COUNTY OF Shelby

(a) BELLSOUTH

20020930000469700 Pg 1/26 99.00 Shelby Cnty Judge of Probate, AL 09/30/2002 13:55:00 FILED/CERTIFIED

8416-C-AL (1-96)

Preparer's name and address:					
(Return document to the					
BellSouth address on back)					
······································					

Easement

lowledged, the undersigned ou) and other good and valuable mer(s) of the premises described below,
MITH THE ECONAMINETOR	TONG TRICE CONTROL CONTROL OF THE
TOTAL LECUMENTURICAL	IONS, INC., a Georgia Corporation, its
companies, hereinafter referred	to as Grantee, an easement to xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
tions, facilities, or related service	ces as the Grantee may from time to time
in Deed Book	, page,
ne fullest extent the grantor has the	he power to grant, upon, over, along, and
rty. The said easement is more	particularly described as follows:
. Township	Range
County State of Alahama	consisting of a (etrip) (parcel) of land
County, State of Anabama, (
zenniootiouskon elootriek posverti on a taxolean the engement and ka enkkeep atrimmed and enkenkalka o lines ooksystemskof communios os avax reloted a sorvices and accida	tions to attach with serilay calds on a conduit of the serila characteristic of the serila characterist
communications, Inc., its licens	ees, agents, successors, assigns, and allied
described land on which the afor	resaid easement is granted.
t with any of the foregoing easen	nent:
tavith any of the face - in -	
	The said easement is more

	eof, the undersigned has		
caused this instr	ument to be executed or	n the	
	day of Chigue 57	<u>2002</u> .	
Signed, sealed, a	and delivered		
in the presence of	of:		Euclyn S. Spraikan
			Name of Corporation
Witness	··· · ································	 	By:
** 101000			Т:41
			Title:
······································			Attest:
Witness			
O C. 1. 1			
State of Alabama County ofShe			
County of		<u>-</u>	
I. Hayes D.	Brown	' motom.	myshio in and fam asid Classed ' Ald de de de de de de
7	. Spraitzar	whose name	public in and for said County in Alabama, hereby certify that
XXXXXXXXXXXXX	XXXXXXXXXXXXXXX		signed to the foregoing conveyance and who is known to me
acknowledged be	efore me on this day the	at, being informed of the content	s of the conveyance, he/she, as souch to fine and who is known to me
executed the sam	e voluntarily for xandkas	the act of raid corporation.	of the control of the strong the strong that the strong that the strong that the strong the strong that the strong the strong the strong that the strong the strong that the strong the str
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C: 1 1	1.1.		
Given under my i	hand this261	th day of Angust	<u> </u>
_ •			
	D. Brown		
1)llyer	V. Morry		
Notary Public			
.			
My Commission	Expires:		
8-43-03			
<u> </u>			
Grantor's Address	•		Carried a 2 - A 11
	•		Grantee's Address:
··· <u>·</u> ·			BellSouth Telecommunications, Inc.
· · · · · · · · · · · · · · · · · · ·			Denisoual Telecommunications, inc.
<u> </u>		· · · · · · · · · · · · · · · · · · ·	
			
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<u> </u>		· 	
TO DE COMB E	TED DV DELLOCION	J Tri rank ar mara . ——	
TO DE COMPLE	TED BY BELLSOUTH	I TELECOMMUNICATIONS, IN	NC.
District	FRC	Wire Center/NXX	Authority
	<u> </u>		
Drawing	Area Number	Plat Number	RWID
Approval			· · · · · · · · · · · · · · · · · · ·
PPIOTEI			Title

ATTACHMENT A

Attachment A consists of an Easement Survey prepared by Jerry Peery, P.L.S. 12697 dated January 12, 2002 and consists of seventeen (17) pages.

LEGAL DESCRIPTION EVELYN R. SPRAITZAR PROPERTY

State of Alabama
Shelby County

A parcel of land situated in the Northwest Quarter of the Southeast Quarter of Section 26, Township 19 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama, and lying northerly of Shelby County Highway 440, easterly of Shelby County 39 and easterly and northeasterly of Williamson Road all as situated in June, 1993, and being more particularly described as follows:

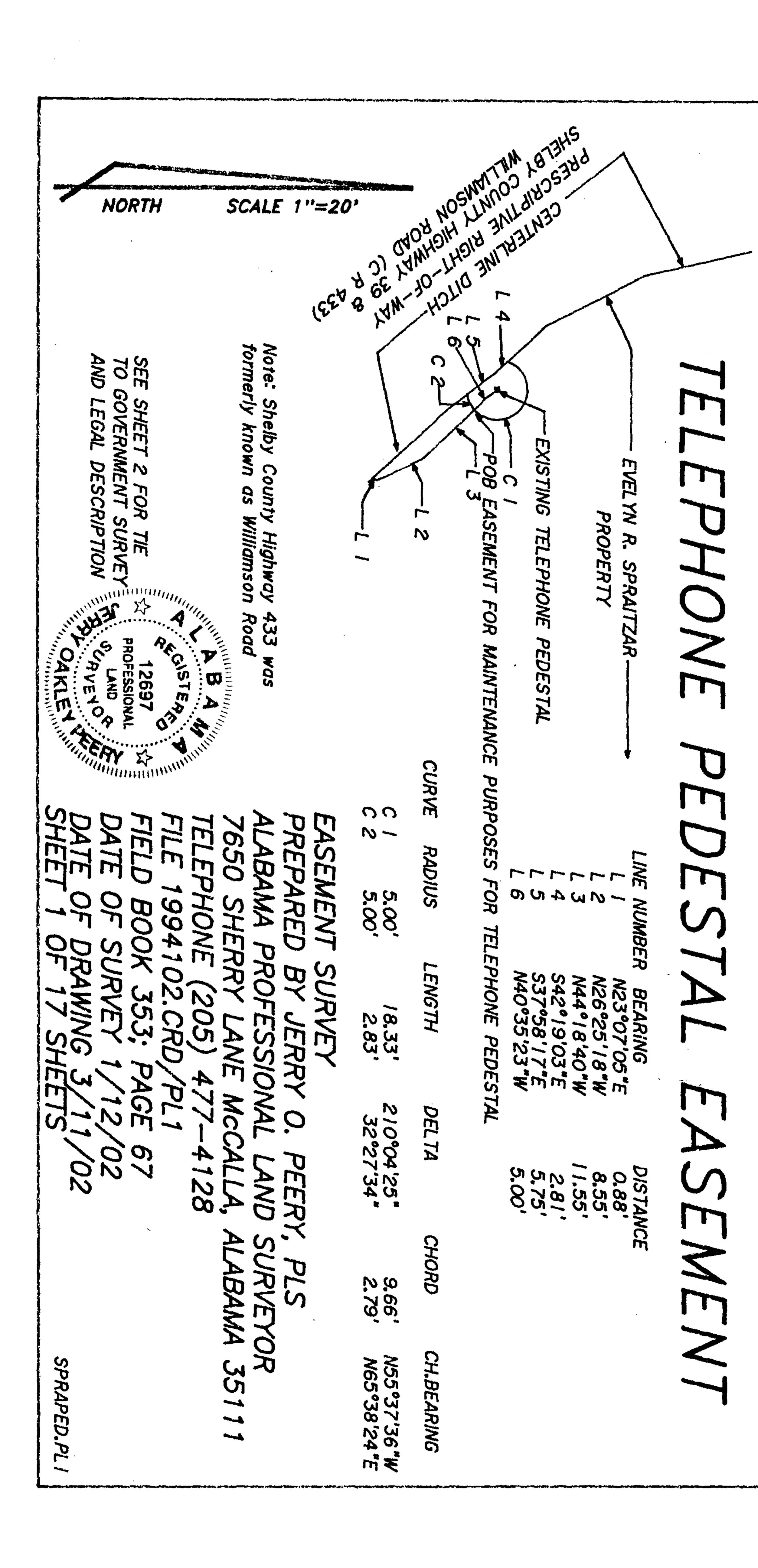
Commence at the Southeast Corner of the Southwest Quarter of the Southeast Quarter of said section 26; thence in a northerly direction along and with the easterly line of said quarter-quarter section 1298.56 feet to an iron pipe; thence with a deflection of 0°10'17" left, 317.81 feet to an old iron pipe in the root of a tree; thence with a deflection of 0°18'16" right, 55.15 feet to an iron pin on the northerly margin of Shelby County Highway 440, said highway having a prescriptive right-of-way, and the point of beginning; thence in a southwesterly direction along and with said northerly prescriptive right-of-way margin to the intersection with the northeasterly prescriptive right-of-way margin of Williamson Road, for the purpose of this description along and with the following three courses: with a deflection of 105°17'55" left, 249.63 feet to a point; thence with a deflection of 3°36'01" left 116.55 feet to a point; thence with a deflection of 33°53'47" right 41.15 feet to a point; thence in a northerly and northwesterly direction along and with the easterly and northeasterly prescriptive right-of-way margin of Williamson Road to the intersection with the easterly prescriptive right-of-way margin of Shelby County Highway 39, for the purpose of this description along and with the following two courses: with a deflection of 56°11'50" right, 133.74 feet to a point; thence with a deflection of 14°27'46" left, 273.28 feet to a point; thence in a northerly direction along and with the prescriptive right-of-way margin of Shelby County Highway 39 to a point, for the purpose of this description along and with the following two courses: thence with a deflection of 29°41'27" right, 184.88 feet to an iron pin; thence with a deflection of 3°51'08" right, 112.92 feet to an old iron pipe; thence with a deflection of 88°59'55" right, leaving said prescriptive right-of-way, 594.87 feet to an iron pipe on the easterly line of the Northwest Quarter of the Southeast Quarter; thence with a deflection of 90°43'35" right, along and with said quarterquarter section line 567.12 feet to the point of beginning, forming a closing interior angle of 105°17'55".

- NOTES:
- 1. THIS SURVEY WAS MADE PURSUANT TO A REQUEST BY MS. EVELYN R. SPRAITZAR. THE PURPOSE OF THIS SURVEY IS TO LOCATE THE LANDS WITH RESPECT TO SHELBY COUNTY HIGHWAYS 39 AND 440 AND WILLIAMSON ROAD AS LOCATED IN JUNE, 1993.
- 2. IMPROVEMENTS EXIST UPON THIS PROPERTY BUT WERE NOT LOCATED AND SHOWN ON THIS SURVEY.
- 3. THIS SURVEY AND DRAWING WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA.
- 4. 5' REFERENCE IRONS WERE SET 5 FEET FROM THE CENTER OF THE ROADWAY DITCH.

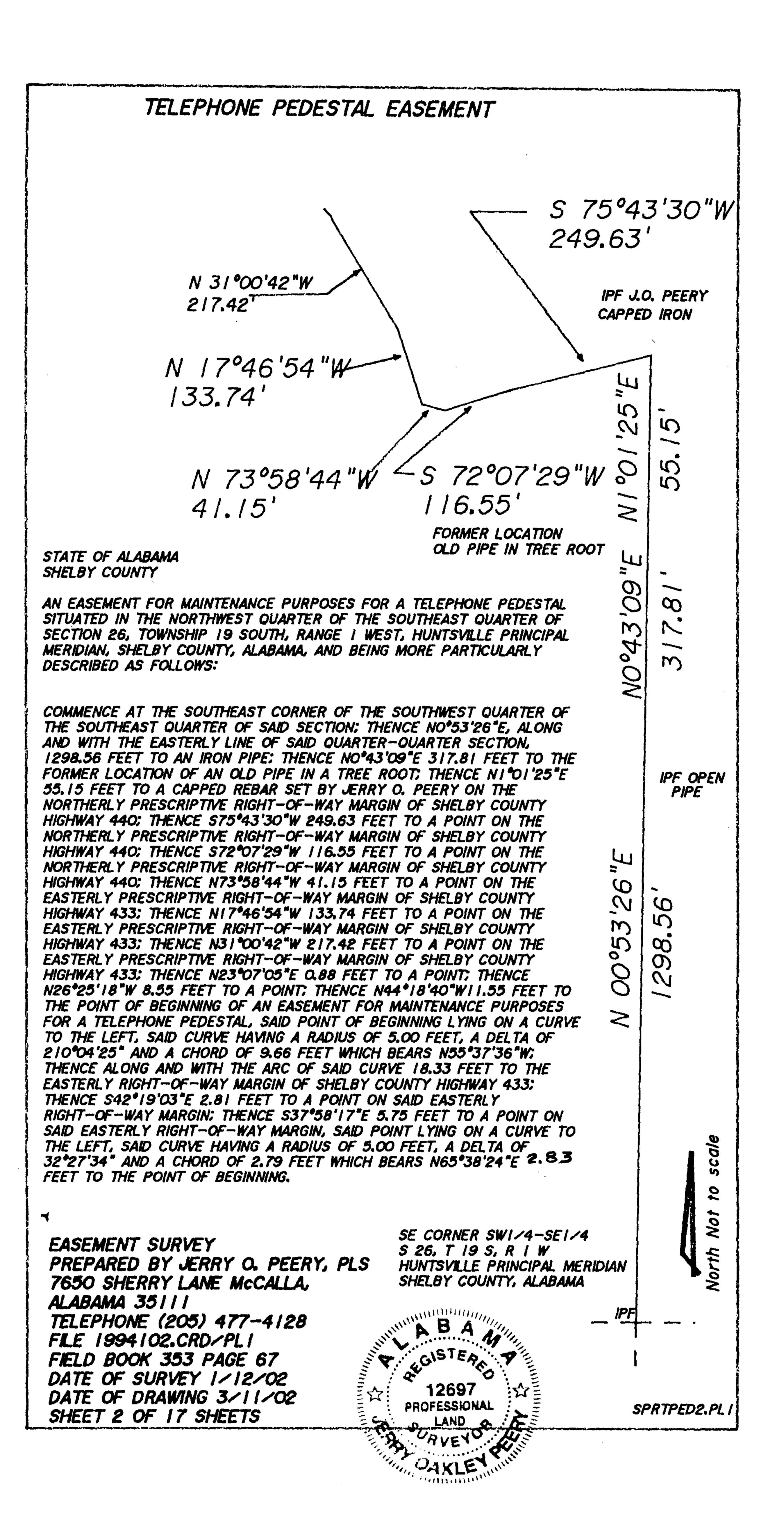
ATTACHMEN

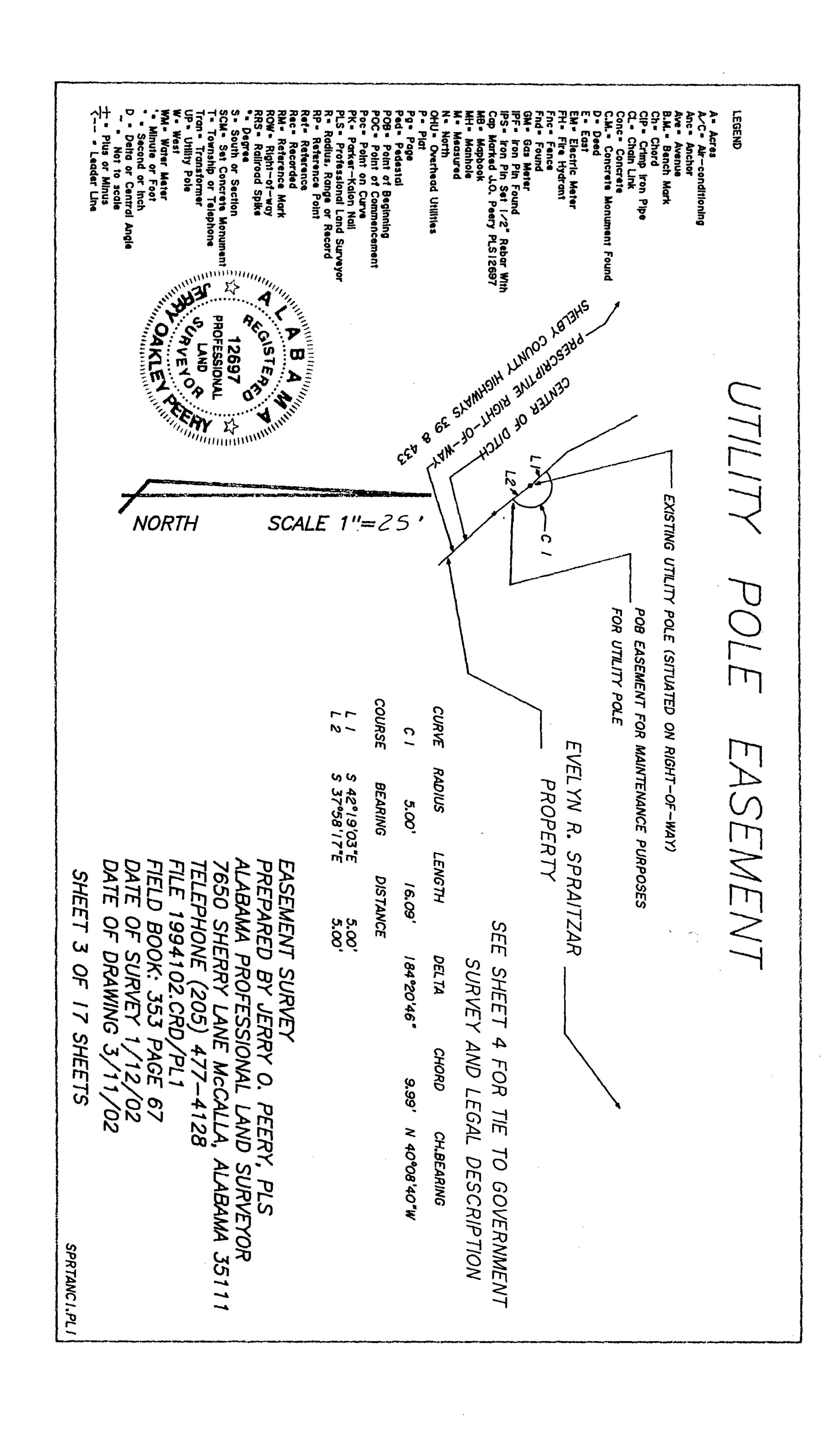
12697
MROFESSIONAL
LAND
AVEY

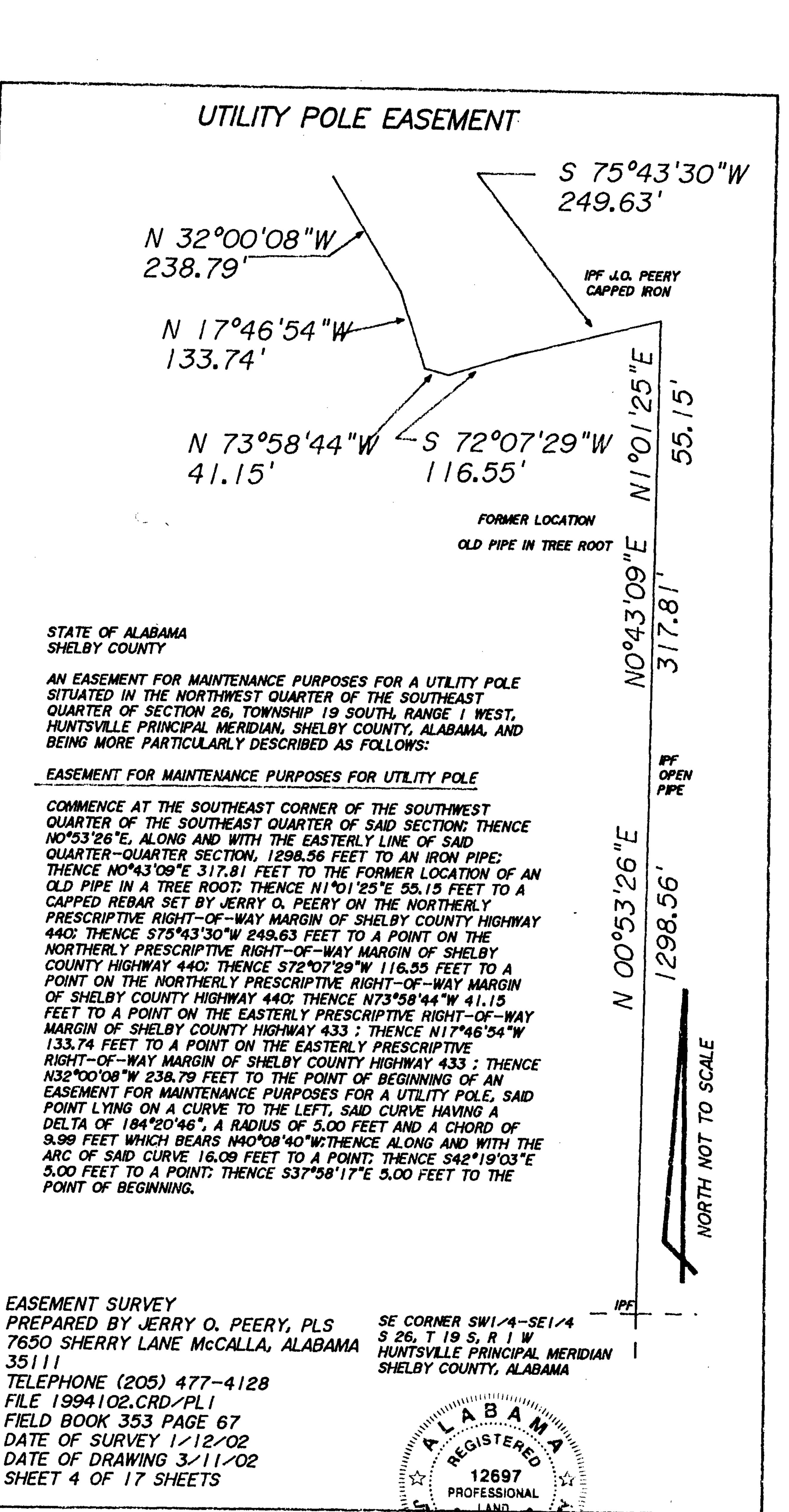
JERRY O. PEERY, PLS

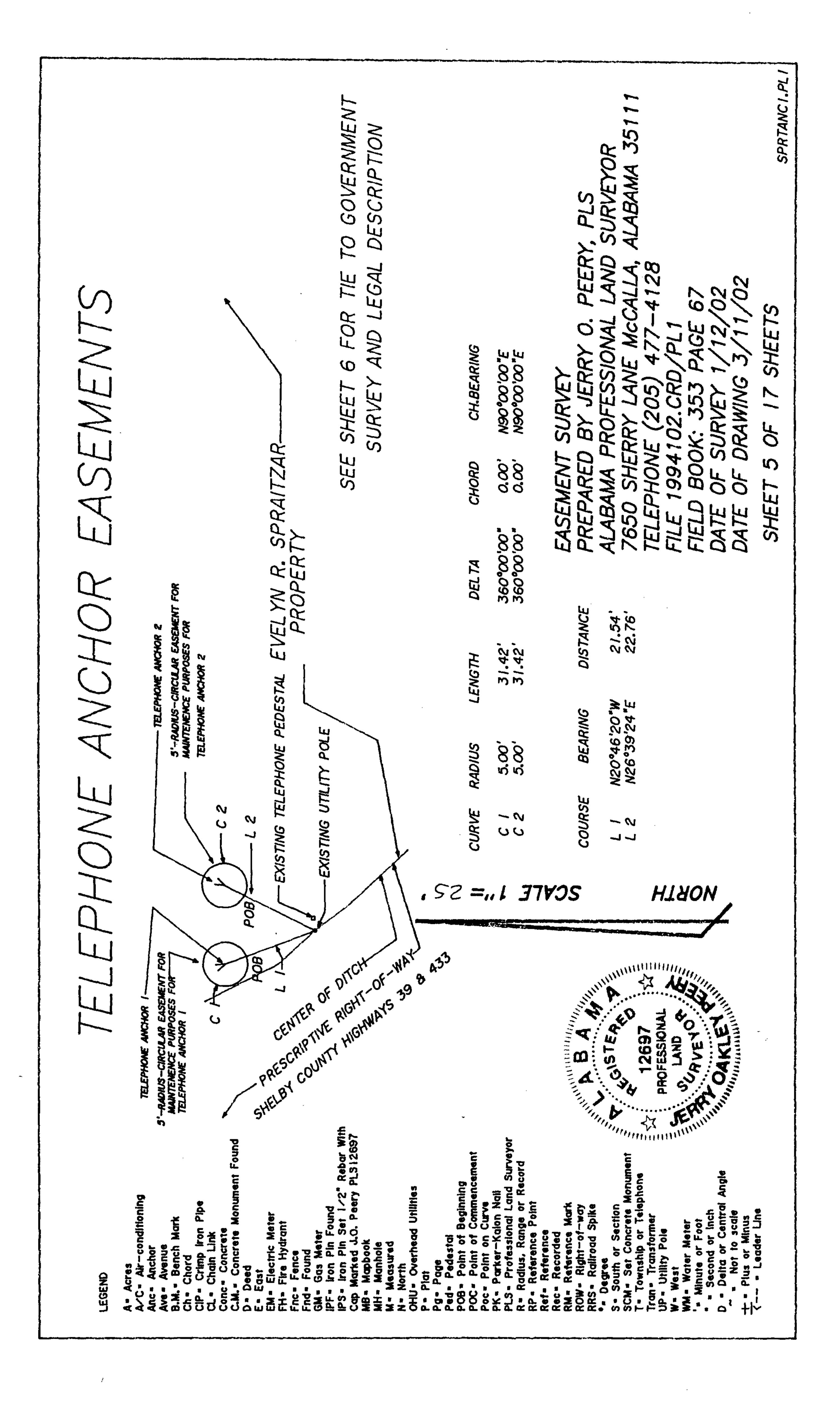


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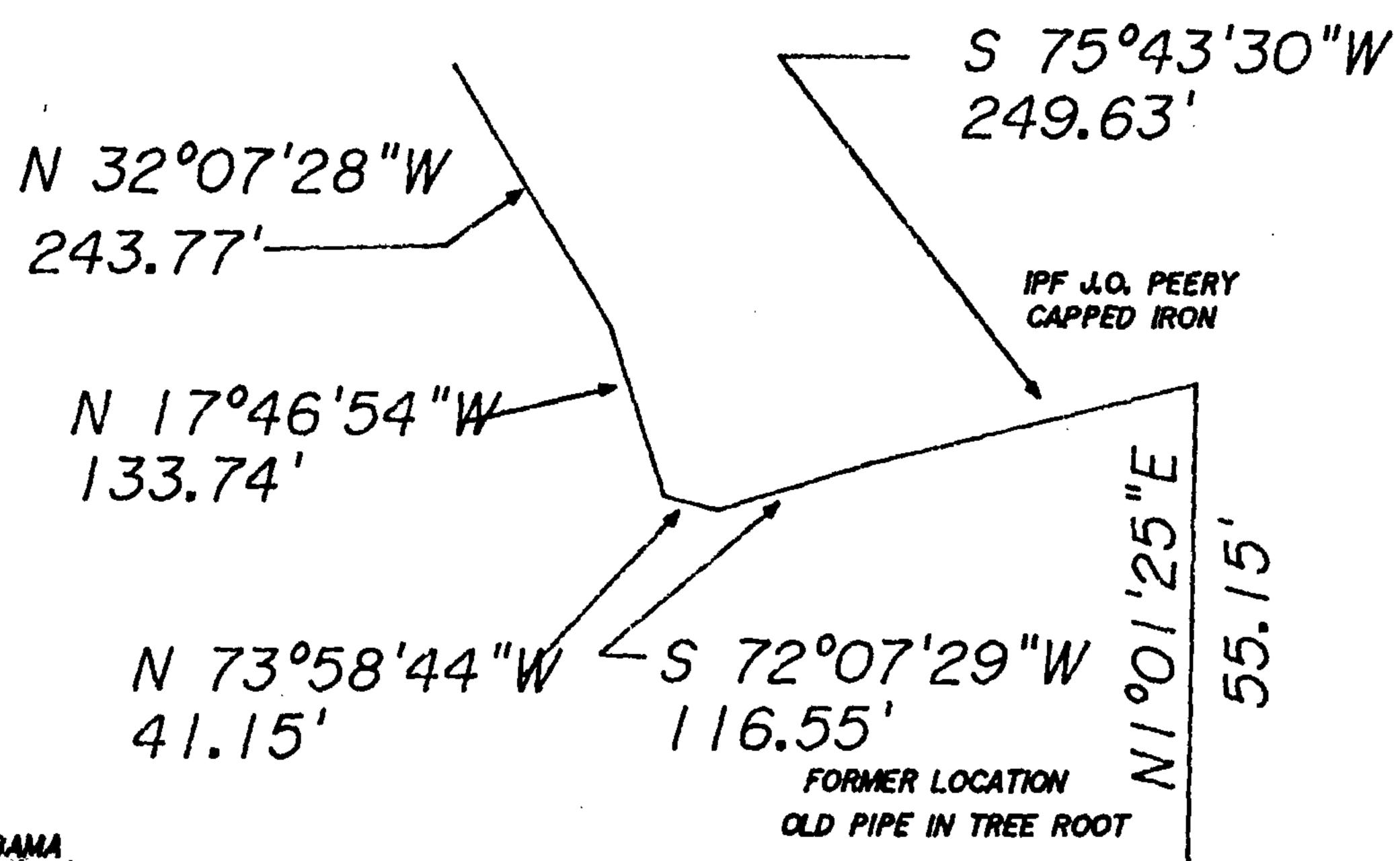








TELEPHONE ANCHOR EASEMENTS



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STATE OF ALABAMA SHELBY COUNTY

TWO FIVE-FOOT-RADIUS CIRCULAR EASEMENTS FOR MAINTENANCE PURPOSES FOR TELEPHONE ANCHORS SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE I WEST, HUNTSVILLE PRINCIPAL MERIDIAN, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT FOR MAINTENANCE PURPOSES FOR TELEPHONE ANCHOR I

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE NO'53'26"E, ALONG AND WITH THE EASTERLY LINE OF SAID QUARTER-QUARTER SECTION, 1298.56 FEET TO AN IRON PIPE: THENCE NO 43'09"E 317.81 FEET TO THE FORMER LOCATION OF AN OLD PIPE IN A TREE ROOT: THENCE NI OI'25 E 55.15 FEET TO A CAPPED REBAR SET BY JERRY O. PEERY ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE 575°43'30"W 249.63 FEET TO A POINT ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE S72 07'29'W 116.55 FEET TO A POINT ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE N73°58'44"W 41.15 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433 : THENCE NI 7°46'54"W 133.74 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433 : THENCE N32"07"28"W 243.77 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433; THENCE N20°46'20"W 21.54 FEET TO TELEPHONE ANCHOR I AND THE CENTER OF A CIRCULAR EASEMENT FOR MAINTENANCE PURPOSES FOR TELEPHONE ANCHOR I, SAID CIRCULAR EASEMENT HAVING A DELTA OF 360°00'00", A RADIUS OF 5.00 FEET AND AN ARC LENGTH OF 31.42 FEET.

EASEMENT FOR MAINTENANCE PURPOSES FOR TELEPHONE ANCHOR 2

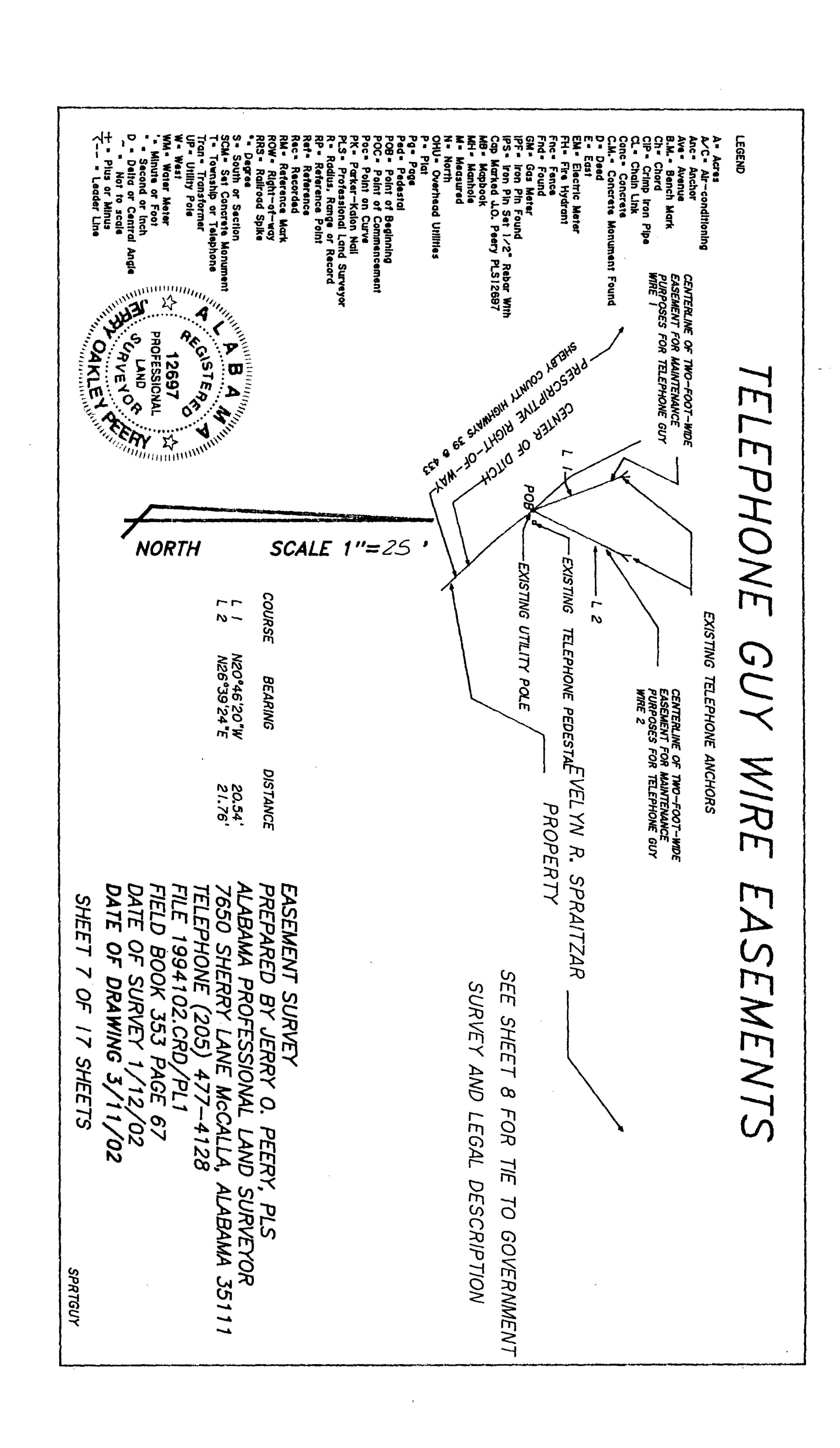
COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION: THENCE NO 53'26 E, ALONG AND WITH THE EASTERLY LINE OF SAID QUARTER-QUARTER SECTION, 1298.56 FEET TO AN IRON PIPE: THENCE NO 43'09"E 317.81 FEET TO THE FORMER LOCATION OF AN OLD PIPE IN A TREE ROOT; THENCE NI OI'25 E 55.15 FEET TO A CAPPED REBAR SET BY JERRY O. PEERY ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE S75°43'30"W 249.63 FEET TO A POINT ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE 572°07'29"W I 16.55 FEET TO A POINT ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE N73"58'44"W 41.15 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433 : THENCE N 17"46'54"W 133.74 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433; THENCE N32 07'28"W 243.77 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433 ; THENCE N26"39'24"E 22.76 FEET TO TELEPHONE ANCHOR 2 AND THE CENTER OF A CIRCULAR EASEMENT FOR MAINTENANCE PURPOSES FOR TELEPHONE ANCHOR 2, SAID CIRCULAR EASEMENT HAVING A DELTA OF 360°00'00", A RADIUS OF 5.00 FEET AND AN ARC LENGTH OF 31.42 FEET.

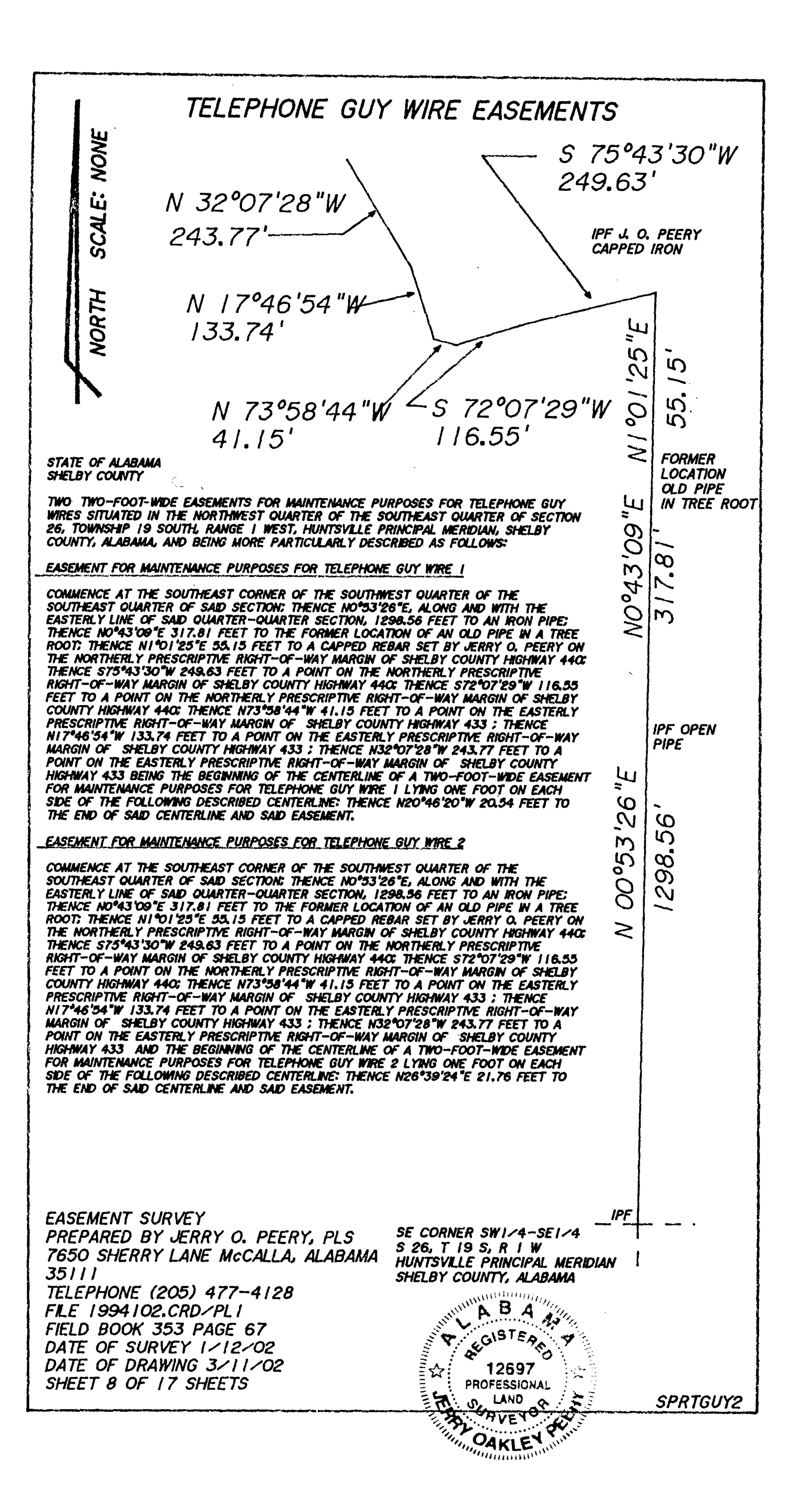
EASEMENT SURVEY
PREPARED BY JERRY O. PEERY, PLS
7650 SHERRY LANE McCALLA, ALABAMA
35111
TELEPHONE (205) 477-4128
FILE 1994102.CRD/PL1
FIELD BOOK 353 PAGE 67
DATE OF SURVEY 1/12/02
DATE OF DRAWING 3/11/02

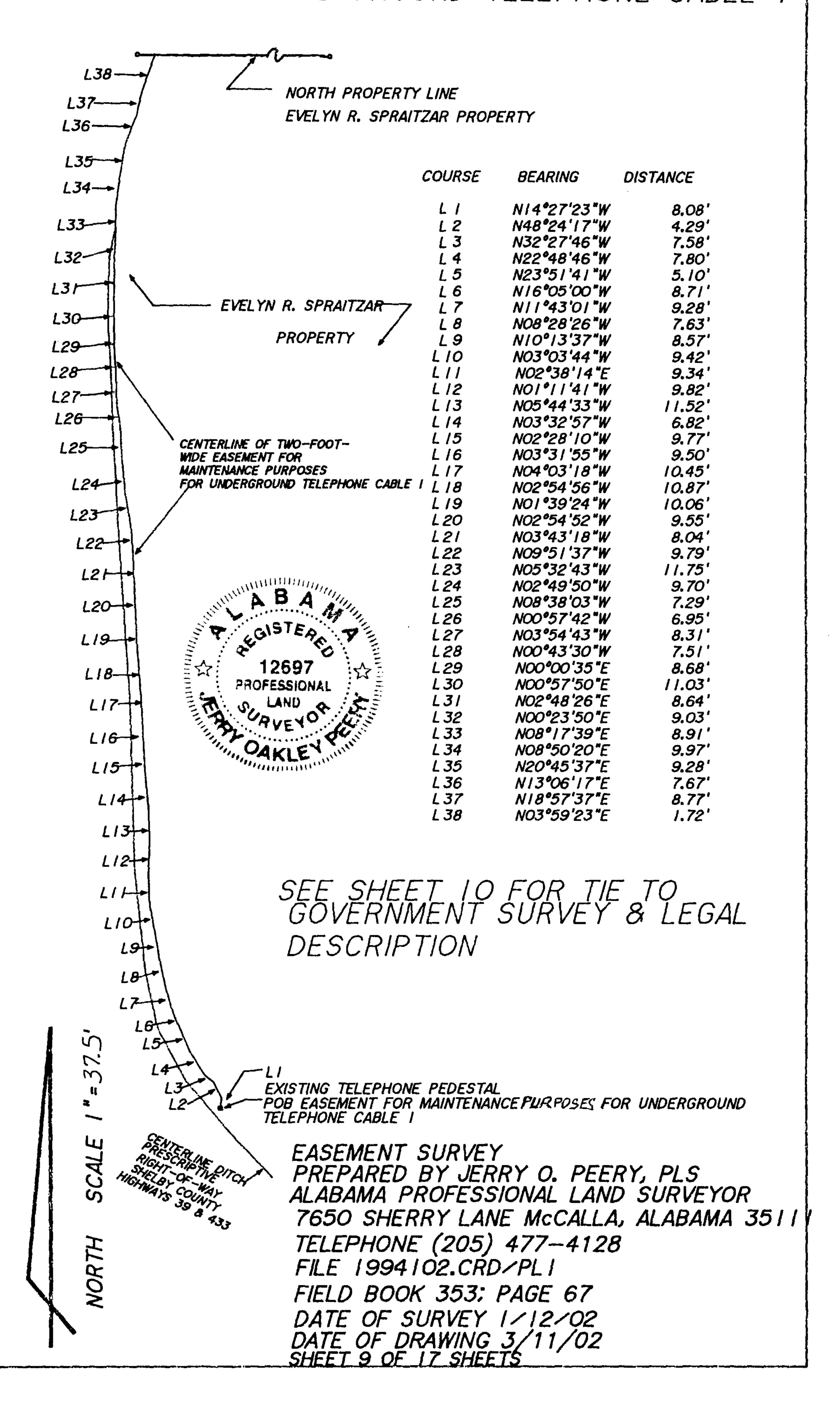
SHEET 6 OF 17 SHEETS

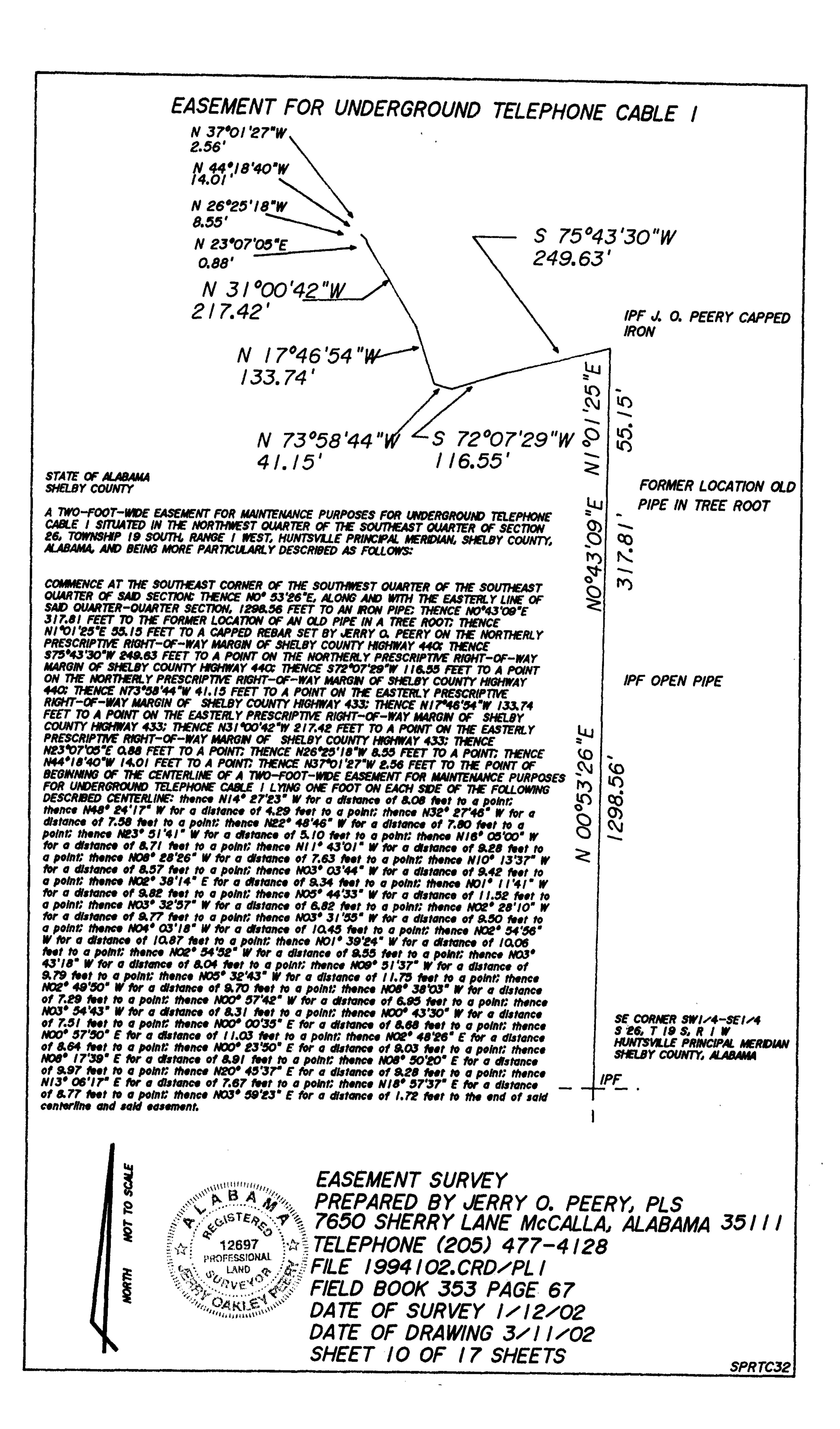
SE CORNER SWI/4-SEI/4 S 26, T 19 S, R I W HUNTSVILLE PRINCIPAL MERIDIAN SHELBY COUNTY, ALABAMA

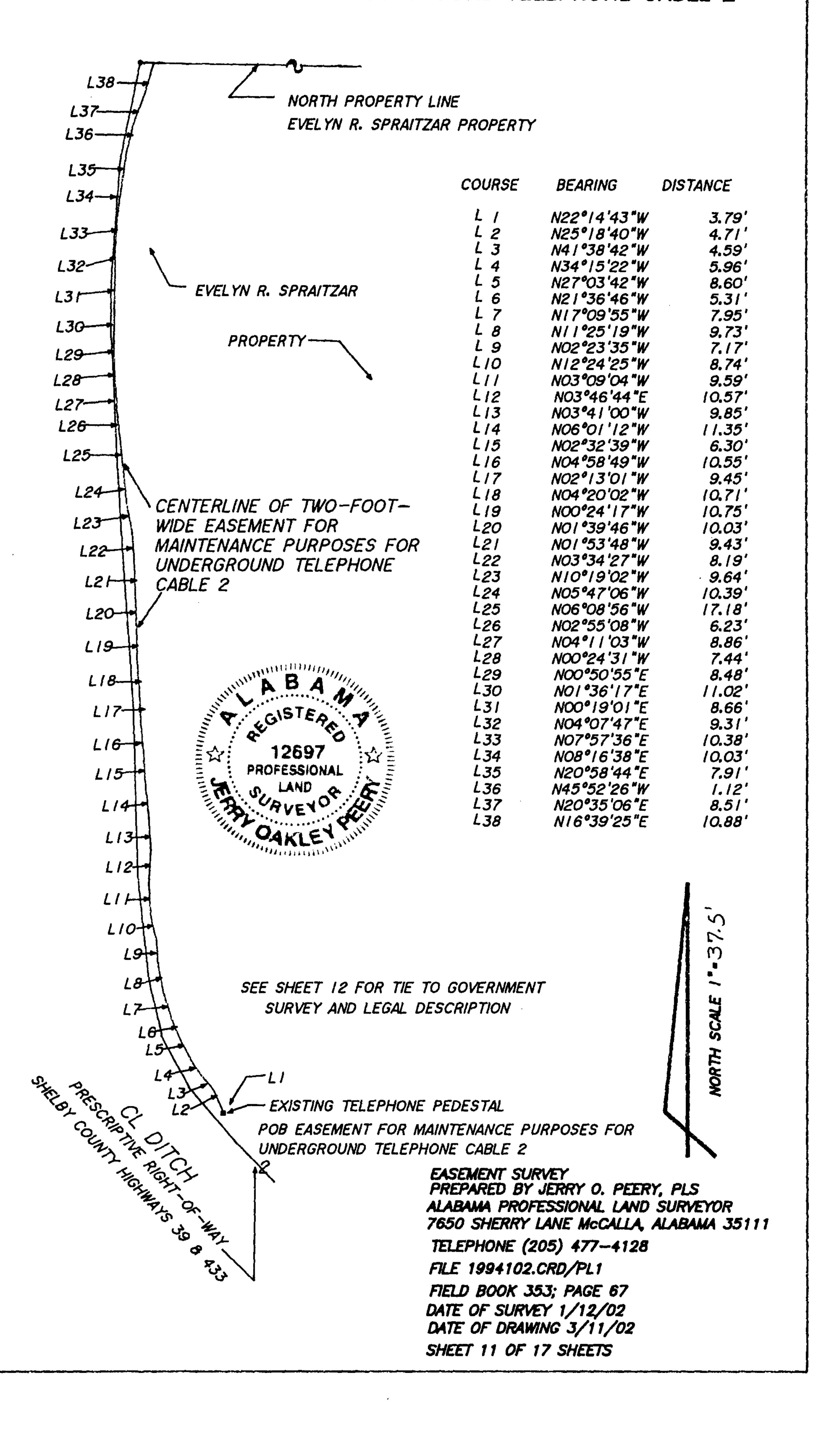


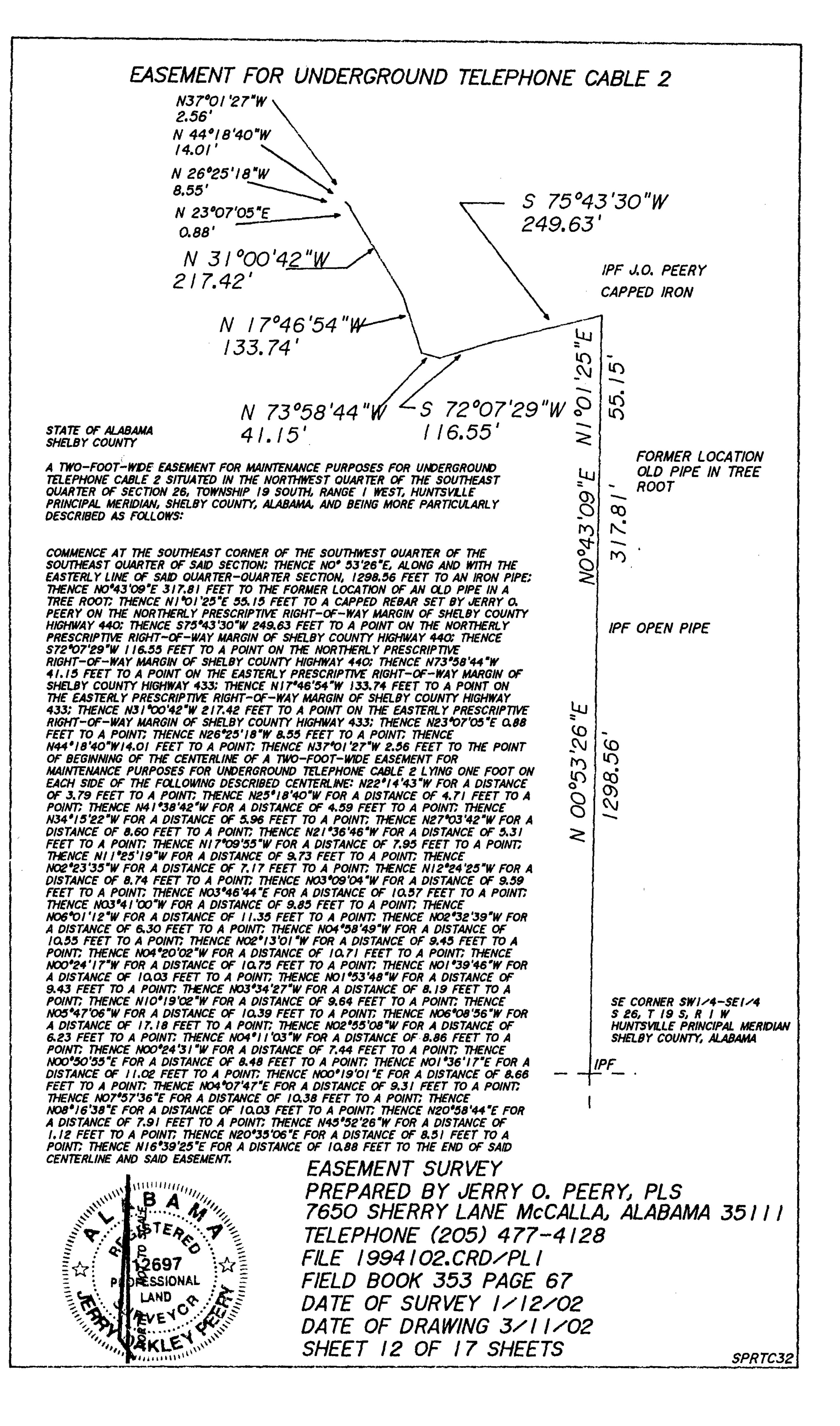


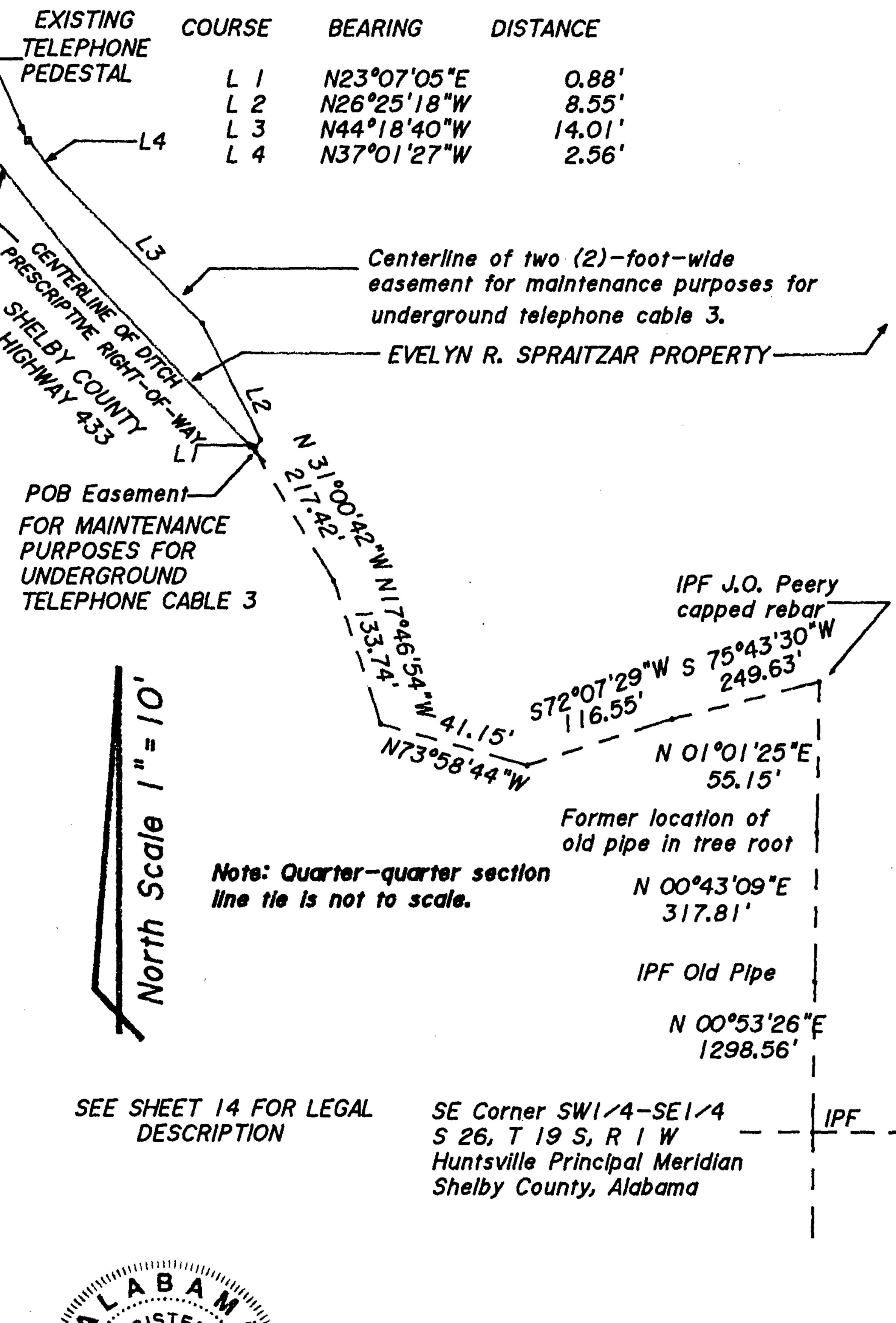














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SHEET 13 OF 17 SHEETS

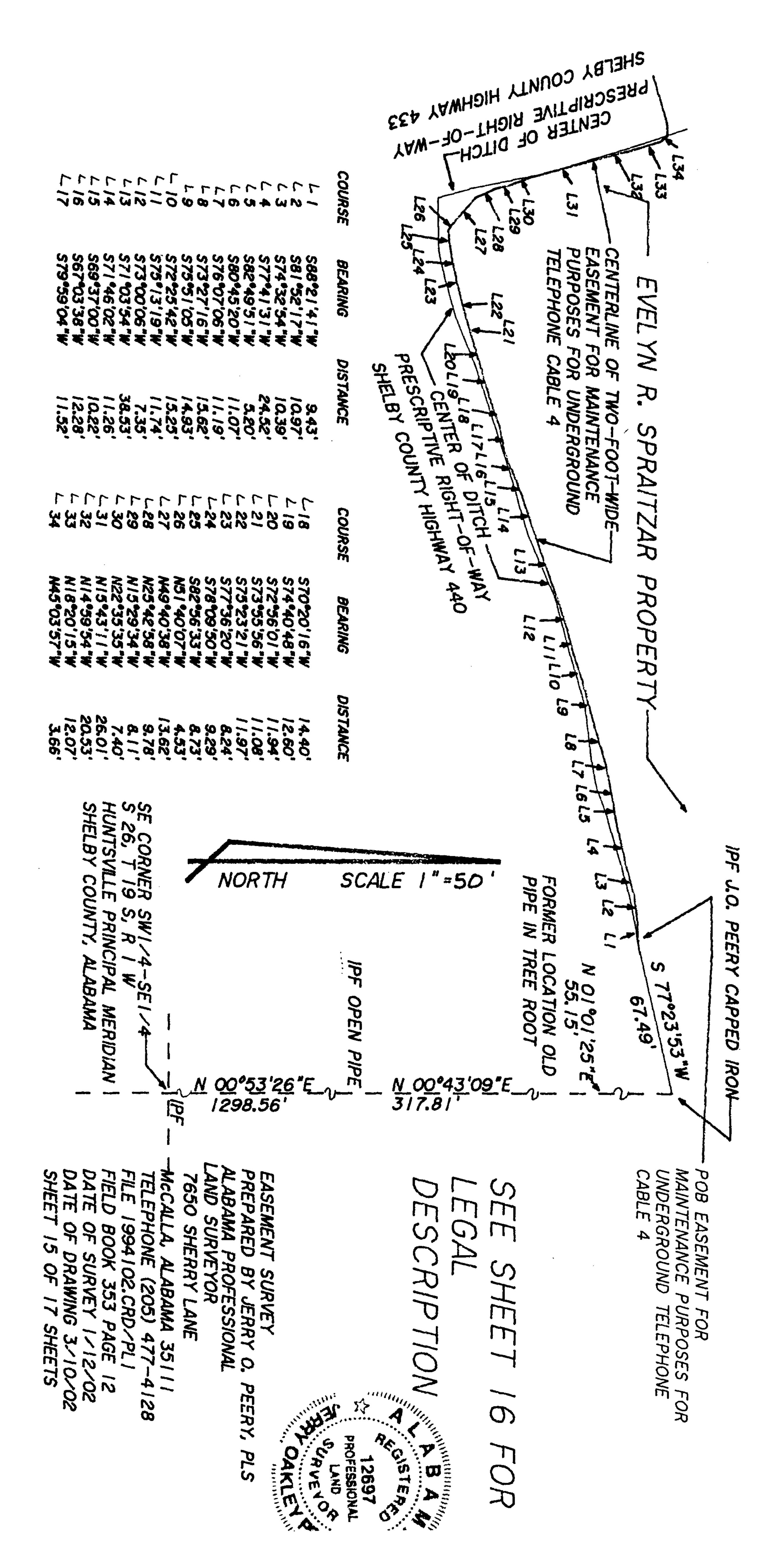
STATE OF ALABAMA SHELBY COUNTY

A TWO-FOOT-WIDE EASEMENT FOR MAINTENANCE PURPOSES FOR UNDERGROUND TELEPHONE CABLE 3 SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE / WEST, HUNTSVILLE PRINCIPAL MERIDIAN, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION: THENCE NOº53'26"E. ALONG AND WITH THE EASTERLY LINE OF SAID QUARTER-QUARTER SECTION, 1298.56 FEET TO AN IRON PIPE; THENCE NOº43'09"E 317.81 FEET TO THE FORMER LOCATION OF AN OLD PIPE IN A TREE ROOT; THENCE NI'OI'25 E 55.15 FEET TO A CAPPED REBAR SET BY JERRY O. PEERY ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE S75°43'30"W 249.63 FEET TO A POINT ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440; THENCE 572°07'29"W 116.55 FEET TO A POINT ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440; THENCE N73°58'44"W 41.15 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433; THENCE N17°46'54"W 133.74 FEET TO A POINT ON THE EASTERLY PRESCRIPTIVE RIGHT--OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 433: THENCE N3 1 000'42"W 217.42 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A TWO-FOOT-WIDE EASEMENT FOR MAINTENANCE PURPOSES FOR UNDERGROUND TELEPHONE CABLE 3, LYING ONE FOOT ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: THENCE N23°07'05"E 0.88 FEET TO A POINT: THENCE N26°25'18"W 8.55 FEET TO A POINT; THENCE N44°18'40"W 14.01 FEET TO A POINT: THENCE N37°01'27"W 2.56 FEET TO THE END OF SAID CENTERLINE AND SAID EASEMENT.



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35111
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FIELD BOOK 353 PAGE 67
DATE OF SURVEY 1/12/02
DATE OF DRAWING 3/11/02
SHEET 14 OF 17 SHEETS



A TWO-FOOT-WIDE EASEMENT FOR MAINTENANCE PURPOSES FOR UNDERGROUND TELEPHONE CABLE 4, SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 19 SOUTH, RANGE I WEST, HUNTSVILLE PRINCIPAL MERIDIAN, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION: THENCE NOº53'26"E, ALONG AND WITH THE EASTERLY LINE OF SAID QUARTER-QUARTER SECTION, 1298.56 FEET TO AN IRON PIPE; THENCE NO°43'09"E 317.81 FEET TO THE FORMER LOCATION OF AN OLD PIPE IN A TREE ROOT; THENCE NIº01'25"E 55.15 FEET TO A CAPPED REBAR SET BY JERRY O. PEERY ON THE NORTHERLY PRESCRIPTIVE RIGHT-OF-WAY MARGIN OF SHELBY COUNTY HIGHWAY 440: THENCE S77°23'53"W 67.49 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A TWO-FOOT-WIDE EASEMENT FOR MAINTENANCE PURPOSES FOR UNDERGROUND TELEPHONE CABLE 4 LYING ONE FOOT ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: THENCE \$88°21'41"W FOR A DISTANCE OF 9.43 FEET TO A POINT; THENCE S81°52'17"W FOR A DISTANCE OF 10.97 FEET TO A POINT; THENCE S74°32'54"W FOR A DISTANCE OF 10.39 FEET TO A POINT; THENCE S77°41'31"W FOR A DISTANCE OF 24.52 FEET TO A POINT; THENCE \$82°49'51"W FOR A DISTANCE OF 5.20 FEET TO A POINT; THENCE \$80°45'20"W FOR A DISTANCE OF I I.O7 FEET TO A POINT; THENCE S76°07'06"W FOR A DISTANCE OF I I.19 FEET TO A POINT: THENCE \$73°27'16"W FOR A DISTANCE OF 15.62 FEET TO A POINT: THENCE S75°51'05"W FOR A DISTANCE OF 14.93 FEET TO A POINT: THENCE S72°25'42"W FOR A DISTANCE OF 15.25 FEET TO A POINT; THENCE \$75°13'19"W FOR A DISTANCE OF 11.74 FEET TO A POINT: THENCE S73°00'06"W FOR A DISTANCE OF 7.35 FEET TO A POINT: THENCE S71°03'54"W FOR A DISTANCE OF 38.53 FEET TO A POINT: THENCE S71°46'02"W FOR A DISTANCE OF 11.26 FEET TO A POINT: THENCE S69°37'00"W FOR A DISTANCE OF 10.22 FEET TO A POINT; THENCE \$67°03'38"W FOR A DISTANCE OF 12.28 FEET TO A POINT; THENCE S79°59'04"W FOR A DISTANCE OF 11.52 FEET TO A POINT: THENCE S70°20'16"W FOR A DISTANCE OF 14.40 FEET TO A POINT: THENCE S74°40'48"W FOR A DISTANCE OF 12.60 FEET TO A POINT: THENCE S72°56'01"W FOR A DISTANCE OF 11.94 FEET TO A POINT; THENCE 573°55'56"W FOR A DISTANCE OF I I.OB FEET TO A POINT; THENCE S75°23'21"W FOR A DISTANCE OF I I.97 FEET TO A POINT; THENCE S77°36'20"W FOR A DISTANCE OF 8.24 FEET TO A POINT; THENCE S78°09'50"W FOR A DISTANCE OF 9.29 FEET TO A POINT; THENCE \$82°56'33"W FOR A DISTANCE OF 8.73 FEET TO A POINT: THENCE N51 40'07"W FOR A DISTANCE OF 4.53 FEET TO A POINT: THENCE N49°40'38"W FOR A DISTANCE OF 13.62 FEET TO A POINT: THENCE N25°42'58"W FOR A DISTANCE OF 9.78 FEET TO A POINT: THENCE NI5°29'34"W FOR A DISTANCE OF 8.11 FEET TO A POINT; THENCE N22°35'35"W FOR A DISTANCE OF 7.40 FEET TO A POINT; THENCE N15°43'11"W FOR A DISTANCE OF 26.01 FEET TO A POINT; THENCE N14°59'54"W FOR A DISTANCE OF 20.53 FEET TO A POINT: THENCE N18°20'15"W FOR A DISTANCE OF 12.07 FEET TO A POINT: THENCE N45°03'57"W FOR A DISTANCE OF 3.66 FEET TO THE END OF SAID CENTERLINE AND SAID EASEMENT.



EASEMENT SURVEY
PREPARED BY JERRY O. PEERY,
PLS
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FIELD BOOK 353 PAGE 67
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SHEET 16 OF 17 SHEETS

EASEMENT SURVEY NOTES

LEGEND

Ance Anchor Ave - Avenue 8.M. - Bench Mark Ch . Chord CIP - Crimp Iron Pipe CL - Center Line Conc - Concrete C.M. - Concrete Monument Found D. Deed E= East EM - Electric Meter FH - Fire Hydrant Fnc= Fence Fnd - Found GM = Gas Meter IPF - Iron Pin Found IPS - Iron Pin Set 1/2" Rebor With Cap Marked J.O. Peery PLS 12697 MB - Mapbook MH - Manhole M = Measured N= North OHU - Overhead Utilities P - Plat Pg = Page Ped - Pedestai POB - Point of Beginning POC - Point of Commencement Poc = Point on Curve PK - Parker-Kalon Naii PLS - Professional Land Surveyor R = Radius, Range or Record RP * Reference Point Ret = Reterence Rec - Recorded RM = Reference Mark ROW = Right-of-way RRS - Railroad Spike *- Degree S = South or Section SCM - Set Concrete Monument T= Township or Telephone Tran - Transformer UP - Utility Pole W= West WM - Water Meter '- Minute or Foot * - Second or Inch D = Deita or Central Angle

~ = Not to scale

+ Plus or Minus

<-- - Leader Line

State of Alabama Shelby County

I, Jerry O. Peery, a Professional Land Surveyor, do hereby state that this is a plat of a survey of the lands shown and described upon sheets I through I7; that there are no visible encroachments of buildings, rights—of—way, or joint driveways over or across said lands, except as shown or noted, however there was no field location attempted to determine the location or the extent of a possible encroachment beneath the surface.

I hereby state that all parts of this survey and drawing have been completed in accordance with the requirements of the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama to the

best of my knowledge, information and belief.

Jerry Q. Paery, PLS Alabama License Number: 12697

SURVEY NOTES:

I. The purpose of this survey is to establish easements for telephone company facilities encroaching upon the property of Evelyn R. Spraitzar.

2. Underground facilities are shown from surface markings furnished by the utility owner or the utility owner's agent. No excavation to verify the location of the underground facilities was made. Above ground facilities are shown by their physical position.

3. Sheets I through 17 are a part of this survey. Due to the size of drawings requested by Ms. Evelyn R. Spraitzar this survey is presented in 17 parts. This sheet shall serve to supplement the preceding 16 sheets.
4. The Government Survey ties are not drawn to scale due to drawing

size.
5. The rights—of—way for the Shelby County roads are prescriptive and may vary with maintenance.

General Notes:

i. There was no location attempted to determine the location or the extent of other possible encroachments beneath the surface.

2. Subject to easements and rights—of—way, if any.

3. A current title search was not made by or furnished to the

surveyor.

4. Visible encroachments noted only on the date of the field

4. Visible encroachments noted only on the date of the field

survey.
5. Date of survey is the date of field survey.

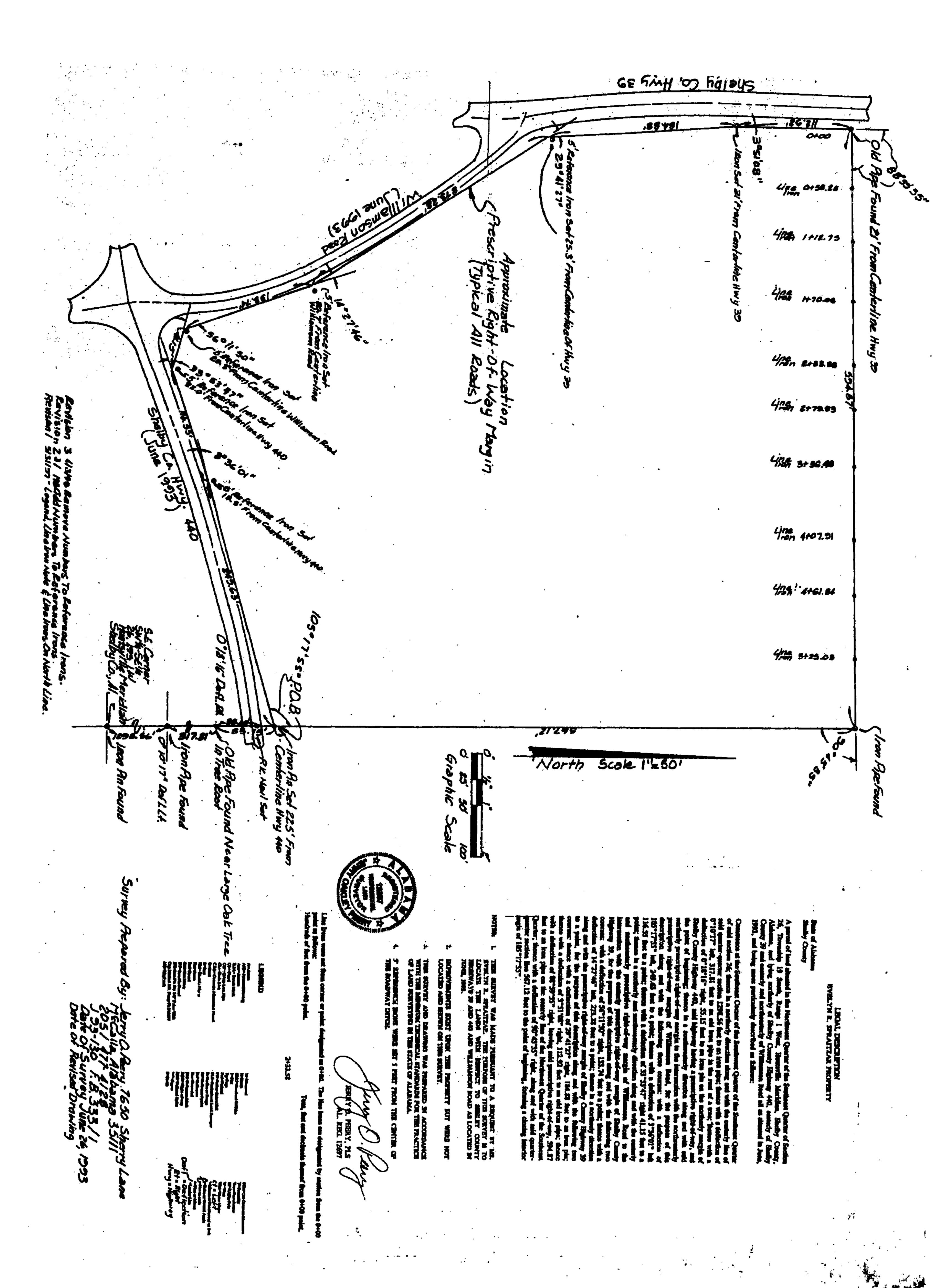
6. This survey is based upon the following source of information:Survey Evelyn R. Spraitzar property by Jerry O. Peery dated June 26, 1993.

7. Bearings are based upon an assumed system and referenced to the Government Survey tie as shown.

INTITUTE CIS



EASEMENT SURVEY
PREPARED BY JERRY O. PEERY, PLS
7650 SHERRY LANE McCALLA, ALABAMA 35111
TELEPHONE (205) 477-4128
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FIELD BOOK 353 PAGE 67
DATE OF SURVEY 1/12/02
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SHEET 17 OF 17 SHEETS



ATTACHMENT B SPECIAL STIPULATIONS

As part of the consideration of the above Easement, the adequacy and receipt of which are hereby acknowledged, BellSouth Telecommunications, Inc. ("BellSouth"), for itself, its licensees, agents, successors, assigns, and allied and associated companies, hereinafter collectively referred to as "Grantee," does hereby covenant with Evelyn R. Spraitzar (hereinafter referred to as "Grantor") and her successors, representatives, heirs, and assigns, as follows:

- 1. The underground facilities described in Attachment A to the above Easement, or any other underground facilities of Grantee that may be nearby, shall not impede the ability of Grantor, or of Grantor's successors, representatives, heirs, and assigns, or of their respective officers, directors, employees, agents, representatives, licensees, invitees, affiliates, and allied and associated companies, to access the Spraitzar property; to construct, use, or maintain driveways of any kind for ingress into or egress from the Spraitzar property; to utilize vehicles of any kind on the Spraitzar property; to install, use, or maintain any utility, sewage, or watering systems on the Spraitzar property; or to landscape the Spraitzar property. If, however, any such impediment occurs, Grantee agrees, upon receiving reasonable notice, to temporarily or permanently relocate its facilities to another location acceptable to Grantor or to her successors, representatives, heirs, and assigns. Grantee further agrees to bear the cost of relocating the facilities if any such impediment occurs.
- 2. Grantee shall not have the right to place any additional facilities on, over, or under the Spraitzar property other than those specified in Attachment A to the above

Easement. The term "facility" includes, but is not limited to, any pole, cable, line, anchor, guy wire, closure, transformer, or any other equipment.

- 3. Grantor, Grantor's successors, representatives, heirs, and assigns, and their respective officers, directors, employees, agents, representatives, licensees, invitees, affiliates, and allied and associated companies, shall not be liable for any damage to any of Grantee's facilities on, over, under, or near the Spraitzar property. However, a person shall not have the benefit of this exclusion from liability if that person intentionally and maliciously caused the damage.
- 4. If any of the underground cables described in Attachment A to the above Easement are replaced by Grantee, the replacement cables shall be maintained at a minimum depth of thirty (30) inches below the surface.
- 5. Access by Grantee to the facilities described in Attachment A to the above Easement shall be from the public roads only.
- 6. No chemicals shall be used by Grantee for the control of weeds around the facilities described in Attachment A to the above Easement.

For purposes of the above six (6) special stipulations, the term "Spraitzar property" means that parcel of land situated in the Northwest Quarter of the Southeast Quarter of Section 26, Township 19 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama, and lying northerly of Shelby County Highway 440, easterly of Shelby County 39 and easterly and northeasterly of Williamson Road all as situated in June, 1993, and more particularly described in the survey of Jerry O. Peery, Al. Reg. 12697, dated June 26, 1993, as revised April 3, 1998, a copy of which is attached to the above Easement in reduced form as Attachment C and made a part hereof.

All the above six (6) special stipulations shall run with the land described in Attachment A and shall remain in full force and effect forever and in perpetuity and shall control in the event of conflict with the above Easement.

Whenever the text hereof requires, the use of the singular number shall include the appropriate plural number as the text of the written instrument may require.

IN WITNESS WHEREOF, the undersigned have duly executed these Special 2002.

Stipulations on this the 26 day of August, 2001.

Stipulations on this the <u>26</u> day of <u>Char</u>	<u>fust</u> , 2001.
Signed, sealed, and delivered in the presence of:	BellSouth Helecommunications, Inc. Name of Corporation By: Title: MAR
Witness	
Witness	Evelyn R. Spraitzar
	Attest:
State of Alabama County of <u>Jefferson</u>	
I, Willa G. Bailey, notary public certify that John E. Jones where a manager of Bells	hose name as
corporation, is signed to the foregoing Special	
acknowledged before me on this day that, being	
Stipulations, he/she, as such officer and with for and as the act of said corporation	full authority, executed the same voluntarily
for and as the act of said corporation.	
Given under my hand this day of	Datober, 2001.

M: GA:
Notary Public Oulty
roughly rubiney
My Commission Expires:
01/21/05
State of Alabama
County of Shelby
I, Hayer D. Brown, notary public in and for said County in Alabama, hereby certify that Evelyn R. Spraitzar whose name is signed to the foregoing Special Stipulations and who is known to me, acknowledged before me on this day that, being informed of the contents of the Special Stipulations, she executed the same voluntarily.
Given under my hand this 26th day of August, 2002.
Hayen D. Brown
Notary Public
My Commission Expires:
Y-03-03