Preparer's name and address:

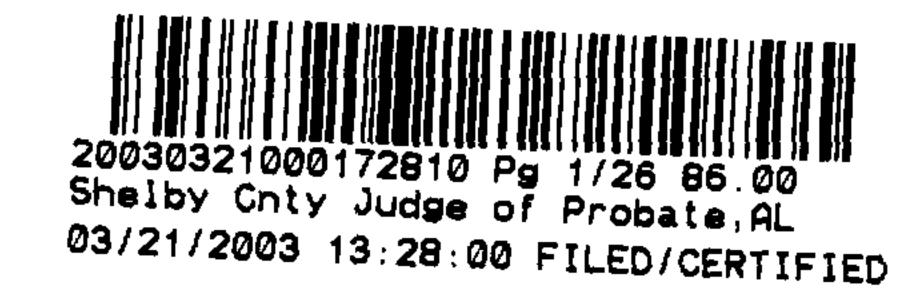
BellSouth address on back)

(Return document to the

# (P) BELLSOUTH

COUNTY OF Shelby

8416-C-AL (1-96) 20020930000469700 Pg 1/26 99.00 Shelby Cnty Judge of Probate, AL 09/30/2002 13:55:00 FILED/CERTIFIED





#### CORRECTED

Easement				
For and in consideration of 12,600.00 dollars (\$12 consideration, the adequacy and receipt of which is hereby acknowledged, the under thereinafter referred to as Grantor, do(es) hereby grant to BELLSOUTH TELECOMING licensees, agents, successors, assigns, and allied and associated companies, hereinaft operate, maintain, add, and/or remove such systems of communications, facilities, or refrequire upon, over, and under a portion of the lands described in Deed Book	MUNICATIONS, INC., a Georgia Corporation, its fter referred to as Grantee, an easement to xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx			
All that tract or parcel of land lying in Section, Township Meridian, County, State of				
See Attachment "A"  This corrected easement is executed for the purpose of consequence in that certain Easement dated August 26, 2002 at 20020930000469700 in the Office of the Judge of Probate of the Sudge of Probate of Sudge 20020930000469700 in the Office of the Sudge of Probate of Sudge 20020930000469700 in the Office of the Sudge 20020930000469700 in the Office 2002093000469700 in the Office 200209300	nd recorded at Instrument #			
The following nights are also granted: the enclusive right to allow any other persons from the other appearances upons over and under said case ment for an anniotions are close agrees from said seasons at all times; also right, but and the abligation, at this and a sociated the easons at the angle and a to hold the above granted easement unto BellSouth Telecommunications, In and associated companies for ever and in perpetuity.	besotational and the local content to be a sold and the state of the s			
Grantor warrants that grantor is the true owner of record of the above described land on w	which the aforesaid easement is granted.			
SPECIAL STIPULATIONS OR COMMENTS; The following special stipulations shall control in the event of conflict with any of the fore See Attachment "B"	egoing easement:			

caused this instrume	the undersigned has ent to be executed or of March, 200	n the		
Signed, sealed, and in the presence of:	delivered		Evelyn R	Name of Corporation  Spraitzar
Witness			By:	**
Witness			Attest:	
State of Alabama County of SHELE	BROWN			
acknowledged befor	e me on this day the oluntarily forwards	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	is signed to the fore	going conveyance and who is known to me, he/she, as souch of ficer and with full and ority
Hazra D	-			······································
Notary Public	. /////	<del></del>	~ <del>~~~~</del> ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	
My Commission Exp	oires:			
8-3-03		· · · · · · · · · · · · · · · · · · ·		
Grantor's Address:	-STAILLA DA		Grantee's	Address:
19HAM,	STAVIA PAR AL 350			Telecommunications, Inc.
			ROOM 3196 HI	OORDINATOR 102N GHWAY 280 SOUTH IGHAM, AL 35243
TO BE COMPLETE	D BY BELLSOUTH	I TELECOMMUNICATIONS	, INC.	
District 1919	FRC	Wire Center/NXX  OHL  STATE  OHL  OHL  OHL  OHL  OHL  OHL  OHL  OH	(678)	Authority 6028321
Drawing	Area Number	Plat Number	<del></del>	RWD 117017019965

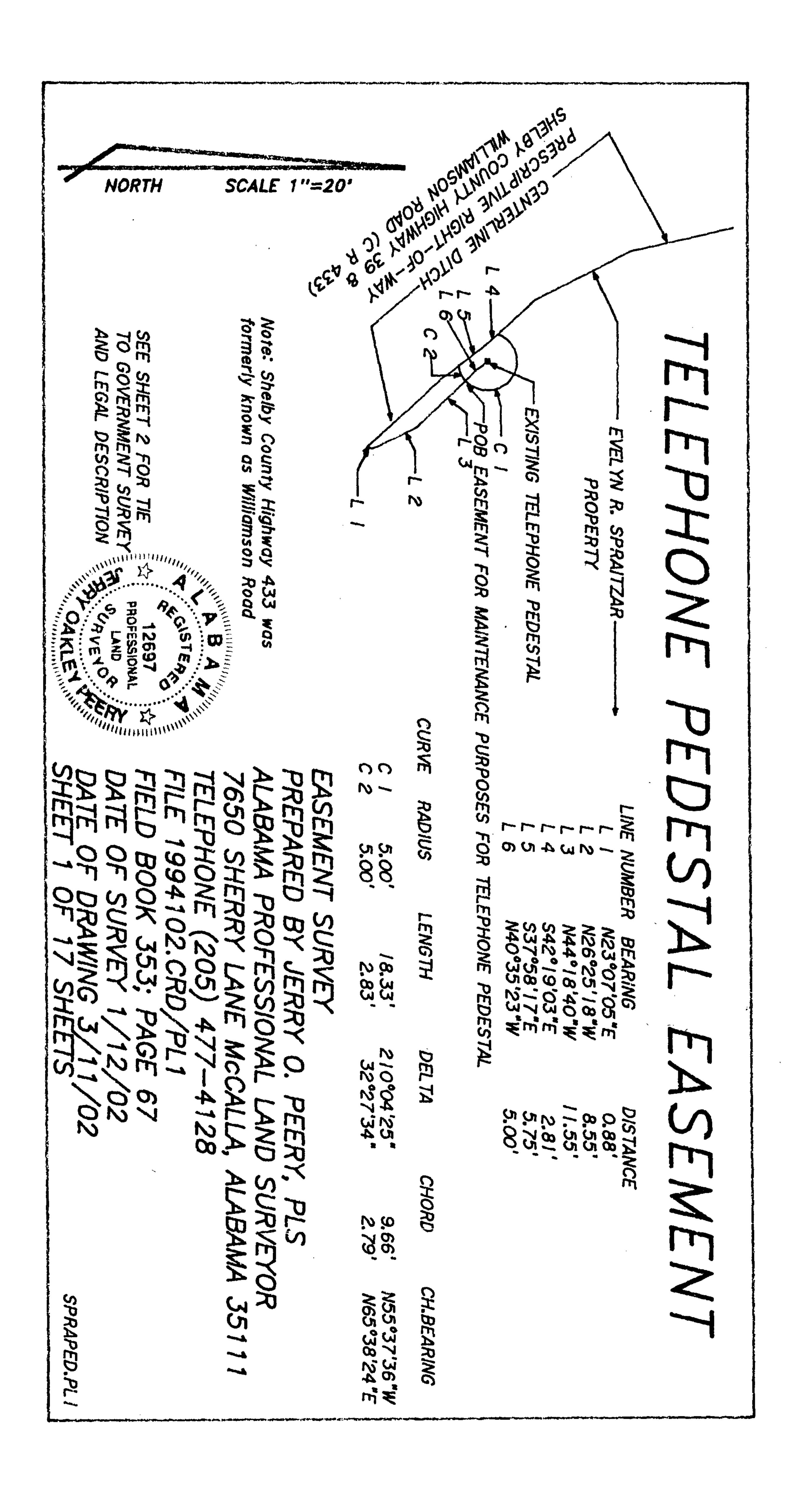
Title

Approval

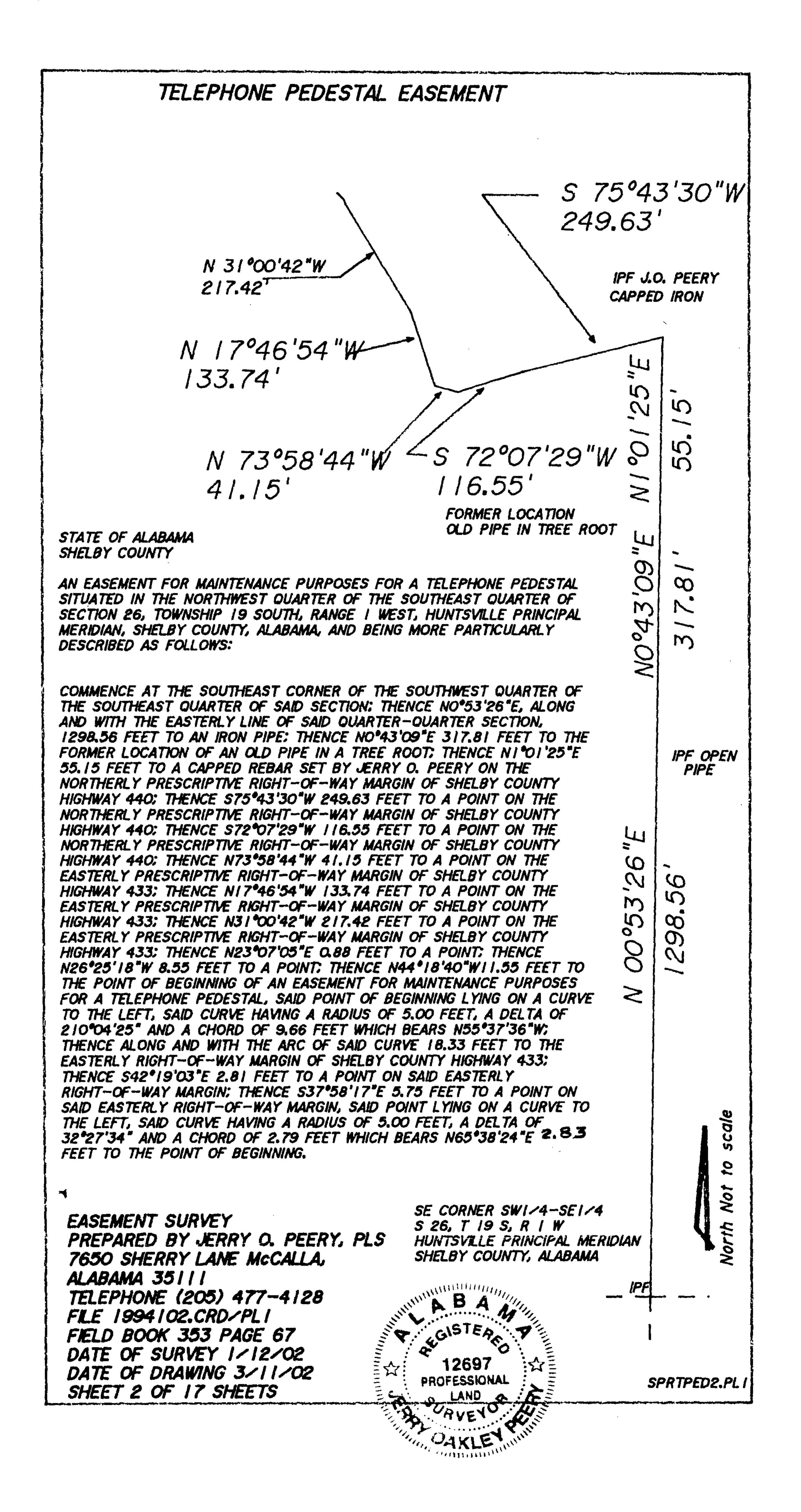
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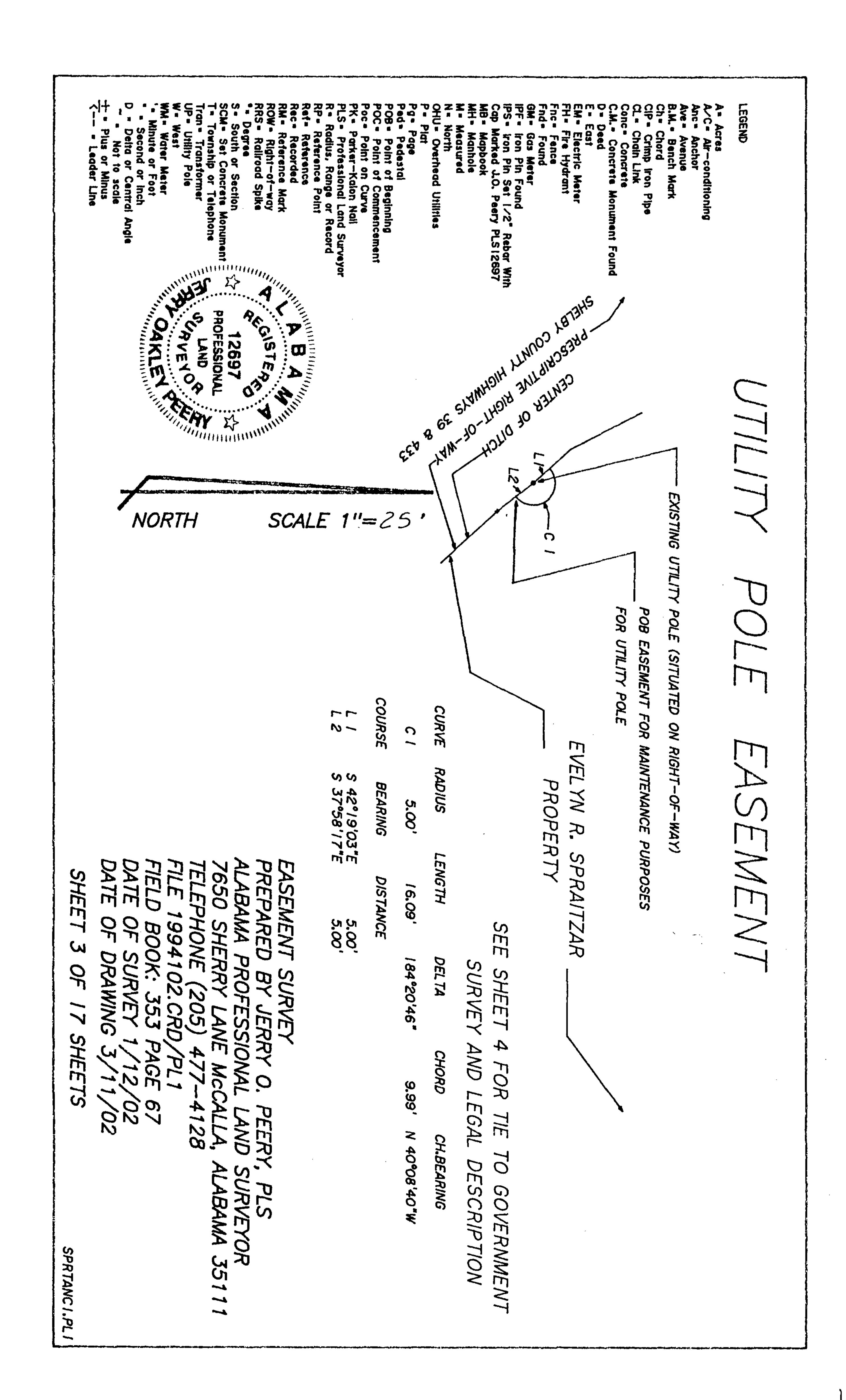
# ATTACHMENT A

Attachment A consists of an Easement Survey prepared by Jerry Peery, P.L.S. 12697 dated January 12, 2002 and consists of seventeen (17) pages.



العكارة والمحافظ والمساسرين



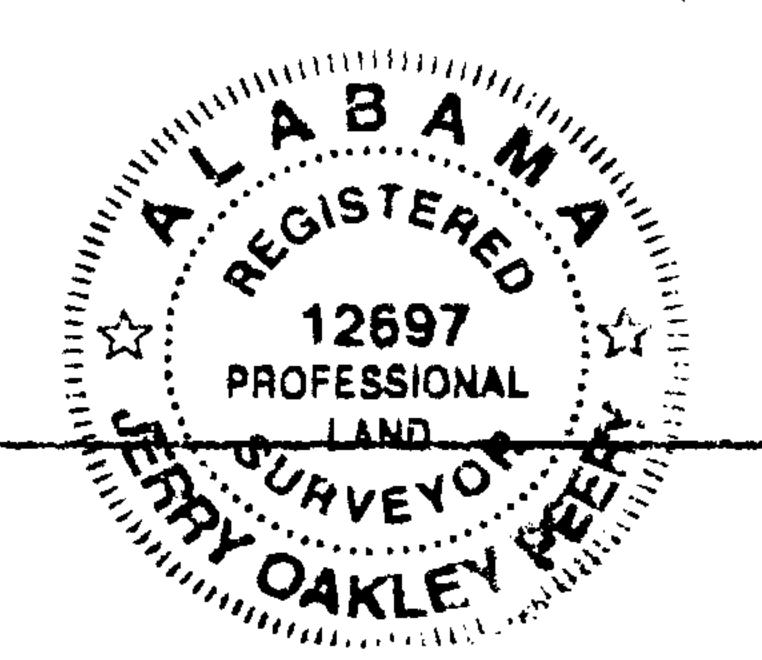


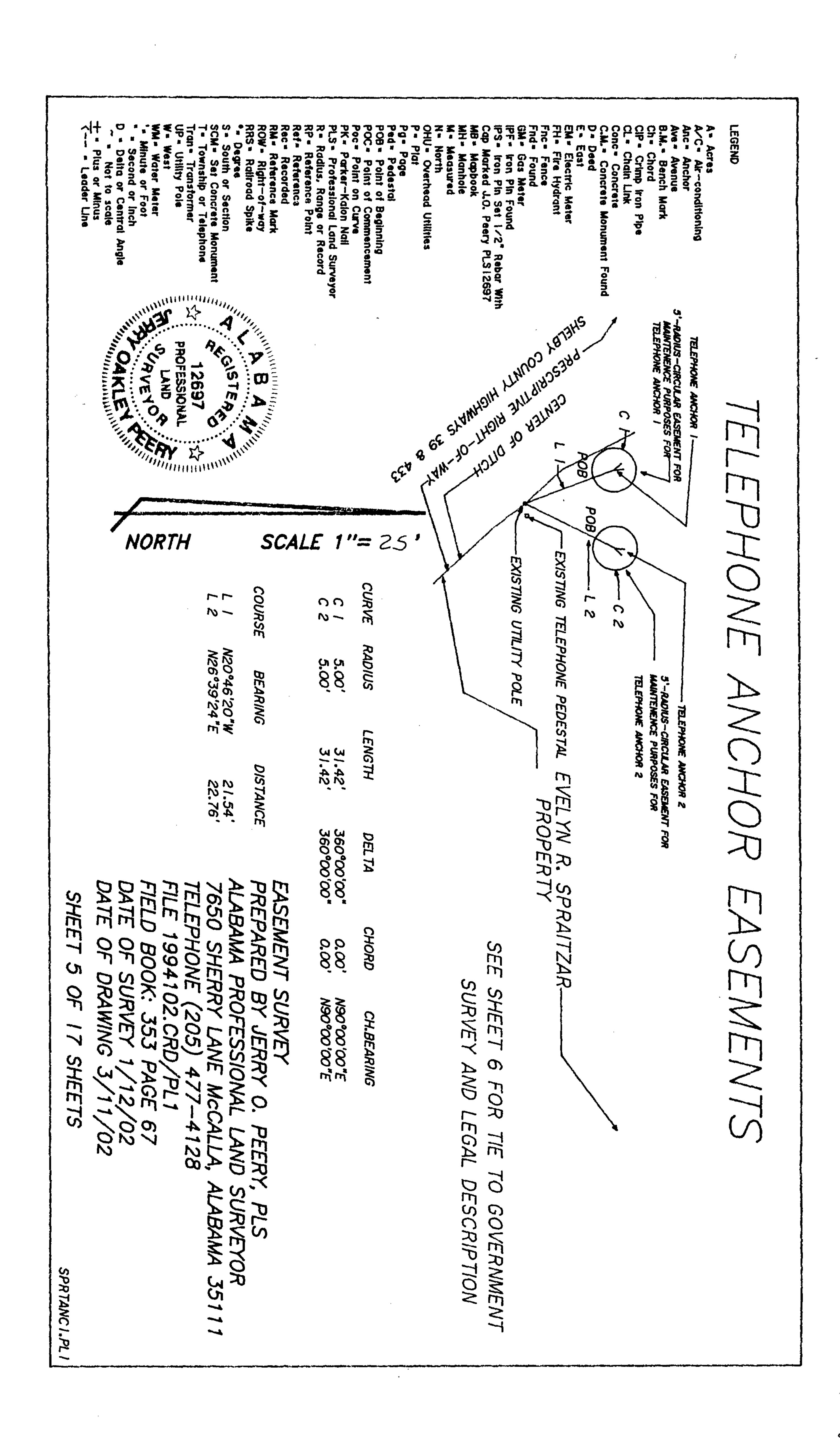
# UTILITY POLE EASEMENT S 75°43'30"W 249.63' N 32°00'08"W 238.79 IPF JO. PEERY CAPPED IRON N 17°46'54"W 133.74 N 73°58'44"W -S 72°07'29"W S 116.55 41.15 FORMER LOCATION OLD PIPE IN TREE ROOT STATE OF ALABAMA SHELBY COUNTY AN EASEMENT FOR MAINTENANCE PURPOSES FOR A UTILITY POLE SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE I WEST, HUNTSVILLE PRINCIPAL MERIDIAN, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: OPEN EASEMENT FOR MAINTENANCE PURPOSES FOR UTILITY POLE PIPE COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST OUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION: THENCE NO 53'26"E, ALONG AND WITH THE EASTERLY LINE OF SAID QUARTER-QUARTER SECTION, 1298.56 FEET TO AN IRON PIPE; 0 THENCE NO 43'09"E 317.81 FEET TO THE FORMER LOCATION OF AN OLD PIPE IN A TREE ROOT: THENCE NI'01'25'E 55.15 FEET TO A CAPPED REBAR SET BY JERRY O. PEERY ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY $\boldsymbol{\varphi}$ 440; THENCE 575"43'30"W 249.63 FEET TO A POINT ON THE **Q** NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY O COUNTY HIGHWAY 440: THENCE S72 07'29 W 116.55 FEET TO A POINT ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440; THENCE N73°58'44"W 41.15 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433 : THENCE NIT 46'54"W 133.74 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433 ; THENCE N32°00'08"W 238.79 FEET TO THE POINT OF BEGINNING OF AN EASEMENT FOR MAINTENANCE PURPOSES FOR A UTILITY POLE, SAID POINT LYING ON A CURVE TO THE LEFT, SAID CURVE HAVING A DELTA OF 184°20'46", A RADIUS OF 5.00 FEET AND A CHORD OF 9.99 FEET WHICH BEARS N40°08'40"WITHENCE ALONG AND WITH THE ARC OF SAID CURVE 16.09 FEET TO A POINT; THENCE S42°19'03"E 5.00 FEET TO A POINT: THENCE S37°58' 17"E 5.00 FEET TO THE

EASEMENT SURVEY
PREPARED BY JERRY O. PEERY, PLS
7650 SHERRY LANE McCALLA, ALABAMA
35111
TELEPHONE (205) 477-4128
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FIELD BOOK 353 PAGE 67
DATE OF SURVEY 1/12/02
DATE OF DRAWING 3/11/02
SHEET 4 OF 17 SHEETS

POINT OF BEGINNING.

SE CORNER SWI/4-SEI/4 S 26, T 19 S, R 1 W HUNTSVILLE PRINCIPAL MERIDIAN SHELBY COUNTY, ALABAMA





# TELEPHONE ANCHOR EASEMENTS S 75°43'30"W 249.63' N 32°07'28"W 243.77' IPF JO. PEERY CAPPED IRON N 17°46'54"W N 73°58'44"W -S 72°07'29"W 41.15' FORMER LOCATION OLD PIPE IN TREE ROOT STATE OF ALABAMA SHELBY COUNTY TWO FIVE-FOOT-RADIUS CIRCULAR EASEMENTS FOR MAINTENANCE PURPOSES FOR TELEPHONE ANCHORS SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE I WEST, HUNTSVILLE PRINCIPAL MERIDIAN, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: EASEMENT FOR MAINTENANCE PURPOSES FOR TELEPHONE ANCHOR I COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION: THENCE NO 53'26 E, ALONG AND WITH THE EASTERLY LINE OF SAID QUARTER-QUARTER SECTION, 1298.56 FEET TO AN IRON PIPE: THENCE NO 43'09"E 317.81 FEET TO THE FORMER LOCATION OF AN OLD PIPE IN A TREE ROOT: THENCE NI OI'25 E 55.15 FEET TO A CAPPED REBAR SET BY JERRY O. PEERY ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 44C: THENCE S75"43"30"W 249.63 FEET TO A POINT ON OPEN THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440; THENCE S72 OT'29 W 116.55 FEET TO A POINT ON THE NORTHERLY PIPE PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE N73"58'44"W 41.15 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433; THENCE NI 7°46'54"W 133.74 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433 : THENCE N32 07'28 W 243.77 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433 : THENCE N20°46'20"W 21.54 FEET TO TELEPHONE ANCHOR I AND THE CENTER OF A CIRCULAR EASEMENT FOR MAINTENANCE PURPOSES FOR TELEPHONE ANCHOR I, SAID CIRCULAR EASEMENT HAVING A DELTA OF 360°00'00", A RADIUS OF 5.00 FEET AND AN ARC LENGTH OF 31.42 FEET. EASEMENT FOR MAINTENANCE PURPOSES FOR TELEPHONE ANCHOR 2 COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTIONS THENCE NO 53'26"E, ALONG AND WITH THE EASTERLY LINE OF SAID QUARTER-QUARTER SECTION, 1298.56 FEET TO AN IRON PIPE: THENCE NO 43'09"E 317.81 FEET TO THE FORMER LOCATION OF AN OLD PIPE IN A TREE ROOT: THENCE NIMOINSTE 55.15 FEET TO A CAPPED REBAR SET BY JERRY O. PEERY ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE 575°43'30"W 249.63 FEET TO A POINT ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE 572 07'29 W I 16.55 FEET TO A POINT ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE N73°58'44"W 41.15 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433 ; THENCE N 17°46'54"W 133.74 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433 : THENCE N32°07'28"W 243.77 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433 : THENCE N26°39'24"E 22.76 FEET TO TELEPHONE ANCHOR 2 AND THE

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35111

5.00 FEET AND AN ARC LENGTH OF 31.42 FEET.

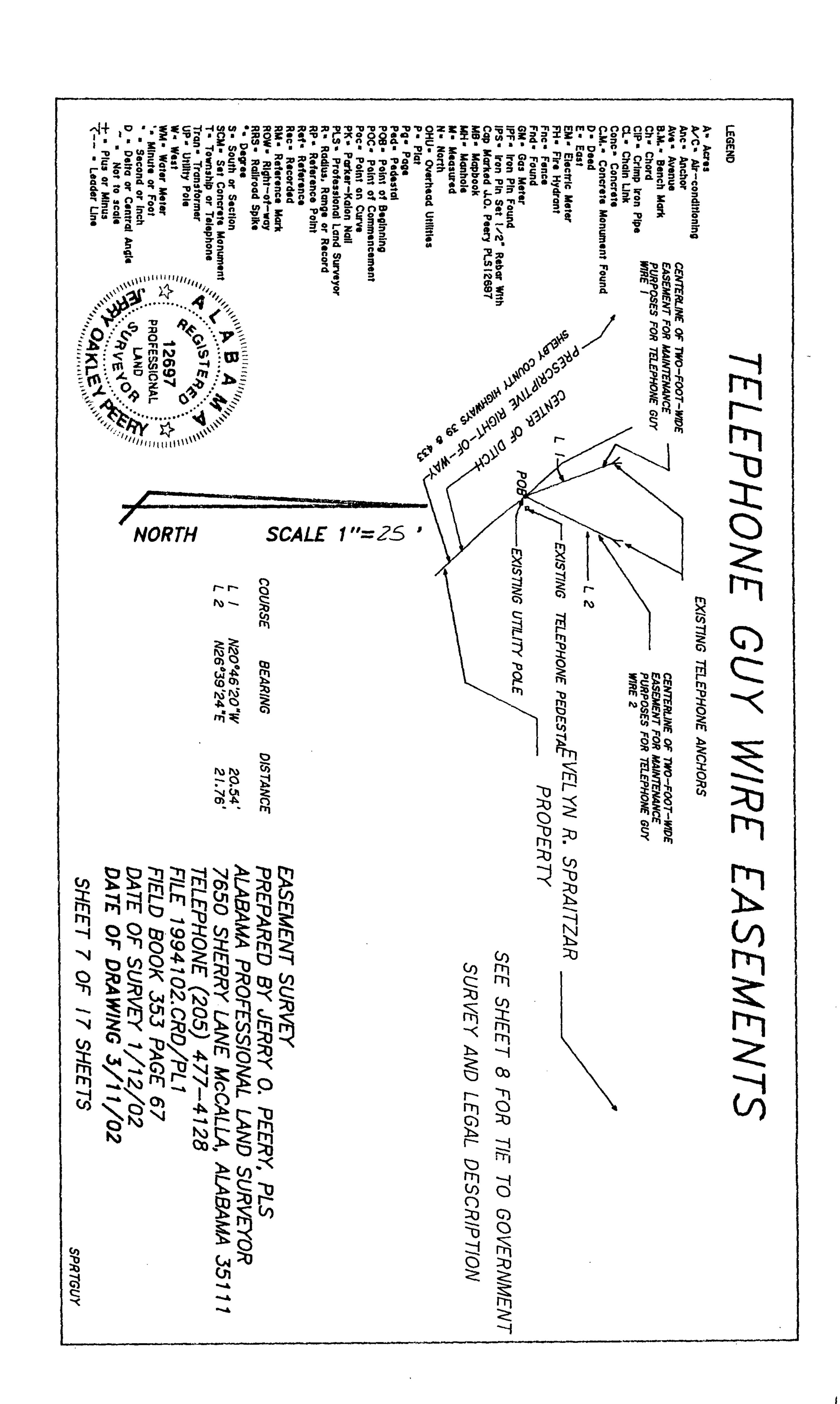
CENTER OF A CIRCULAR EASEMENT FOR MAINTENANCE PURPOSES FOR TELEPHONE

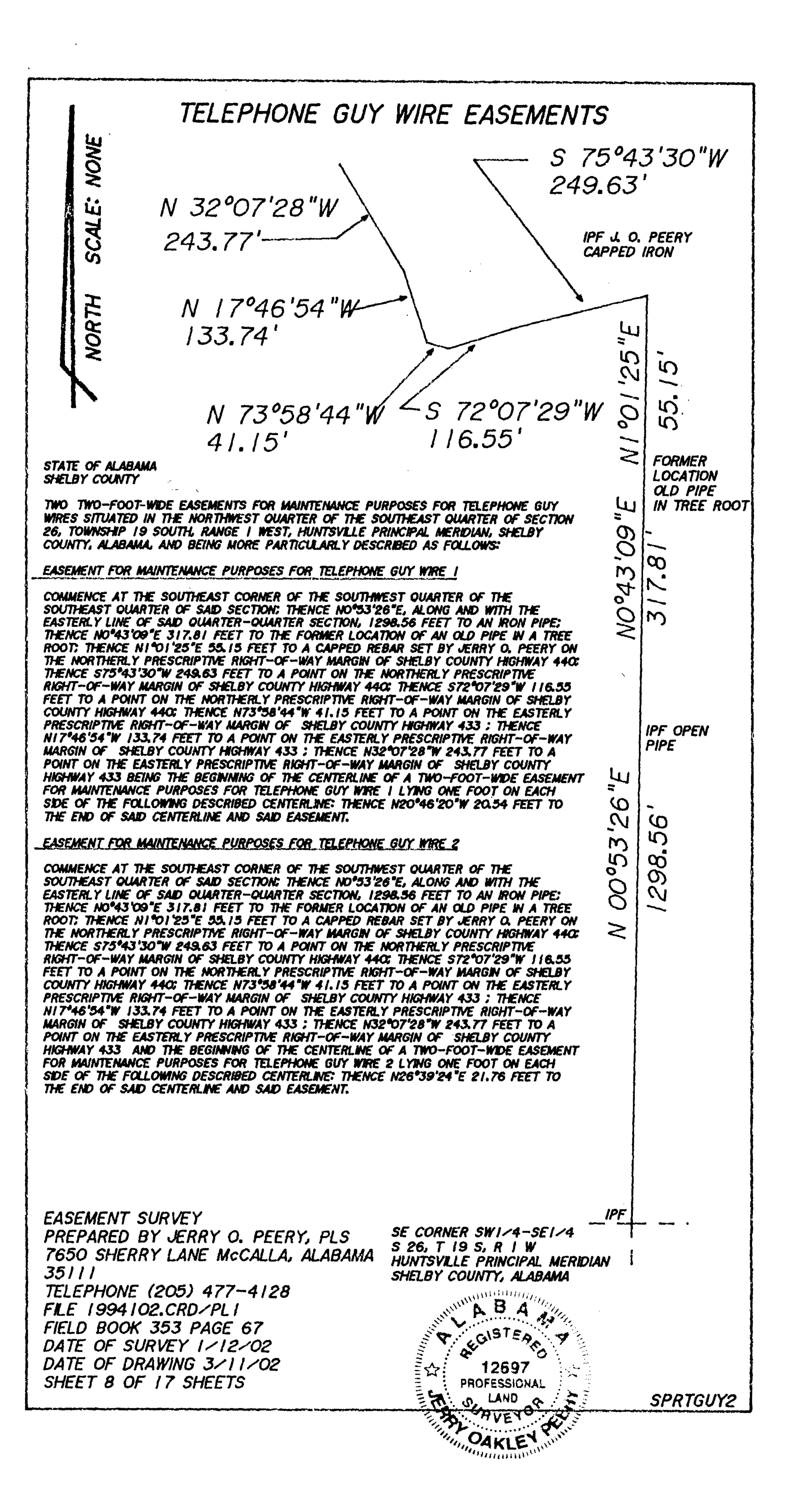
ANCHOR 2, SAID CIRCULAR EASEMENT HAVING A DELTA OF 360°00'00", A RADIUS OF

TELEPHONE (205) 477-4128
FILE 1994102.CRD/PLI
FIELD BOOK 353 PAGE 67
DATE OF SURVEY 1/12/02
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SHEET 6 OF 17 SHEETS

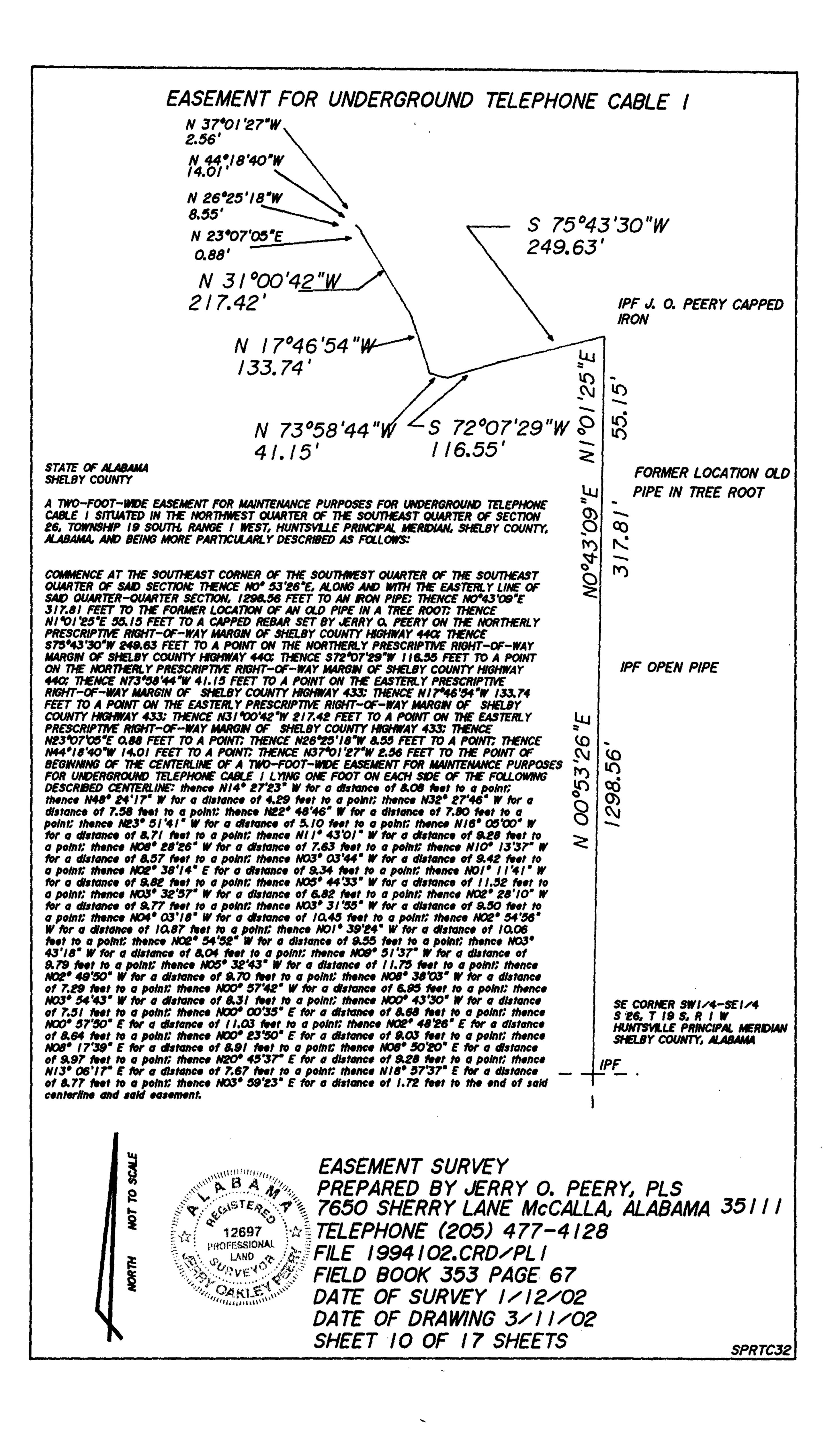
SE CORNER SWI/4-SEI/4 S 26, T 19 S. R 1 W HUNTSVILLE PRINCIPAL MERIDIAN SHELBY COUNTY, ALABAMA



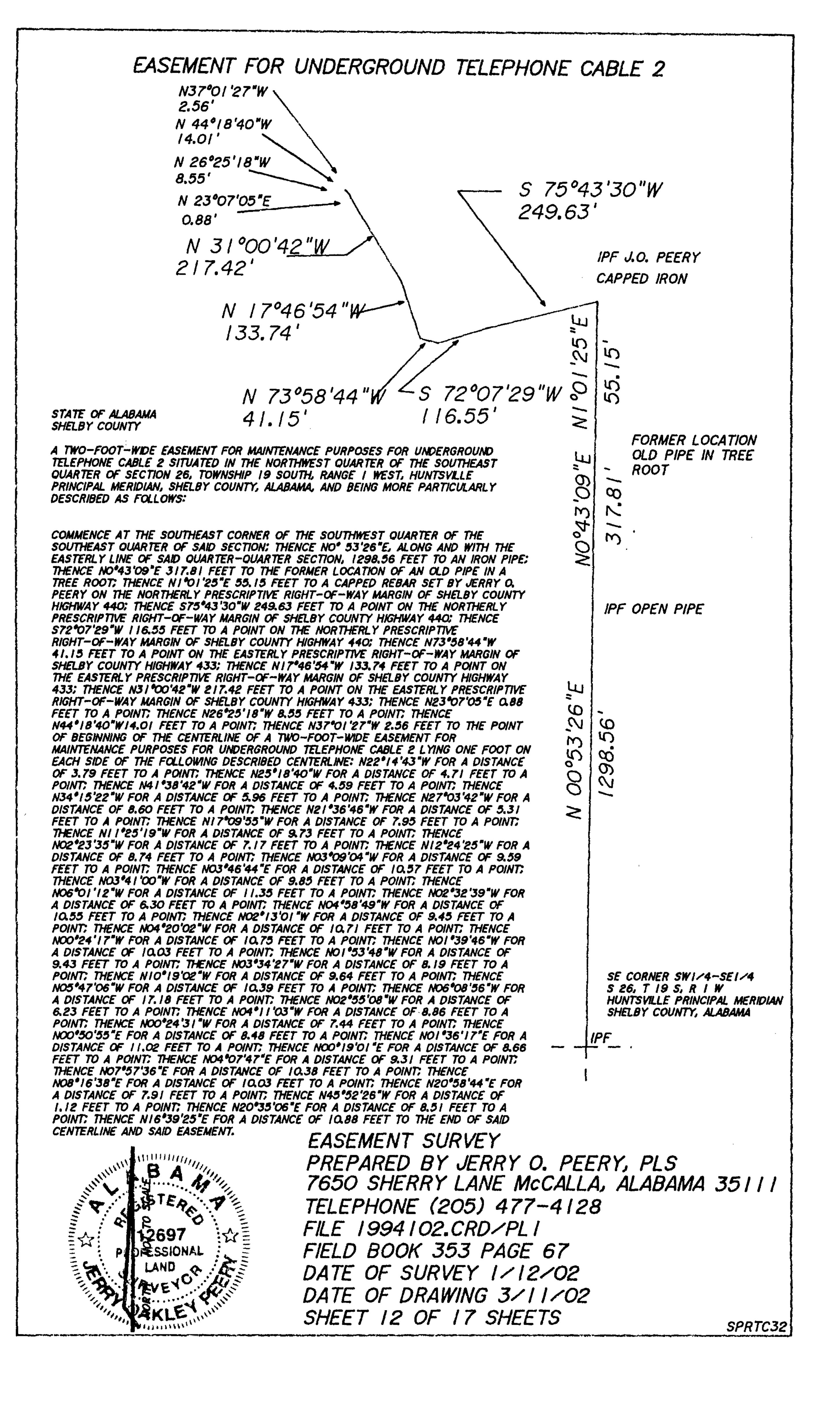




#### EASEMENT FOR UNDERGROUND TELEPHONE CABLE L38--NORTH PROPERTY LINE L37-EVELYN R. SPRAITZAR PROPERTY L36-L35--COURSE BEARING DISTANCE L34-8.08' N14°27'23"W L33-4.29' N48°24'17"W 7.58' N32°27'46"W L32-N22°48'46"W 7.80' N23°51'41"W 5.10' L3r 8.71' L 6 N16°05'00"W EVELYN R. SPRAITZAR-N11°43'01"W 9.28' L30-7.63 NO8°28'26"W PROPERTY L 9 8.57' N10°13'37"W L29-9.42' LIO NO3°03'44"W L28-LII 9.34' NO2°38'14"E L12 NO1°11'41"W 9.82' L27-11.52' L13 NO5°44'33"W L26-6.82 L 14 NO3°32'57"W 9.77' L 15 NO2°28'10"W CENTERLINE OF TWO-FOOT-L25-L 16 NO3°31'55"W 9.50' WIDE EASEMENT FOR L17 NO4°03'18"W 10.45' MAINTENANCE PURPOSES L24-FOR UNDERGROUND TELEPHONE CABLE I NO2°54'56"W 10.87' L 18 10.06' NO1°39'24"W L 19 L23-9.55 L 20 NO2°54'52"W L21 NO3°43'18"W 8.04 L22-9.79 L 22 NO9°51'37"W L 23 NO5°32'43"W 11.75 L21-NO2°49'50"W 9.70' L 24 NO8°38'03"W 7.29' L 25 L20-NOO°57'42"W 6.95 L 26 8.31' L27 NO3°54'43"W L19-7.51 NOO°43'30"W L28 12697 8.68 L 29 NO0°00'35"E L18-11.03 L 30 NOO°57'50"E PROFESSIONAL 8.64 NO2°48'26"E L31 NO0°23'50"E 9.03 L 32 8.91' L 33 NO8°17'39"E L16 NO8°50'20"E 9.97' L 34 9.28' L15 L 35 N20°45'37"E N13°06'17"E 7.67' L 36 L141 8.77' L37 N18°57'37"E 1.72' L 38 NO3°59'23"E L13 !-L12+ LIFT GOVERNIENT SURVEY & LEGAL LIOT DESCRIPTION L<del>9}+</del> EXISTING TELEPHONE PEDESTAL POB EASEMENT FOR MAINTENANCE PURPOSES FOR UNDERGROUND TELEPHONE CABLE I EASEMENT SURVEY PREPARED BY JERRY O. PEERY, PLS ALABAMA PROFESSIONAL LAND SURVEYOR 7650 SHERRY LANE McCALLA, ALABAMA 3511 TELEPHONE (205) 477-4128 FILE 1994102.CRD/PL1 FIELD BOOK 353; PAGE 67 DATE OF SURVEY 1/12/02 DATE OF DRAWING 3/11/02 SHEET 9 OF 17 SHEETS



#### EASEMENT FOR UNDERGROUND TELEPHONE CABLE 2 NORTH PROPERTY LINE L37-EVELYN R. SPRAITZAR PROPERTY L36 L35-COURSE BEARING DISTANCE L34-N22°14'43"W 3.79 L33-4.71' N25°18'40"W N4 | "38 42 "W 4.59' L32-5.96' N34°15'22"W N27°03'42"W 8.60' EVELYN R. SPRAITZAR L3T N21°36'46"W 5.31' N17°09'55"W 7.95 L30-N11°25'19"W 9.73' PROPERTY -L 9 NO2°23'35"W 7.17' L29-N12°24'25"W L10 8.74' L28-LIINO3°09'04"W 9.59' L12 NO3°46'44"E 10.57' L27---L13 NO3°41'00"W 9.85' L26-NO6°01'12"W L14 11.35' NO2°32'39"W L/5 6.30 L25-NO4°58'49"W L16 10.55 L17 NO2°13'01"W 9.45 L24-L18 NO4°20'02"W 10.71' CENTERLINE OF TWO-FOOT-NO0°24'17"W L 19 10.75' L23-WIDE EASEMENT FOR L20 NO1°39'46"W 10.03' NO1°53'48"W L21 MAINTENANCE PURPOSES FOR 9.43' L22-L22 8.19' NO3°34'27"W UNDERGROUND TELEPHONE L23 N10°19'02"W 9.64 L21 CABLE 2 L24 NO5°47'06"W 10.39 L25 NO6°08'56"W 17.18' L20-L26 NO2°55'08"W 6.23' L27 NO4°11'03"W 8.86' L19-L28 NO0°24'31"W 7.44' L29 NOO°50'55"E 8.48' L18-L30 NO1°36'17"E 11.02' NO0°19'01"E L31 8.66 L17-H NO4°07'47"E L32 9.31' L33 NO7°57'36"E 10.38 L16-12697 L34 NO8°16'38"E 10.03' PROFESSIONAL N20°58'44"E L35 7.91' L15-N45°52'26"W L36 1.12' L37 N20°35'06"E 8.51' L14+ L38 N16°39'25"E 10.88 L13 -L12+ LIH L10+ SEE SHEET 12 FOR TIE TO GOVERNMENT SURVEY AND LEGAL DESCRIPTION EXISTING TELEPHONE PEDESTAL POB EASEMENT FOR MAINTENANCE PURPOSES FOR UNDERGROUND TELEPHONE CABLE 2 EASEMENT SURVEY PREPARED BY JERRY O. PEERY, PLS ALABAMA PROFESSIONAL LAND SURVEYOR 7650 SHERRY LANE McCALLA, ALABAMA 35111 TELEPHONE (205) 477-4128 FILE 1994102.CRD/PL1 FIELD BOOK 353; PAGE 67 DATE OF SURVEY 1/12/02 DATE OF DRAWING 3/11/02 SHEET 11 OF 17 SHEETS



# EASEMENT FOR UNDERGROUND TELEPHONE CABLE 3 **EXISTING** COURSE BEARING DISTANCE TELEPHONE PEDESTAL N23°07'05"E 0.88' N26°25'18"W 8.55 N44°18'40"W 14.01' N37°01'27"W 2.56' Centerline of two (2)-foot-wide easement for maintenance purposes for underground telephone cable 3. EVELYN R. SPRAITZAR PROPERTY POB Easement-FOR MAINTENANCE PURPOSES FOR UNDERGROUND IPF J.O. Peery TELEPHONE CABLE 3 capped rebar N 01°01'25"E Former location of old pipe in tree root Note: Quarter-quarter section N 00°43'09"E line tie is not to scale. 317.81 IPF Old Pipe N 00°53'26"E 1298.56 SEE SHEET 14 FOR LEGAL SE Corner SWI/4-SEI/4 IPF DESCRIPTION S 26, T 19 S, R 1 W Huntsville Principal Meridian Shelby County, Alabama 12697 EASEMENT SURVEY PROFESSIONAL PREPARED BY JERRY O. PEERY, PLS 7650 SHERRY LANE MCCALLA, ALABAMA 35111 TELEPHONE (205) 477-4128 FILE 1994102.CRD/PL1 FIELD BOOK 353 PAGE 67 DATE OF SURVEY 1/12/02 DATE OF DRAWING 3/11/02 SHEET 13 OF 17 SHEETS

# EASEMENT FOR UNDERGROUND TELEPHONE CABLE 3

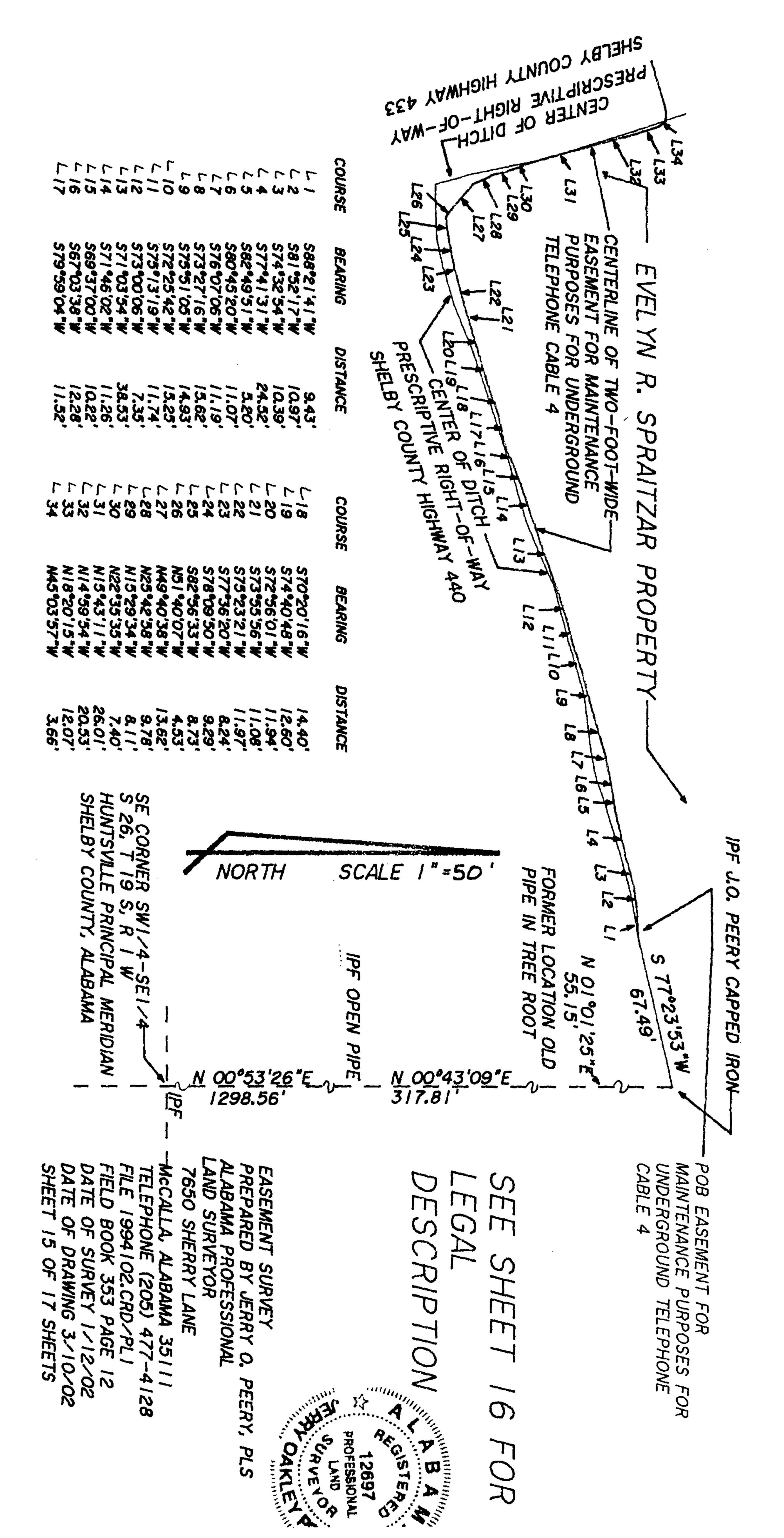
STATE OF ALABAMA SHELBY COUNTY

A TWO-FOOT-WIDE EASEMENT FOR MAINTENANCE PURPOSES FOR UNDERGROUND TELEPHONE CABLE 3 SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE / WEST, HUNTSVILLE PRINCIPAL MERIDIAN, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST OUARTER OF SAID SECTION: THENCE NOº53'26"E. ALONG AND WITH THE EASTERLY LINE OF SAID QUARTER-QUARTER SECTION. 1298.56 FEET TO AN IRON PIPE: THENCE NOº43'09"E 317.81 FEET TO THE FORMER LOCATION OF AN OLD PIPE IN A TREE ROOT: THENCE NI'OI'25"E 55.15 FEET TO A CAPPED REBAR SET BY JERRY O. PEERY ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE S75°43'30"W 249.63 FEET TO A POINT ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440; THENCE 572°07'29"W 116.55 FEET TO A POINT ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE N73°58'44"W 41.15 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433: THENCE N17°46'54"W 133.74 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT--OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433: THENCE N3 1°00'42"W 217.42 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A TWO-FOOT-WIDE EASEMENT FOR MAINTENANCE PURPOSES FOR UNDERGROUND TELEPHONE CABLE 3, LYING ONE FOOT ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: THENCE N23°07'05"E 0.88 FEET TO A POINT: THENCE N26°25'18"W 8.55 FEET TO A POINT; THENCE N44°18'40"W 14.01 FEET TO A POINT; THENCE N37°01'27"W 2.56 FEET TO THE END OF SAID CENTERLINE AND SAID EASEMENT.



EASEMENT SURVEY
PREPARED BY JERRY O. PEERY, PLS
7650 SHERRY LANE McCALLA, ALABAMA
35111
TELEPHONE (205) 477-4128
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DATE OF DRAWING 3/11/02
SHEET 14 OF 17 SHEETS



## EASEMENT FOR UNDERGROUND TELEPHONE CABLE 4

A TWO-FOOT-WIDE EASEMENT FOR MAINTENANCE PURPOSES FOR UNDERGROUND TELEPHONE CABLE 4, SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE I WEST, HUNTSVILLE PRINCIPAL MERIDIAN, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION: THENCE NO 53'26"E, ALONG AND WITH THE EASTERLY LINE OF SAID QUARTER-QUARTER SECTION, 1298.56 FEET TO AN IRON PIPE: THENCE NOº43'09"E 317.81 FEET TO THE FORMER LOCATION OF AN OLD PIPE IN A TREE ROOT; THENCE NIº01'25"E 55.15 FEET TO A CAPPED REBAR SET BY JERRY O. PEERY ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE S77°23'53"W 67.49 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A TWO-FOOT-WIDE EASEMENT FOR MAINTENANCE PURPOSES FOR UNDERGROUND TELEPHONE CABLE 4 LYING ONE FOOT ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: THENCE S88°21'41"W FOR A DISTANCE OF 9.43 FEET TO A POINT: THENCE S81°52'17"W FOR A DISTANCE OF 10.97 FEET TO A POINT: THENCE 574°32'54"W FOR A DISTANCE OF 10.39 FEET TO A POINT: THENCE S77°41'31"W FOR A DISTANCE OF 24.52 FEET TO A POINT; THENCE S82°49'51"W FOR A DISTANCE OF 5.20 FEET TO A POINT; THENCE S80°45'20"W FOR A DISTANCE OF I I.O7 FEET TO A POINT; THENCE \$76°07'06"W FOR A DISTANCE OF I I.19 FEET TO A POINT: THENCE 573°27'16"W FOR A DISTANCE OF 15.62 FEET TO A POINT: THENCE S75°51'05"W FOR A DISTANCE OF 14.93 FEET TO A POINT; THENCE S72°25'42"W FOR A DISTANCE OF 15.25 FEET TO A POINT; THENCE \$75°13'19"W FOR A DISTANCE OF I 1.74 FEET TO A POINT: THENCE S73°00'06"W FOR A DISTANCE OF 7.35 FEET TO A POINT: THENCE S71°03'54"W FOR A DISTANCE OF 38.53 FEET TO A POINT: THENCE S71°46'02"W FOR A DISTANCE OF 11.26 FEET TO A POINT: THENCE S69°37'00"W FOR A DISTANCE OF 10.22 FEET TO A POINT; THENCE \$67°03'38"W FOR A DISTANCE OF 12.28 FEET TO A POINT; THENCE 579°59'04"W FOR A DISTANCE OF 11.52 FEET TO A POINT: THENCE S70°20'16"W FOR A DISTANCE OF 14.40 FEET TO A POINT: THENCE S74°40'48"W FOR A DISTANCE OF 12.60 FEET TO A POINT; THENCE S72°56'01"W FOR A DISTANCE OF 11.94 FEET TO A POINT: THENCE S73°55'56"W FOR A DISTANCE OF I I.O8 FEET TO A POINT; THENCE \$75°23'21"W FOR A DISTANCE OF I I.97 FEET TO A POINT: THENCE 577°36'20"W FOR A DISTANCE OF 8.24 FEET TO A POINT: THENCE S78°09'50"W FOR A DISTANCE OF 9.29 FEET TO A POINT: THENCE S82°56'33"W FOR A DISTANCE OF 8.73 FEET TO A POINT: THENCE N51°40'07"W FOR A DISTANCE OF 4.53 FEET TO A POINT: THENCE N49°40'38"W FOR A DISTANCE OF 13.62 FEET TO A POINT: THENCE N25°42'58"W FOR A DISTANCE OF 9.78 FEET TO A POINT: THENCE NI5°29'34"W FOR A DISTANCE OF 8.11 FEET TO A POINT; THENCE N22°35'35"W FOR A DISTANCE OF 7.40 FEET TO A POINT; THENCE N15°43'II "W FOR A DISTANCE OF 26.01 FEET TO A POINT; THENCE N14°59'54"W FOR A DISTANCE OF 20.53 FEET TO A POINT: THENCE N18°20'15"W FOR A DISTANCE OF 12.07 FEET TO A POINT: THENCE N45°03'57"W FOR A DISTANCE OF 3.66 FEET TO THE END OF SAID CENTERLINE AND SAID EASEMENT.



EASEMENT SURVEY
PREPARED BY JERRY O. PEERY,
PLS
7650 SHERRY LANE McCALLA,
ALABAMA 35111
TELEPHONE (205) 477-4128
FILE 1994102.CRD/PL1
FIELD BOOK 353 PAGE 67
DATE OF SURVEY 1/12/02
SHEET 16 OF 17 SHEETS

# EASEMENT SURVEY NOTES

#### LEGEND

Anc = Anchor Ave - Avenue B.M. - Bench Mark Ch . Chord CIP - Crimp from Pipe CL . Center Line Conc - Concrete C.M. - Concrete Monument Found D= Deed E= East EM = Electric Meter FH = Fire Hydrant Fnc= Fence Fnd - Found GM = Gas Meter iPF = Iron Pin Found IPS = Iron Pin Set 1/2" Rebar With Cap Marked J.O. Peery PLS 12697 MB - Mapbook MH - Manhole M = Measured N= North OHU = Overhead Utilities P · Plat Pg = Page Ped= Pedestal POB - Point of Beginning POC - Point of Commencement Poc = Point on Curve PK - Parker-Kalon Naii PLS - Professional Land Surveyor R = Radius, Range or Record RP - Reference Point Ref = Reference Rec - Recorded RM - Reference Mark ROW- Right-of-way RRS - Railroad Spike \* Degree S = South or Section SCM - Set Concrete Monument T = Township or Telephone Tran - Transformer UP - Utility Pole W- West WM - Water Meter '- Minute or Foot " - Second or Inch D = Delta or Central Angle ~ - Not to scale + Plus or Minus

<-- - Leader Line

State of Alabama Shelby County

i, Jerry O. Peery, a Professional Land Surveyor, do hereby state that this is a plat of a survey of the lands shown and described upon sheets I through 17; that there are no visible encroachments of buildings, rights—of—way, or Joint driveways over or across said lands, except as shown or noted, however there was no field location attempted to determine the location or the extent of a possible encroachment beneath the surface.

I hereby state that all parts of this survey and drawing have been completed in accordance with the requirements of the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama to the

best of my knowledge, information and belief.

Jerry Ox Paery, PLS Alabama License Number: 12697

SURVEY NOTES:

The purpose of this survey is to establish easements for telephone company facilities encroaching upon the property of Evelyn R. Spraitzar.

Underground facilities are shown from surface markings furnished by the utility owner or the utility owner's agent. No excavation to verify the location of the underground facilities was made. Above ground facilities are shown by their physical position.

Sheets I through 17 are a part of this survey. Due to the size of drawings requested by Ms. Evelyn R. Spraitzar this survey is presented in 17 parts. This sheet shall serve to supplement the preceding 16 sheets.

The Government Survey ties are not drawn to scale due to drawing

size.

The rights—of—way for the Shelby County roads are prescriptive and may vary with maintenance.

## General Notes:

There was no location attempted to determine the location or the extent of other possible encroachments beneath the surface.

Subject to easements and rights-of-way, if any.

A current title search was not made by or furnished to the

surveyor.

Visible encroachments noted only on the date of the field

survey. *5*.

Date of survey is the date of field survey.

This survey is based upon the following source of information:Survey Evelyn R. Spraitzar property by Jerry O. Peery dated June 26, 1993.

Bearings are based upon an assumed system and referenced

to the Government Survey tie as shown.



EASEMENT SURVEY PREPARED BY JERRY O. PEERY, PLS 7650 SHERRY LANE McCALLA, ALABAMA 35111 TELEPHONE (205) 477-4128 FILE 1994102.CRD/PL1 FIELD BOOK 353 PAGE 67 DATE OF SURVEY 1/12/02 DATE OF DRAWING 3/11/02 SHEET 17 OF 17 SHEETS

# ATTACHMENT B SPECIAL STIPULATIONS

As part of the consideration of the above Easement, the adequacy and receipt of which are hereby acknowledged, BellSouth Telecommunications, Inc. ("BellSouth"), for itself, its licensees, agents, successors, assigns, and allied and associated companies, hereinafter collectively referred to as "Grantee," does hereby covenant with Evelyn R. Spraitzar (hereinafter referred to as "Grantor") and her successors, representatives, heirs, and assigns, as follows:

- 1. The underground facilities described in Attachment A to the above Easement, or any other underground facilities of Grantee that may be nearby, shall not impede the ability of Grantor, or of Grantor's successors, representatives, heirs, and assigns, or of their respective officers, directors, employees, agents, representatives, licensees, invitees, affiliates, and allied and associated companies, to access the Spraitzar property; to construct, use, or maintain driveways of any kind for ingress into or egress from the Spraitzar property; to utilize vehicles of any kind on the Spraitzar property; to install, use, or maintain any utility, sewage, or watering systems on the Spraitzar property; or to landscape the Spraitzar property. If, however, any such impediment occurs, Grantee agrees, upon receiving reasonable notice, to temporarily or permanently relocate its facilities to another location acceptable to Grantor or to her successors, representatives, heirs, and assigns. Grantee further agrees to bear the cost of relocating the facilities if any such impediment occurs.
- 2. Grantee shall not have the right to place any additional facilities on, over, or under the Spraitzar property other than those specified in Attachment A to the above

Easement. The term "facility" includes, but is not limited to, any pole, cable, line, anchor, guy wire, closure, transformer, or any other equipment.

- 3. Grantor, Grantor's successors, representatives, heirs, and assigns, and their respective officers, directors, employees, agents, representatives, licensees, invitees, affiliates, and allied and associated companies, shall not be liable for any damage to any of Grantee's facilities on, over, under, or near the Spraitzar property. However, a person shall not have the benefit of this exclusion from liability if that person intentionally and maliciously caused the damage.
- 4. If any of the underground cables described in Attachment A to the above Easement are replaced by Grantee, the replacement cables shall be maintained at a minimum depth of thirty (30) inches below the surface.
- 5. Access by Grantee to the facilities described in Attachment A to the above Easement shall be from the public roads only.
- 6. No chemicals shall be used by Grantee for the control of weeds around the facilities described in Attachment A to the above Easement.

For purposes of the above six (6) special stipulations, the term "Spraitzar property" means that parcel of land situated in the Northwest Quarter of the Southeast Quarter of Section 26, Township 19 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama, and lying northerly of Shelby County Highway 440, easterly of Shelby County 39 and easterly and northeasterly of Williamson Road all as situated in June, 1993, and more particularly described in the survey of Jerry O. Peery, Al. Reg. 12697, dated June 26, 1993, as revised April 3, 1998, a copy of which is attached to the above Easement in reduced form as Attachment C and made a part hereof.

All the above six (6) special stipulations shall run with the land described in Attachment A and shall remain in full force and effect forever and in perpetuity and shall control in the event of conflict with the above Easement.

Whenever the text hereof requires, the use of the singular number shall include the appropriate plural number as the text of the written instrument may require.

IN WITNESS WHEREOF, the undersigned have duly executed these Special Stipulations on this the 26 day of August, 2002. BellSouth Welecommunications, Inc. Signed, sealed, and delivered in the presence of: Name of Corporation Title: Witness Witness Attest: State of Alabama County of Jefferson I, Willa G. Baile y, notary public in and for said County in Alabama, hereby certify that John E. Jones whose name as Area manages of BellSouth Telecommunications, Inc., a corporation, is signed to the foregoing Special Stipulations and who is known to me, acknowledged before me on this day that, being informed of the contents of the Special Stipulations, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation. Given under my hand this 3th day of Jatober, 200.

Mind Ai
Notary Public
My Commission Expires:
01/21/05
State of Alabama
County of Shelby
I, Haye D. how , notary public in and for said County in Alabama, hereby certify that Evelyn R. Spraitzar whose name is signed to the foregoing Special Stipulations and who is known to me, acknowledged before me on this day that, being informed of the contents of the Special Stipulations, she executed the same voluntarily.
Given under my hand this 26th day of Augus, 2002.
Hayen D. Brown
Notary Public
My Commission Expires:
¥-03-03

## LEGAL DESCRIPTION EVELYN R. SPRAITZAR PROPERTY

State of Alabama Shelby County

A parcel of land situated in the Northwest Quarter of the Southeast Quarter of Section 26, Township 19 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama, and lying northerly of Shelby County Highway 440, easterly of Shelby County 39 and easterly and northeasterly of Williamson Road all as situated in June, 1993, and being more particularly described as follows:

Commence at the Southeast Corner of the Southwest Quarter of the Southeast Quarter of said section 26; thence in a northerly direction along and with the easterly line of said quarter-quarter section 1298.56 feet to an iron pipe; thence with a deflection of 0°10'17" left, 317.81 feet to an old iron pipe in the root of a tree; thence with a deflection of 0°18'16" right, 55.15 feet to an iron pin on the northerly margin of Shelby County Highway 440, said highway having a prescriptive right-of-way, and the point of beginning; thence in a southwesterly direction along and with said northerly prescriptive right-of-way margin to the intersection with the northeasterly prescriptive right-of-way margin of Williamson Road, for the purpose of this description along and with the following three courses: with a deflection of 105°17'55" left, 249.63 feet to a point; thence with a deflection of 3°36'01" left 116.55 feet to a point; thence with a deflection of 33°53'47" right 41.15 feet to a point; thence in a northerly and northwesterly direction along and with the easterly and northeasterly prescriptive right-of-way margin of Williamson Road to the intersection with the easterly prescriptive right-of-way margin of Shelby County Highway 39, for the purpose of this description along and with the following two courses: with a deflection of 56°11'50" right, 133.74 feet to a point; thence with a deflection of 14°27'46" left, 273.28 feet to a point; thence in a northerly direction along and with the prescriptive right-of-way margin of Shelby County Highway 39 to a point, for the purpose of this description along and with the following two courses: thence with a deflection of 29°41'27" right, 184.88 feet to an iron pin; thence with a deflection of 3°51'08" right, 112.92 feet to an old iron pipe; thence with a deflection of 88°59'55" right, leaving said prescriptive right-of-way, 594.87 feet to an iron pipe on the easterly line of the Northwest Quarter of the Southeast Quarter; thence with a deflection of 90°43'35" right, along and with said quarterquarter section line 567.12 feet to the point of beginning, forming a closing interior angle of 105°17'55".

- NOTES:
- 1. THIS SURVEY WAS MADE PURSUANT TO A REQUEST BY MS. EVELYN R. SPRAITZAR. THE FURPOSE OF THIS SURVEY IS TO LOCATE THE LANDS WITH RESPECT TO SHELBY COUNTY HIGHWAYS 39 AND 440 AND WILLIAMSON ROAD AS LOCATED IN JUNE, 1993.
- 2. IMPROVEMENTS EXIST UPON THIS PROPERTY BUT WERE NOT LOCATED AND SHOWN ON THIS SURVEY.
- 3. THIS SURVEY AND DRAWING WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA.
- 4. 5' REFERENCE IRONS WERE SET 5 FEET FROM THE CENTER OF THE ROADWAY DITCH.

12697
PROFESSIONAL
LAND
AVEY

OAKLE

JERRY O. PEERY, PLS

ATTACHMENT (AL. REG. 12697

