

20081110000434460 1/3 \$17.50  
Shelby Cnty Judge of Probate, AL  
11/10/2008 09:47:08AM FILED/CERT

STATE OF ALABAMA  
COUNTY OF Shelby

8416-I-AL  
(06-2007)

Preparer's name and address:

Becky Grinder  
118 Cedar Cove Dr.  
Pelham, AL. 35124

Grantee's Address:

BellSouth Telecommunications, Inc. d/b/a AT&T Alabama

3196 Highway 280  
Room 102N  
Birmingham, AL. 35243

### EASEMENT

For and in consideration of Two hundred fifty dollars (\$ 250.00 ) and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the undersigned owner(s) of the premises described below, (hereinafter referred to as "Grantor"), do(es) hereby grant to **BellSouth Telecommunications, Inc., a Georgia corporation, d/b/a AT&T Alabama**, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns (hereinafter referred to as "Grantee"), an easement to construct, operate, maintain, add, and/or remove such systems of communications (including broadcast), facilities, standby generators and associated fuel supply systems as a means of providing uninterrupted service during commercial power outages, and related items as the Grantee may from time to time deem necessary in the conduct of its business upon, over, and under a portion of the lands described in Deed Book 19960003962300000, page                     , Shelby County, Alabama Records, and, to the fullest extent the Grantor has the power to grant, upon, over, along, and under the roads, streets, or highways adjoining or through said property. The said easement is more particularly described as follows:

All that tract or parcel of land lying in Section 10, Township 18S, Range 01E, Huntsville Meridian, Shelby County, State of Alabama, consisting of a ( ☒ strip ) ( ☐ parcel ) of land approximately 300 ft running across property along Whipperwill Rd. 5ft each side of buried cable as shown on attached drawing and hereby made a part of this document. Attachment A.

The following rights are also granted: the exclusive right to allow any other person, firm, or corporation to attach wires or lay cable or conduit or other appurtenances upon, over, and under said easement for communications (including broadcast) or electric power transmission or distribution; ingress to and egress from said easement at all times; the right, but not the obligation, to clear the easement and keep it cleared of all trees, undergrowth, or other obstructions; the right, but not the obligation, to trim and cut and keep trimmed and cut all dead, weak, leaning, or dangerous trees or limbs outside the easement which might interfere with or fall upon the lines or systems of communication or power transmission or distribution; the right to relocate said facilities, systems of communications, or related services on said lands to conform to any future highway relocation, widening, or improvements; the right to test and maintain generators and associated equipment; and the right to allow any other person, firm, or corporation to provide for fuel/energy distribution to equipment placed on the site.

To have and to hold the above granted easement unto BellSouth Telecommunications, Inc. d/b/a AT&T Alabama, and its parent and its and its parent's direct and indirect affiliates, subsidiaries, agents, attorneys, employees, officers, directors, servants, insurance carriers, licensees, successors, and assigns forever and in perpetuity.

Grantor warrants that Grantor is the true owner of record of the above described land on which the aforesaid easement is granted.

*PMT 85180*



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**SPECIAL STIPULATIONS OR COMMENTS:**

The following special stipulations shall control in the event of conflict with any of the foregoing easement

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In witness whereof, the undersigned has/have caused this instrument to be executed on the 4th day of  
June, 2008

Signed, sealed and delivered in the presence of:

Witness  
(Print Name) \_\_\_\_\_

*Dale Allen Smith* L.S.  
Grantor **Dale Allen Smith** *DALE ALLEN SMITH*  
(Print Name and Address) 64 Whipperwill Rd.  
Vandiver, AL. 35176

Witness  
(Print Name) \_\_\_\_\_

*Susan Delynn Nelson* L.S.  
Grantor **Susan Delynn Nelson**  
(Print Name and Address) 64 Whipperwill Rd.  
Vandiver, AL. 35176

State of Alabama, County of Shelby

I, **Rebecca Grinder**, Notary Public in and for said County in Alabama,  
hereby certify that **Dale Allen Smith and Susan Delynn Nelson**  
whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that  
being informed of the contents of the conveyance, he/she executed the same voluntarily on the day the same bears date.

Witness my hand and official seal in the County and State last aforesaid this 4th day of June, 2008

*Rebecca Grinder*  
Notary Public  
(Print Name) **Rebecca Grinder**

My Commission Expires: 08/22/11

**TO BE COMPLETED BY GRANTEE**

District	FRC	Wire Center/NXX	Authority
Drawing	Area Number	Plat Number	RWID
Parcel ID	Approval	Title	



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Shelby County, AL 11/10/2008  
State of Alabama

Deed Tax : \$.50

SCALE: 1" = 30'



**DESCRIPTION:**  
A TRACT OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 10,  
TOWNSHIP 18 SOUTH, RANGE 1 EAST, SHELBY COUNTY, ALABAMA,  
A 10.00 FOOT BELL SOUTH EASEMENT, BEING 5.00 FEET ON EACH  
SIDE OF A CENTERLINE, BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 18 SOUTH, RANGE 1 EAST, SHELBY COUNTY, ALABAMA, THENCE RUN NORTH, 00°10'07" WEST ALONG THE WEST LINE OF SAID 1/4 - 1/4 FOR 118.88 FEET TO THE POINT OF BEGINNING OF SAID BELLSOUTH EASEMENT CENTERLINE, THENCE RUN SOUTH 63°06'22" - EAST FOR 268.05 FEET TO THE END OF SAID EASEMENT CENTERLINE.

**SAID TRACT OF LAND CONTAINING 2,078.73 SQUARE FEET**

I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

## SURVEYORS

JEFF D. ARINGTON  
ALABAMA NO. 18084  
DATE 9-2-08



04 2 10 0 001 016.000  
LARBELL FARMS  
FAMILY SUBDIVISION  
LOT 2  
MB. 26, PG. 118

N00°10'07"W  
118.98'

**- POINT OF BEGINNING**  
N 1266316.41  
E 2284213.57

CL WHIPPOORWILL RD.  
00' R.O.W. PER MB. 26, PG. 118

**-10' BELL SOUTH EASEMENT**

04 2 10 0 001 015.001  
INST #1996-39623  
DALE SMITH & DEL YNN NELSON

**268.55'**  
**\$63°05'22"E**

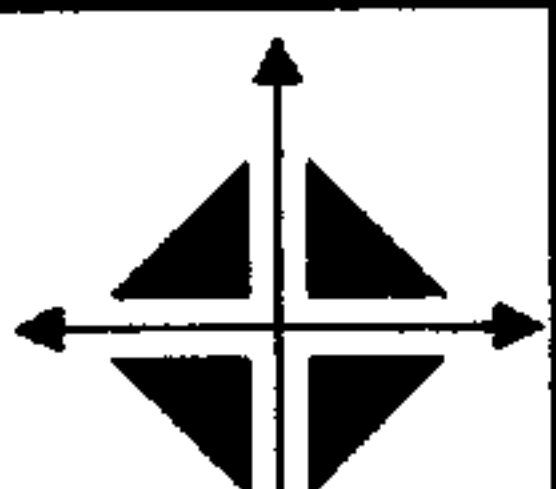
N 1266194.87  
E 2264453.03

**FOUND 34" REBAR  
POINT OF COMMENCEMENT  
- SW CORNER  
NE 1/4 - SW 1/4  
SEC. 10, 18S, 1E**

042100001018000  
INST#2002-33778  
SCOTT & AMY KIPLOON

**SHEET 3 OF 4**

WORK AUTHORIZATION NUMBER: AE2008-85180



# ARRINGTON ENGINEERING

## Civil Engineers - Surveyors - Land Planners

Office: (205) 985-9315  
Fax: (205) 985-9385  
2032 Valleydale Road  
Birmingham AL 35244

G:\2008 PROJECTS\43751-BELLSOUTH EASEMENT WHIPPOORWILL RD\dwg\43751.dwg