

STATE OF ALABAMA     }  
                                     :  
COUNTY OF SHELBY     }

WE #: 61730-00-0195-0-02

KNOW ALL MEN BY THESE PRESENTS, that Daniel U.S. Properties Limited Partnership II for and in consideration of the sum of One and No/100 (\$1.00), to it in hand paid by Alabama Power Company, a corporation, the receipt whereof is acknowledged, does hereby grant to said Alabama Power Company, its successors and assigns, the right to construct, operate and maintain electric distribution/transmission and communication lines and all poles, conduits, conductors, cables, insulators, anchors, guy wires and all other appliances necessary or convenient in connection therewith from time to time upon, over, under and across, a strip of land varying in width, as said strip is now located by the final location survey thereof heretofore made by said Company, upon, over, under and across the lands of which it is hereinafter described as being a part, together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof for the purposes above described, including the rights of ingress and egress to and from said strip and the right to cut, remove or otherwise kill and keep clear by any means, all trees and undergrowth and all other obstructions under, on or above said strip and the right to cut and trim and to keep cut and trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside the said strip which might interfere with or fall upon the poles, lines or other appliances of Alabama Power Company and the right to install, maintain and use anchors and guy wires on lands adjacent to said strip and the lands of which the same is a part being described as follows:

It is hereby understood and agreed by both parties, that by the execution of this agreement, Daniel U.S. Properties Limited Partnership II is herein waiving the Restrictive Covenants for Meadow Brook Corporate Park as to its restrictions on overhead power lines and permission is hereby granted for the construction, operations and maintenance of line on herein described rights of way.

For legal description, see "Exhibit A" attached hereto and made a part hereof.

In the event it becomes necessary or desirable for Alabama Power Company to move its lines of poles and appliances in connection with the construction or improvement of any public road or highway in proximity to its said power lines, the said Company is hereby granted the right to relocate its said lines of poles and appliances on lands of Grantor hereinabove described, provided, however, the said Company shall relocate its said lines of poles at a distance not greater than ten (10) feet outside the boundary of the right of way of any such public road or highway as established or re-established from time to time.

**TO HAVE AND TO HOLD** the same to the said Company, its successors and assigns, forever.

**IN WITNESS WHEREOF**, the said Daniel U.S. Properties Limited Partnership II, has caused this easement to be executed in its name by Daniel Realty Investment Corporation, its general partner, by Charles T. Carlisle as its Senior Vice President and attested by Sheila D. Ellis as its Assistant Secretary on this the 25<sup>th</sup> day of June, 2001.

Attest: \_\_\_\_\_

*Sheila D. Ellis*

Daniel U.S. Properties Limited Partnership II,  
an Alabama Limited Partnership  
By: Daniel Realty Investment Corporation, a  
Virginia Corporation, Its General Partner

By: \_\_\_\_\_

Its: \_\_\_\_\_

Inst # 2001-26137

06/25/2001-26137  
02:33 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 KB 26.00

STATE OF ALABAMA }

COUNTY OF SHELBY }

I, Nancy R. Echols, a Notary Public, in and for said County in said State, hereby certify that Charles T. Carlisle, Jr. whose name appears as Sr. Vice President of DANIEL REALTY INVESTMENT CORPORATION, general partner of DANIEL U.S. PROPERTIES LIMITED PARTNERSHIP II 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 this instrument, 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 25<sup>th</sup> day of June, 2001.

Nancy R. Echols  
Notary Public

My commission expires: 3-27-05

This instrument prepared by :  
Don D. Bailey  
Alabama Power Company  
Post Office Box 2641  
Birmingham, Alabama 35291-1980

# Exhibit A

## WALTER SCHOEL ENGINEERING COMPANY, INC.

CONSULTING ENGINEERS  
1001 22ND STREET SOUTH  
BIRMINGHAM, ALABAMA 35205  
PHONE (205) 323-6166  
FAX (205) 328-2252  
WWW.SCHOEL.COM

### 50' ALABAMA POWER COMPANY EASEMENT TO BE DEDICATED

Being an easement 50 feet in width across Lot 11A-3 of Meadow Brook Corporate Park South Phase II, Resurvey No. 9 as recorded in Map Book 28, Page 59 in the Probate Office of the Shelby County, Alabama said easement being more particularly described as follows:

Commence at the Southwest corner of Lot 11A-2 of Meadow Brook Corporate Park South Phase II, Resurvey No. 9, said point also being the Northwest corner of Lot 1 Meadow Brook Second Sector First Phase as recorded in Map Book 7, Page 65 in the Probate Office of Shelby County, Alabama and run in an Easterly direction along the South line of Lot 11A-2 and the North line of Lots 1 and 2, Meadow Brook Second Sector First Phase a distance of 225.16 feet to the Southwest corner of Lot 11A-3 said point being the Southeast corner of Lot 11A-2; thence  $86^{\circ}12'06''$  to the left in a Northeasterly direction along the common line between Lots 11A-3 and 11A-2 a distance of 50.11 feet to the POINT OF BEGINNING of the easement herein described; thence continue along the last described course a distance of 427.81 feet to the Northwest corner of Lot 11A-3 said point lying on the Southwesterly right-of-way line of Corporate Parkway and lying on a curve to the left having a radius of 339.25 feet and a central angle of  $8^{\circ}47'23''$ ; thence  $110^{\circ}18'44''$  to the right (angle measured to tangent) in a Southeasterly direction along the arc of said curve, the Southwesterly right-of-way line of Corporate Parkway and the Northeasterly boundary of Lot 11A-3 a distance of 52.04 feet to a point; thence  $78^{\circ}28'39''$  to the right (angle measured to tangent) in a Southwesterly direction a distance of 410.23 feet to a point; thence  $86^{\circ}12'06''$  to the right in a Westerly direction a distance of 50.11 feet to the POINT OF BEGINNING.

February 16, 2001

DESC1214

---

EXHIBIT FOR THE DEDICATION OF  
50' ALABAMA POWER COMPANY EASEMENT

Scale: 1" = 60'

MEADOW BROOK ROAD  
(Right-of-Way Varies)

CORPORATE  
PARKWAY

R=339.25'  
Δ=8° 47' 23"  
T=26.07'  
L=52.04'

Inst # 2001-26137  
06/25/2001-26137  
02:33 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MB 26.00

LOT 11A-2  
2.563 Acres

LOT 11A-3  
3.768 Acres

