

RIGHT OF WAY

KNOW ALL MEN BY THESE PRESENTS, That **BTNV LLC**, a limited liability company formed under the laws of Delaware and **WCTNV LLC**, a limited liability company formed under the laws of Delaware, together as tenants in common, each with a 50% interest (hereinafter known as "Grantors," whether one or more), for and in consideration of the sum of Seventy Five Thousand and 00/100 Dollars (\$75,000.00) 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" or "Grantee"), the following easements, rights, and privileges:

The right to construct, operate, and maintain electric transmission lines and advanced communications capabilities, and all towers, poles, conduits, conductors, cables, wires, antennas, insulators, anchors, guy wires, counterpoise conductors, and all other appliances, equipment, and fixtures necessary or convenient in connection therewith, from time to time, upon, over, under, and across, a strip of land varying in width, with said strip being more particularly described within Exhibit A attached hereto (hereinafter, "Right of Way").

The Company is further granted (i) all the rights or privileges necessary or convenient for the full enjoyment or use of said Right of Way on the property of the Grantors, which is identified and described within Exhibit A attached hereto (hereinafter, "Grantors' Property"), for the purposes above described, including, without limitation, the right of ingress and egress to and from said Right of Way across the existing roads on Grantors' Property, (ii) the right to cut, remove, and otherwise keep clear by any means, including herbicides, all trees, undergrowth, structures, materials, and all other obstructions, whether natural or man-made, under, on, or above said Right of Way, (iii) the right to cut any timber located upon Grantors' Property which in falling would come within five (5) feet of any conductor of the Company located in said Right of Way or located on any other property, including public road right of way, (iv) the right to implant, install, and maintain stub poles and anchors in locations depicted in the attached Exhibit B, as necessary or convenient, and the right to extend and maintain guy wires from said anchors to structures now erected or hereafter to be erected on Grantors' Property, and (v) the right to install grounding devices on Grantors' fences now or hereafter located in said Right of Way and on fences or other structures of Grantors now or hereafter located on Grantors' Property adjacent to said Right of Way.

Grantee shall have the right to prevent any use of the Right of Way which, in the opinion of the Grantee, could interfere with or otherwise be inconsistent with the exercise of Grantee's easements, rights, and privileges herein granted.

The Grantors covenant with the said Grantee, that Grantors are lawfully seized in fee of the Grantors' Property; that Grantors have a good right to convey the same to the said Company, and that Grantors will warrant and defend the said land to the said Company forever.

Pursuant to Code of Alabama (1975), § 37-16-7(g), this instrument serves as notice of the Grantee's intent to install broadband systems within said Right of Way.

Grantors shall have the right to use the Right of Way for any purpose not inconsistent with the rights which Grantee may from time to time exercise hereunder.

TO HAVE AND TO HOLD the same to the said Grantee, its successors and assigns, forever. IN WITNESS WHEREOF, we have here unto set our hands and seals, this the 8 day of August, 2023.

BTNV LLC

BY: *David Taplitz*
 ITS: Authorized Signatory David Taplitz

WCTNV LLC

BY: *David Taplitz*
 ITS: Authorized Signatory David Taplitz

STATE OF NEW YORK)

COUNTY OF Richmond)

I, *Kimberley Clark*, a Notary Public in and for said County in said State, hereby certify that David Taplitz, whose name as Authorized Signatory of BTNV LLC, a Delaware limited liability company, 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 the instrument, he, as such authorized signatory and with full authority, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this the 15 day of August, 2023.

STATE OF NEW YORK)

COUNTY OF Richmond)

KIMBERLEY CLARK
 Notary Public - State of New York
 No. 01CL6178510
 Qualified in Richmond County
 My Comm. Expires Dec. 3, 2023

I, *Kimberley Clark*, a Notary Public in and for said County in said State, hereby certify that David Taplitz, whose name as Authorized Signatory of WCTNV LLC, a Delaware limited liability company, 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 the instrument, he, as such authorized signatory and with full authority, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this the 15 day of August, 2023

My Commission Expires: Dec 3, 2023

KIMBERLEY CLARK
 Notary Public - State of New York
 No. 01CL6178510
 Qualified in Richmond County
 My Comm. Expires Dec. 3, 2023

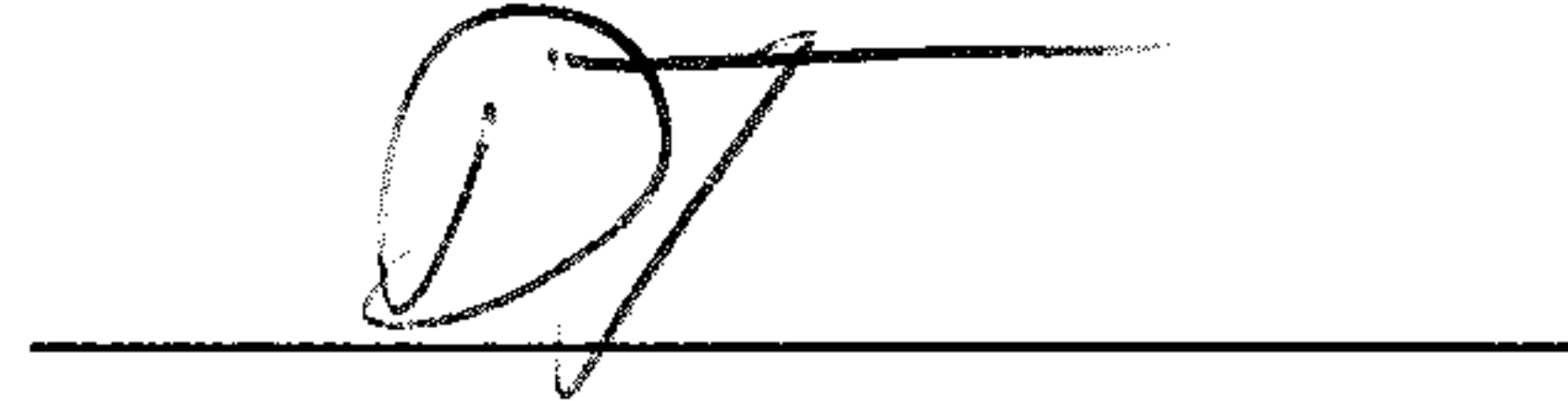
EXHIBIT A

Grantors own property described in the deed recorded as **Instrument Number 20151203000413710** in the Office of the Judge of Probate, Shelby County, Alabama ("Grantors' Property").

The Right of Way herein granted by Grantors consists of a strip of land, varying in width, lying within the Northwest Quarter of the Northwest Quarter (NW ¼ of the NW ¼) of Section 14, Township 21 South, Range 03 West, Shelby County, Alabama, such strip being more particularly described as follows:

To reach the point of beginning, commence at the Northeast corner of the Northwest Quarter of the Southwest quarter of Section 14, Township 21 South, Range 3 West, marked by a found truck axle; thence run N08°00'46"W, a distance of 1334.58 feet to a set 5/8" rebar with yellow APCO cap; thence run N81°34'38"W, a distance of 301.33 feet to the intersection of Alabama State Highway #119 centerline of Right of Way and survey centerline; such point being the **Point of Beginning** of the strip of right of way herein described; therefrom the strip is varying in width and lies 15 feet right of the centerline of survey, and continuation thereof, which begins at such point of beginning and runs N81°34'38"W, a distance of 178.68 feet to a set 5/8" rebar with yellow APCO cap; thence run S05°17'29"W, a distance of 51.29 to a point; such point also being the **Point of Ending** of said strip of right of way herein described.

All bearings based on Alabama State Plane West Zone Grid North NAD '83 (2011).



Grantor's Initials

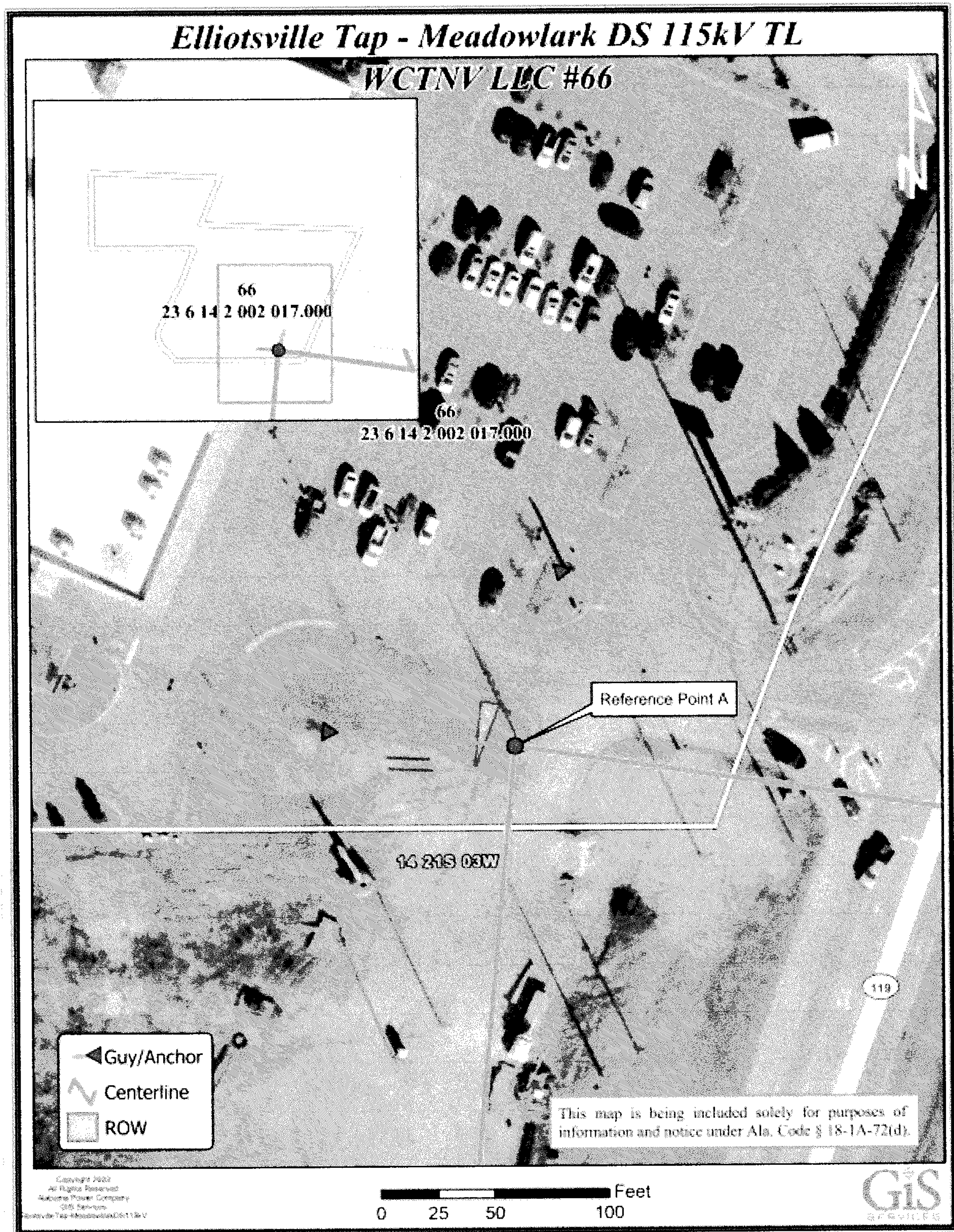
#12284463 v2 \019142 \0009

Right of Way
Birmingham Division
10245405

Elliotsville Tap – Meadowlark DS 115kV TL
(TL-29-21-31)
Page 3 of 4

This instrument prepared by the
Corporate Real Estate Office
Alabama Power Company
P.O. Box 2641
Birmingham, AL 35291

EXHIBIT B



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
08/30/2023 01:57:28 PM
\$32.00 BRITTANI
20230830000262430

Allie S. Bayl