff's facilities and points of access to such facilities, together with all rights conferred by law and all that are necessary, useful and convenient to the enjoyment of said ways and

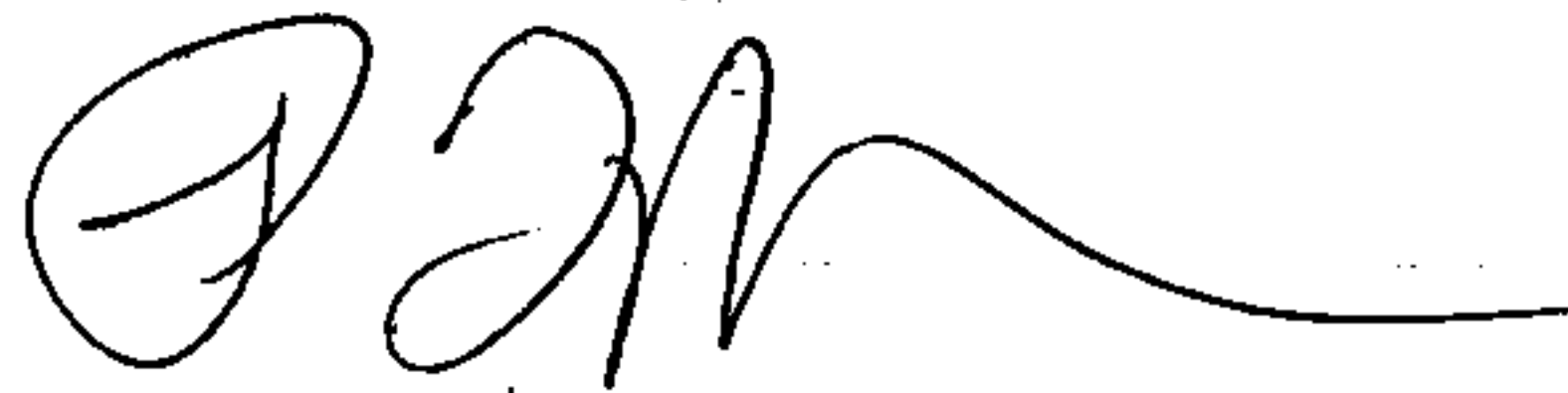
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rights of way on, across and over the lands described in Pars. 65 and 141 of Article Fourth of the Complaint, as amended.

It is further ORDERED, ADJUDGED and DECREED by the Court that plaintiff, Level3 Communications, L.L.C., be and it is hereby GRANTED the right and authority to clear and remove any timber on said ways and rights of way and, during construction only, temporary easements for work space and storage of excavated material, construction materials and equipment for a distance of ten (10) feet on either side of such ways and rights of way, subject to payment by plaintiff of actual damages caused in the use of such temporary easements.

It is further ORDERED, ADJUDGED and DECREED by the Court that the plaintiff, Level3 Communications, L.L.C., be and it is hereby GRANTED all the relief, rights, interests, easements and privileges set out, described and prayed for in said Complaint for Condemnation, as amended.

DONE in open Court this the 10 day of October, 2000.



Judge of the Probate Court of  
Shelby County, Alabama

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09:41 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CJ1 14.00