
20060926000478430 1/4 \$20.50
Shelby Cnty Judge of Probate, AL
09/26/2006 02:36:30PM FILED/CERT

Shelby County, AL 09/26/2006
State of Alabama

Deed Tax: \$.50

This Instrument was prepared by and
after recording Returned to:
Pamela Brown, Recording Clerk SBA
Network Services, Inc.
5900 Broken Sound Parkway, NW
Legal Department, Third Floor
Boca Raton, Florida 33487
PH: 1-800-487-7483 ext. 9316

Pamela Brown

ORIGINAL

EASEMENT AND RIGHT-OF-WAY

GRANTOR- THE ALABAMA FORESTRY COMMISSION

GRANTEE - SBA Properties, Inc.

STATE OF ALABAMA

SHELBY COUNTY

20060926000478430 2/4 \$20.50
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\$500.00

No consideration
was paid for
the easement.
LAND Given to US
Sm. road way

EASEMENT AND RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of One Dollar (\$1.00), in hand paid, the receipt and sufficiency of which are hereby acknowledged, the Alabama Forestry Commission, hereinafter called "Grantor" and SBA Properties, Inc., hereinafter called "Grantee," does hereby GRANT unto said Grantee an easement and right-of-way into, upon and across the existing access road on Grantor's Pinnacle Tower Site to reach Grantee's property, said easement being more particularly described in the attached exhibit "A."

The right-of-way, easement, rights, and privileges herein granted shall be used only for the purpose of providing pedestrian and vehicular ingress and egress between the paved highway lying south of Grantor's property described above and the property of Grantee which adjoins the property of Grantor to the north. The easement, rights and privileges herein granted shall extend to Grantee's present and future tenants, successors and assigns for the Term of the Land Lease Agreement.

The easement, rights, and privileges granted herein are nonexclusive, and Grantor reserves and retains the right to convey similar rights and easements to such other persons as Grantor may deem proper.

Grantee agrees to pay a pro rata share of any repairs or maintenance that are necessary for the road that is the subject of this easement. The easement, rights, and privileges granted hereunder shall terminate when, or at such time as, the purposes hereof cease to exist, are abandoned by Grantee, or become impossible of performance.

Should Grantee fail to perform any covenant, undertaking, or obligation arising hereunder, all rights and privileges granted hereby shall terminate, and this agreement shall be of no further force or effect.

IN WITNESS WHEREOF, this instrument is executed this 18th day of

[Signature], 2006.

GRANTEE:

[Signature]
Alyssa Houlihan, Director
Leasing

Columbiana
AL07245-A

GRANTOR:

[Signature]
Timothy C. Boyce, Asst. State Forester
Alabama Forestry Commission


[Signature]
Linda C. Breland, Legal Counsel


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Florida
STATE OF ALABAMA

Blount County

Before me, *Alyssa Houlihan*, a Notary Public in and for said County and State, personally appeared Alyssa Houlihan, whose name is signed to the foregoing Easement and Right-of-Way Agreement, and who is known to me, and who acknowledged to me that being informed of the contents thereof, he executed the same voluntarily as his on free act.

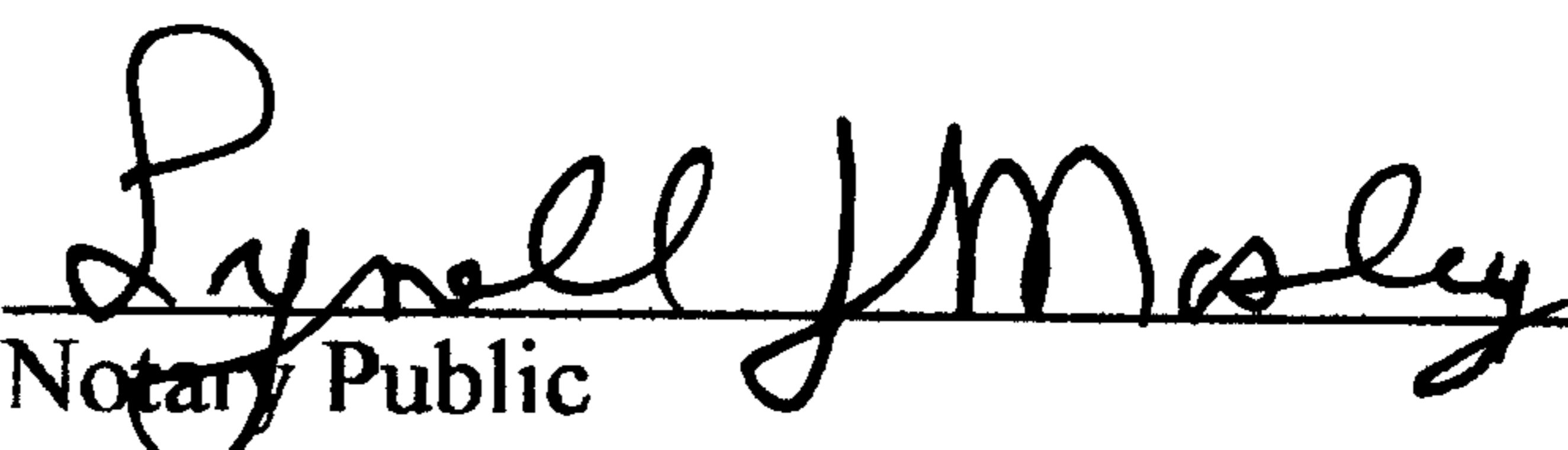
NOTARY PUBLIC-STATE OF FLORIDA
 Catherine E. Blonder
Commission #DD444961
Expires: JULY 21, 2009
Bonded Thru Atlantic Bonding Co., Inc.


Notary Public
My Commission Expires: *7/21/09*

STATE OF ALABAMA

Montgomery County

Before me, *Timothy C. Boyce*, a Notary Public in and for said County and State, personally appeared Timothy C. Boyce, whose name is signed to the foregoing Easement and Right-of-Way Agreement, and who is known to me, and who acknowledged to me that being informed of the contents thereof, he executed the same voluntarily as his on free act.


Notary Public
My Commission Expires: *12-3-06*

Columbiana
AL 0745-A

EXHIBIT "A"



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RIGHT-OF-WAY DESCRIPTION ACROSS FIRE TOWER PROPERTY

COMMENCE AT A CONCRETE MONUMENT (GULF STATES) FOUND IN PLACE AT THE SOUTHEAST CORNER OF THE NW¼ OF SE ¼, SECTION 2, TOWNSHIP 21 SOUTH, RANGE 2 WEST; THENCE RUN NORTHERLY ALONG THE EAST BOUNDARY LINE OF SAID NW¼ OF SE¼ A DISTANCE OF 211.99 FEET TO THE POINT OF BEGINNING ON THE SOUTHEAST RIGHT-OF-WAY LINE OF THE RIGHT-OF-WAY HEREIN DESCRIBED; THENCE CONTINUE ALONG THE EAST BOUNDARY LINE OF SAID NW¼ OF SE¼ A DISTANCE OF 65.42 FEET TO A POINT ON THE NORTHWEST RIGHT-OF-WAY LINE OF THE RIGHT-OF-WAY EASEMENT HEREIN DESCRIBED; THENCE TURN AN ANGLE OF 142°18'16" TO THE LEFT AND RUN SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 203.42 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE AND ALONG A CURVE TO THE RIGHT (CONCAVE NORTHERLY AND HAVING A RADIUS OF 144.59 FEET AND A CENTRAL ANGLE OF 122°29'55") FOR AN ARC DISTANCE OF 309.13 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY AND ALONG THE TANGENT OF SAID CURVE A DISTANCE OF 170.97 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE AND ALONG A CURVE TO THE LEFT (CONCAVE SOUTHERLY AND HAVING A RADIUS OF 88.35 FEET AND A CENTRAL ANGLE OF 150°32'28") FOR AN ARC DISTANCE OF 232.14 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE TANGENT OF SAID CURVE A DISTANCE OF 251.53 FEET TO A POINT; THENCE TURN AN ANGLE OF 99°39'11" TO THE LEFT AND CONTINUE ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 40.57 FEET TO A POINT; THENCE TURN AN ANGLE OF 80°20'49" TO THE LEFT AND CONTINUE ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 244.72 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY AND ALONG A CURVE TO THE RIGHT (CONCAVE SOUTHERLY AND HAVING A RADIUS OF 48.35 FEET AND A CENTRAL ANGLE OF 150°32'38") FOR AN ARC DISTANCE OF 127.04 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE TANGENT OF SAID CURVE A DISTANCE OF 170.97 FEET TO A POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE AND ALONG A CURVE TO THE LEFT (CONCAVE NORTHERLY AND HAVING A RADIUS OF 184.59 FEET AND A CENTRAL ANGLE OF 122°29'55") FOR AN ARC DISTANCE OF 394.66 FEET TO POINT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY AND ALONG THE TANGENT OF SAID CURVE A DISTANCE OF 151.66 FEET TO THE POINT OF BEGINNING. SAID RIGHT-OF-WAY EASEMENT IS LYING IN THE NW¼ OF SE¼, SECTION 2, TOWNSHIP 21 SOUTH, RANGE 2 WEST

Columbia
AL 07245-0