

MAYLENE, ALABAMA

193

GRANT OF EASEMENT

This indenture, made this 31st day of July, A.D. 19 81,
by and between Kimberly-Clark Corporation of Coosa Pines,
County of Talladega, State of Alabama
(hereinafter the "Grantor") and Southern Pacific Communications
Company, a Delaware corporation having its principal place of busi-
ness at One Adrian Court, Burlingame, County of San Mateo, State of
California (hereinafter the "Grantee").

WITNESSETH

1. In consideration of the sum of Six Thousand Dollars and
other good and valuable consideration, receipt of which is hereby
acknowledged, Grantor, for itself and its successors and assigns,
hereby grants and conveys to Grantee and its successors and as-
signs, for so long as Grantee or its successors or assigns is pro-
viding microwave communications services to Alabama,
a right of way and easement in, within, on, through, over, across,
or along the premises described in Exhibit "A", which is attached
hereto and incorporated herein by this reference, for the construc-
tion, operation, maintenance, repair, relocation, and removal of
such equipment, towers, antenna, wires, cables, connections, and
fixtures (hereinafter "Grantee's personal property") as Grantee
may reasonably require for the transmission and reception of micro-
wave radio signals, together with the right in Grantee, and its
successors and assigns, to cut or drill holes in, modify and patch
the Premises where necessary for the aforesaid purposes and the
right of ingress and egress to and from the Premises at all times
for Grantee's utilities, personnel and personal property.

2. Grantor covenants that it will not interfere or permit
others acting through or under Grantor to interfere with the right
of way and easement hereinabove granted. Grantor further cove-
nants that Grantor has good and sufficient right to enter into
this indenture.

3. Grantee agrees, upon expiration of the grant hereinabove
set forth, promptly to remove Grantee's personal property and to
make all reasonable and necessary repairs to the parts of the
Premises affected by Grantee's exercise of its rights hereunder,
including the removal of Grantee's personal property.



SPC Communications
A SOUTHERN PACIFIC COMPANY

John H. Sinclair
Real Estate Consultant

(S.P. Communications)
One Adrian Court
Post Office Box 974
Burlingame, California 94010
ATTN: R.E. Dept

(415) 692-5600
Toll Free (800) 227-6924

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4. Grantor hereby gives its permission to Grantee to use Grantor's private roads, as are shown in red color on Exhibit B hereto, as a means of ingress and egress to Grantee's microwave communication tower which is to be constructed on the lands described in Exhibit A. Grantor makes no warranty that the roads are, or will be in the future, satisfactory for such usage and does not undertake any obligation to keep the roads in any state of usefulness or repair. Grantee hereby agrees to indemnify Grantor against any loss to Grantee, arising out of Grantee's use of such road, and shall save Grantor harmless from any claim or injury or death to persons, or loss of property, as may result to Grantee, its agents, employees, or assigns, or the employees, agents or assigns of any third party which may use such roads at the request or benefit of Grantee.

IN WITNESS WHEREOF, the parties hereto have caused this Grant of Easement to be duly executed as of the day and year first above written.

Witness:

Melvin J. Morris

Howard G. Ellington

Witness:

John H. Sinclair

Paula J. Fittrell

KIMBERLY-CLARK CORPORATION

By

R.C. Walsby

Its Director, Goosa Forest Products

SOUTHERN PACIFIC COMMUNICATIONS COMPANY

By

John R. Kelly

Its President

STATE OF ALABAMA)
TALLADEGA COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that R. C. Wakefield, whose name as Director, Coosa Forest Products of Kimberly-Clark Corporation, a corporation, is signed to the foregoing Grant of Easement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this 14th day of August, 1981.

Melvin S. Morris

Notary Public
Alabama State at Large

My Commission Expires: 5/17/84

(SEAL)

STATE OF CALIFORNIA)
SAN MATEO COUNTY)

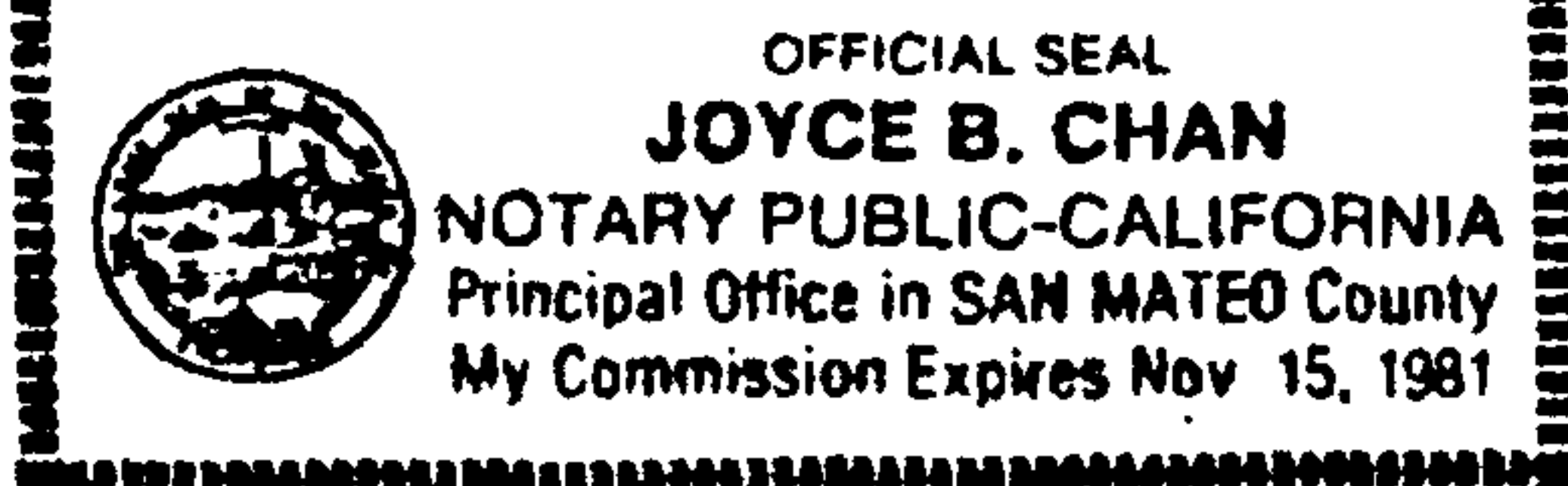
I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Dale F. Pilz, whose name as President of Southern Pacific Communications Company, a corporation, is signed to the foregoing Grant of Easement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 29th day of July, 1981.

Joyce B. Chan
Notary Public

My Commission Expires: 11-15-81

(SEAL)



Local Consultant

S.P. COMMUNICATIONS
One Adrian Court
Post Office Box 974
Burlingame, California 94010
ATTN: R.E. DEAT

(415) 692-5800
Toll Free (800) 227-6924

EXHIBIT A

EASEMENT FOR LOCATION OF
MICROWAVE COMMUNICATION TOWER

The easement herein granted is over and across the surface of the following described land:

[Insert Description]

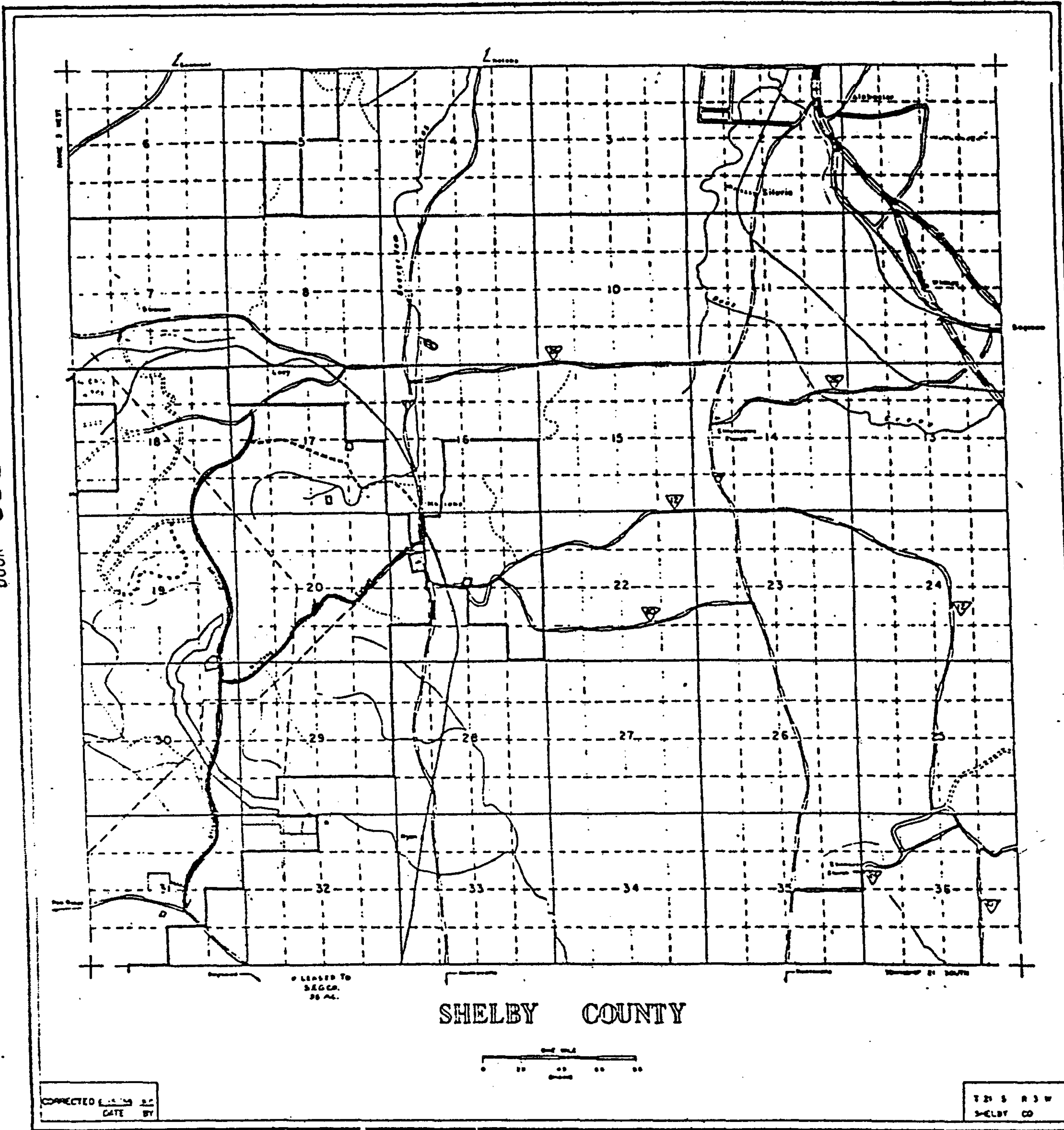
Kimberly-Clark Corporation owns only the surface rights in and to the south half of the northwest quarter (S-1/2 of NW-1/4), Section 29, Township 21 South, Range 3 West, Shelby County, Alabama, and while it owns the north half of such northwest quarter, less coal rights, it has entered into a mineral lease with Kerr-McGee with regard to the oil and gas rights thereon.

RIGHT TO USE PRIVATE ROADS FOR ACCESS TO
MICROWAVE COMMUNICATION TOWER

The private roads which are the subject of the permission specified in paragraph 4 herein apply to the roads shown in red on Exhibit B hereto.

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S.P. Communications
One Adrian Court
Post Office Box 974
Burlingame, California 94010
ATTN: R.E. D-AT

(415) 692-5600
Toll Free (800) 227-6924



Allen Whitley

Maylene, Al.

CIVIL ENGINEER & LAND SURVEYOR

PHONE 663-7200

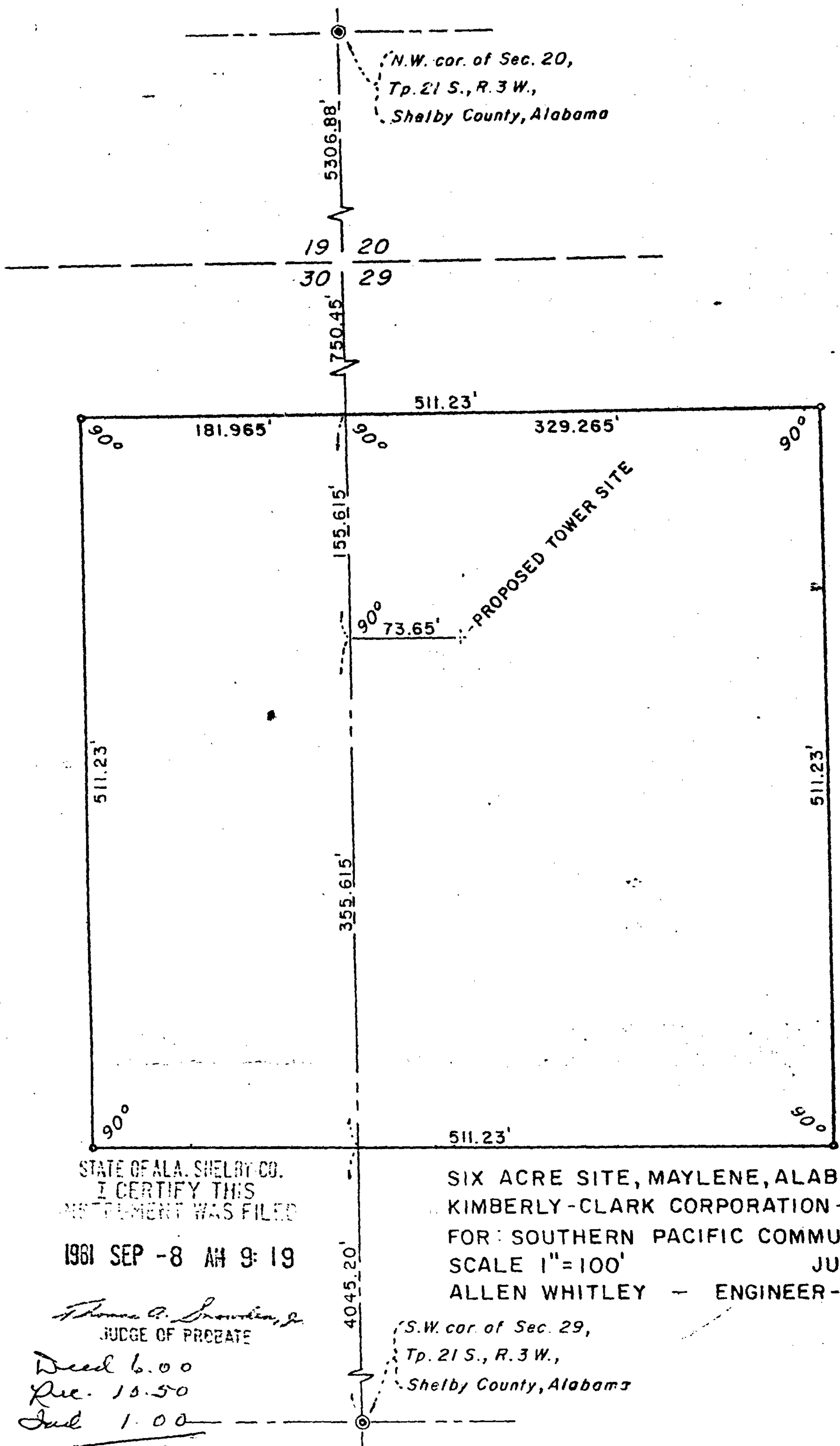
P. O. BOX 334
PELHAM, ALABAMA 35124

STATE OF ALABAMA
SHELBY COUNTY

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A parcel of land containing six (6) acres, more or less, located in the Northwest 1/4 of the Northwest 1/4 of Section 29 and the Northeast 1/4 of the Northeast 1/4 of Section 30, all in Township 21 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the Southwest corner of said Section 29, thence in a Northerly direction, along the West line of said Section, a distance of 4,045.20 feet to the Point of Beginning; thence 90 degrees right, in an Easterly direction, a distance of 329.265 feet, thence 90 degrees left, in a Northerly direction, a distance of 511.23 feet, thence 90 degrees left, in a Westerly direction, a distance of 511.23 feet, thence 90 degrees left, in a Southerly direction, a distance of 511.23 feet, thence 90 degrees left, in an Easterly direction, a distance of 181.965 feet to the Point of Beginning.

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1981 SEP -8 AM 9:19

Thomas P. Snowden, Jr.
JUDGE OF PROBATE

Deed 6.00

Rec. 15.50

Ind. 1.00

17.50

SIX ACRE SITE, MAYLENE, ALABAMA
KIMBERLY-CLARK CORPORATION-OWNER
FOR: SOUTHERN PACIFIC COMMUNICATIONS
SCALE 1"=100' JUNE 15, 198
ALLEN WHITLEY — ENGINEER-SURVEYOR