

1512

EASEMENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

BOOK 249 PAGE 868
KNOW ALL MEN BY THESE PRESENTS, That the undersigned, B. J. Harris, an individual, (the "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00), to him in hand paid by Harbert International, Inc., a corporation, the receipt of which is hereby acknowledged, does hereby grant, subject to the below provisions, to said Harbert International, Inc., its successors and assigns, the right to construct, operate and maintain a fiber optic cable and appliances necessary in connection therewith for the transmission of a communications network over and under the real property located by the final location drawing attached hereto and incorporated herein by this reference on the real property situated in Shelby County, Alabama, described as follows:

Lot 6F, according to the Resurvey of Riverchase East, 1st Sector as recorded in Map Book 7, Page 106 in the Probate Office of Shelby County, Alabama.

Together with all the rights and privileges necessary or convenient for the enjoyment or use thereof, including the right of ingress and egress to and from said cable provided such rights and privileges do not interfere with the Grantor's use of said real property.

The grant of this easement by Grantor is made expressly subject to the rights of the holder(s) of the utility easements shown on the recorded maps and of the lessee of the

P.O. Box 100

easements shown on the recorded maps and of the lessee of the aforesaid real property, Junior Food Stores, Inc., under lease dated July 31, 1980.

Harbert International, Inc., its successors and assigns shall assume full responsibility for the use and enjoyment of the real property covered by this easement and shall indemnify and hold harmless the Grantor, his heirs, personal representatives, and assigns, from any claim of damages to person or property, including, without limitation, that of Grantor, resulting from the use, occupancy, construction, maintenance and possession thereof by Harbert International, Inc., its successors and assigns.

TO HAVE AND TO HOLD the same to Harbert International, Inc., its successors and assigns, forever.

IN WITNESS WHEREOF, the said B. J. Harris has executed this instrument on this 2 day of June, 1989.

B. J. Harris
B. J. Harris

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, Patricia J. Williams, a Notary Public in and for said County, in said State, hereby certify that B. J. Harris whose name is signed to the foregoing Easement, and who is known to me, acknowledged before me on this day that being informed of the contents of the Easement he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2nd day of June, 1989.

[SEAL]

Patricia J. Williams
Notary Public

My Commission Expires:

My Commission Expires January 24, 1990

