EASEMENT - DISTRIBUTION	FACILITIES	TO BE RECO	RDED: YES X NO	T	his instrument p	repared by
(Metes and Bounds)		5/1.	Ala Reguend	LyfolAte,	Jany).	Dear
STATE OF ALABAMA	}	W.E. No. 61	700-00-0062-10	0 Court. A	labama Power Co	mpany
COUNTY OF Shelb	У}	Parcel No		P	. O. Box 2641	•
TAX ID #		, Transformer N	o	В	irmingham, Alaba	ma 35291
A. GRANT KNOW ALL MI	EN BY THESE PRESEN	NTS, That The E	Barber Companie	es, Inc.		
as grantor(s), (the "Grantor", with hand paid by Alabama Power its successors and assigns (the	er Company, a corporatio	on, the receipt and suffic	iency of which are hereby ack	knowledged, does he	reby grant to Alab	nsideration ama Power
B. RIGHTS The easement	s, rights and privileges o	granted hereby are as	follows:		attached	horot
location C below, along location of underground F cables, transclosures, transclosures, transcher underground trans of the center line of underground	g a route to be selected acilities, if any, by cross- nsformers, anchors, guy smission and distribution rground Facilities and fil	by the Company which hatching indicating an wires and other Facility of electric power, and them feet (15') to either	nstruct, install, operate and make its generally shown on the carea not greater than ten feet ies useful or necessary in cortains the right to clear and kerside of the center line of evidence of evide	aintain, upon, ever, to Company's final local (10') in width), all pernection therewith (clear a strip of laterhead Facilities: far	inder and across to tion drawing (whi tion drawing (whi tion drawing wires) ollectively, "Facility and extending five than the right in the	he Propertich shows to conduits, to the future to
outside of the thirty loof (30"): strip for overhead Fa	acilities that, in the sole	im and out and keep trimmed opinion of the Company, mig	ht now or may heres	:ak, leaning or dal ifter endanger, int	ngerous tre erfere with:
- any of the overhead Faci	Hitties.	he-company -	shall hav e	howev	er, the c	ompan
2. Line Clearing. The	e right to trim and cut a	nd keep trimmed and	cut all dead, weak, leaning o	or dangerous trees	not have or limbs that, in the	ne sole opi
nereatter located adjace	nt to the Property descr the right to clear and ke	ibed in Section C beloveep clear all trees, unde	pon the electric transmission wallong a route to be selecte ergrowth, and other obstruction cilities. Junders round	d by the Company o	enerally shown o	n the Come
- 8 Quy Wices and Am	chors. The right to imp	lant, install-and-mainta	in anchor(s) of concrete, me	tal or other material	on and-under-the	Property d
adjacent thereto (collective also the right to trim and or may hereafter endang) Grantor hereby grants to	vely, "Guy Wire Facilities cut and keep trimmed a er, interfere with or fall to the Company all easer	s") along a route to be a not cut all dead, weak, upon any of the Guy Wents, rights and privile	uch anchor(s) to structures no selected by the Company generated by the Company generated trees of the Facilities.	nerally shown on the or imbe that; in the s	Company's final electrical of the opinion of the op	h Property location dr Company,
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its authorized representative as of	<u>-</u>	strument to be executed by
ns aumonzed representative, as of	tne cay or	
ATTEST (if corporation) or WITNES	SS:	·
		(Grantor - Name of Corporation/Parternship/LLC)
By:	· · · · · · · · · · · · · · · · · · ·	By:(SEAL)
lts:		lts:
·		[indicate President, General Partner, Member, etc.]
INDIVIDUAL NOTARIES		
STATE OF ALABAMA	}	
COUNTY OF	}	
I, the undersigned, a Notary P	ublic, in and for said County is	in said State, hereby certify that
		e(s) is/are signed to the foregoing instrument and who is/are known to me, acknowledged before me
on this day that being informed of t	he contents of the instrument,	it, he/she/they executed the same voluntarily, on the day the same bears date.
		day of,,,
> .		•
	•	Notary Public
[SEAL]		My commission expires:
STATE OF ALABAMA	•	
COUNTY OF		
	Public in and for said Countries	in said State, hereby certify that
o, and animoral grida, a realizing i		·
on this day that being informed of the	he contents of the instrument	e(s) is/are signed to the foregoing instrument and who is/are known to me, acknowledged before me it, he/she/they executed the same voluntarily, on the day the same bears date.
Given under my hand and office	cial seal this the	
		day of
	and the same of	
[SEAL]		Notary Public My commission expires:
	*****	y commodicit expires.
	·	
TRUSTEE/CORPORATION/PART	NERSHIP/LLC NOTARY	
STATE OF ALABAMA	}	en en 1870 – Ny Merika dia ara-daharan-Marika di Mandelanda di Arabigan di Marika di Arabigan di Arabigan di A Ny faritr'ora dia mandritry ny fivondrona di Arabigan di Arabigan di Arabigan di Arabigan di Arabigan di Arabi
COUNTY OF Shelly	}	
I, the undersigned, a Notary P	ublic, in and for said County in	in said State, hereby certify that <u>Cames W. Hicks</u>
·	M La	whose name as Corporate Serretary of The Barber Companies I
·	a Flanyma	LOIPOY ation [as
	, is	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 the instrument, he/she, as	s such Secretary and with full authority, executed the same voluntarily for and
• 1	ration	[acting in such capacity as aforesaid].
Given under my hand and	d official seal, this the	$\frac{J(V)}{J(V)} = \frac{J(V)}{J(V)} = \frac{J(V)}{J(V)$
		Sysame Arrasher
for all	`	Notary Public
[SEAL]	•	My commission expires: 1777
	For Alabama Power C	Company Corporate Real Estate Department Use Only
Ali facilition on Con-1-		•
All facilities on Grantor:	Station to Stat	ation:
		
	**************************************	·
Form 5-40046 Rev. 2/00		

08/03/2009 01:57:38 PM FILED/CERT 4400461

ACKNOWLEDGEMENT AND CONSENT

McDonald's Corporation, a Delaware Corporation	
hereby consent to the grant of the foregoing Easen Alabama Power Company on the 1st day of Ap	
23rd day of July , 2003.	
	Lessee:
•	
	By. And Charles S. Haydee Dlinger
	IIS: _Managing Counsel
STATE OF ILLINOIS)	
DUPAGE COUNTY)	
DUFACE COULTY	
	d for said County, I said State, hereby certify
that Haydee Olinger of McDonald's Corporation, is signed	whose name as <u>Managing Counsel</u> I to the foregoing document, and who is known
to me, acknowledged before me on this day, that,	
as such officer and with full authority, executed t	—
corporation.	· · · · · · · · · · · · · · · · · · ·
Given under my hand and official seal this	23rdday of (Tu1) . 2003.
Cittoit and in intermediate contract and	
N	otary Public \
<i>ጌ ለ</i>	V Commission Expires: March 6, 2007
	ly Commission Expires: <u>March 6, 2007</u>
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	MY COMMISSION EXPIRES: 03-06-07

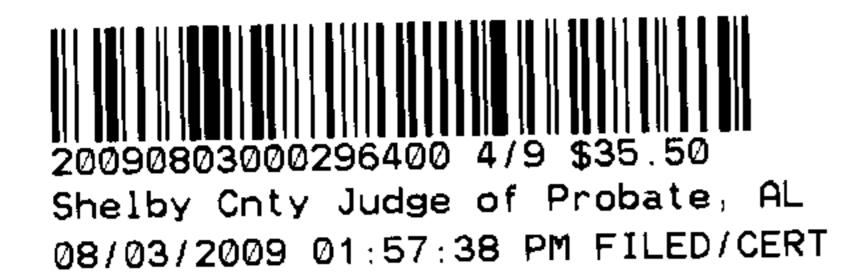


EXHIBIT "B" TO MEMORANDUM OF LEASE

The specific legal description of the leased premises is set forth as follows:

LEASE TRACT

ALL THAT TRACT OR PARCEL OF LAND SITUATED AND LYING IN THE NORTHEAST 14 OF THE SOUTHWEST 14 OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 1 WEST, CITY OF CHELSEA, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; THENCE, NORTH 09°29'37" WEST, A DISTANCE OF 2,092.25 FRET, TO AN "X" SCRIBED IN CONCRETE ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 280(VARIABLE WIDTH RIGHT-OF-WAY); THENCE, NORTH 10°37'01" WEST, LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 280, A DISTANCE OF 27.63 FEET TO A 1/2" REBAR AND CAP SET: THENCE, SOUTH 79°21'26" WEST, PARALLEL WITH SAID NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 280, A DISTANCE OF 149.98 FEET TO A 1/2" REBAR AND CAP SET; THENCE, NORTH 10°38'27" WEST, A DISTANCE OF 237.48 FEET TO A PIN AND CAP FOUND ON THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 280(CHESSER DRIVE)(80' R/W); THENCE, NORTH 77°06'58" BAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 280, A DISTANCE OF 150.20 FEET TO A 1/2" REBAR FOUND; THENCE, SOUTH 10°37'01" EAST, LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 280, A DISTANCE OF 243.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 36,071 SQUARE FEET OR 0.83 ACRE OF LAND, MORE OR LESS, AS SHOWN ON A LEASE AND TOPOGRAPHIC SURVEY FOR McDONALD'S CORPORATION, PREPARED BY DONALDSON, GARRETT AND ASSOCIATES, INC., DATED JULY 24, 2000. LAST REVISED AUGUST 30, 2000. 💥

LEGAL DESCRIPTION INGRESS/EGRESS EASEMENT

ALL THAT TRACT OR PARCEL OF LAND SITUATED AND LYING IN THE NORTHEAST 14 OF THE SOUTHWEST 14 OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 1 WEST, CITY OF CHELSEA, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 14 OF SECTION 27, TOWNSHIP 19 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; THENCE, NORTH 09°29'37" WEST, A DISTANCE OF 2,092.25 FEET TO AN "X" SCRIBED IN CONCRETE ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 280(VARIABLE WIDTH RIGHT-OF-WAY)AT THE POINT OF BEGINNING; THENCE, SOUTH 79°21'26" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 280, A DISTANCE OF 149.97 FEET TO A PIN AND CAP FOUND; THENCE, NORTH 10°38'27" WEST, LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 280, A DISTANCE OF 27.63 FEET TO A 1/2" REBAR AND CAP SET, THENCE, NORTH 79°21'26" EAST, PARALLEL WITH SAID NORTHERLY RIGHT-OF-WAY LINE OF U.S. ROUTE 280, A DISTANCE OF 149.98 FEET TO A 1/2" REBAR AND CAP SET; THENCE, SOUTH 10°37'01" EAST, A DISTANCE OF 27.63 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,144 SQUARE FEET OR 0.09 ACRE OF LAND, MORE OR LESS, AS SHOWN ON A LEASE AND TOPOGRAPHIC SURVEY FOR McDONALD'S CORPORATION, PREPARED BY DONALDSON, GARRETT AND ASSOCIATES, INC., DATED JULY 24, 2000, LAST REVISED AUGUST 30, 2000. *

* It is understood this lest description is for the entire parcel-Not the experience on this parcel and is depicted on Exhibit A as the "hatched" Area.

ADDENDUM

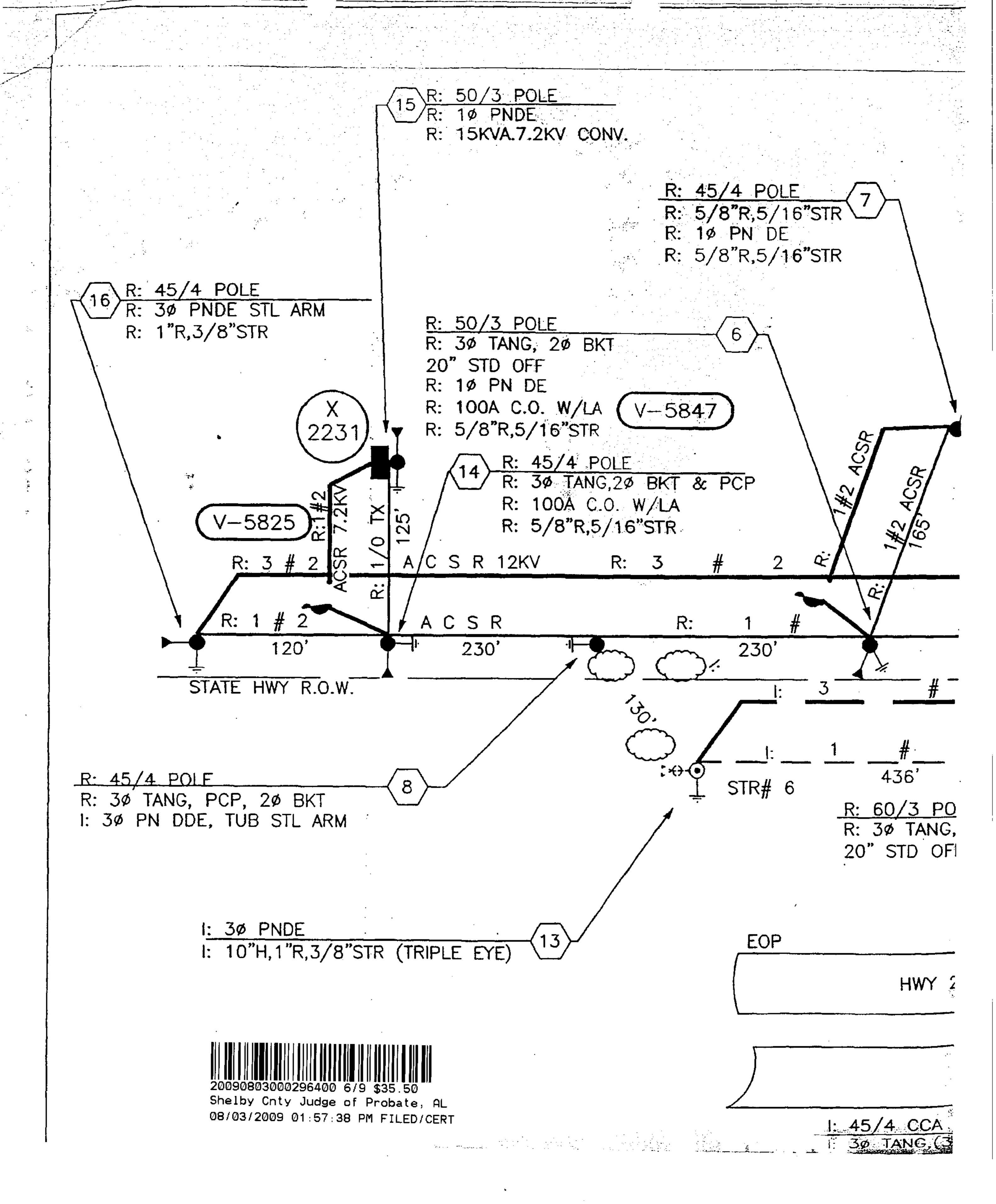
As a condition of granting this Easement, ALABAMA POWER COMPANY ("Grantee") agrees to the following covenants, which are hereby made a part of this Easement:

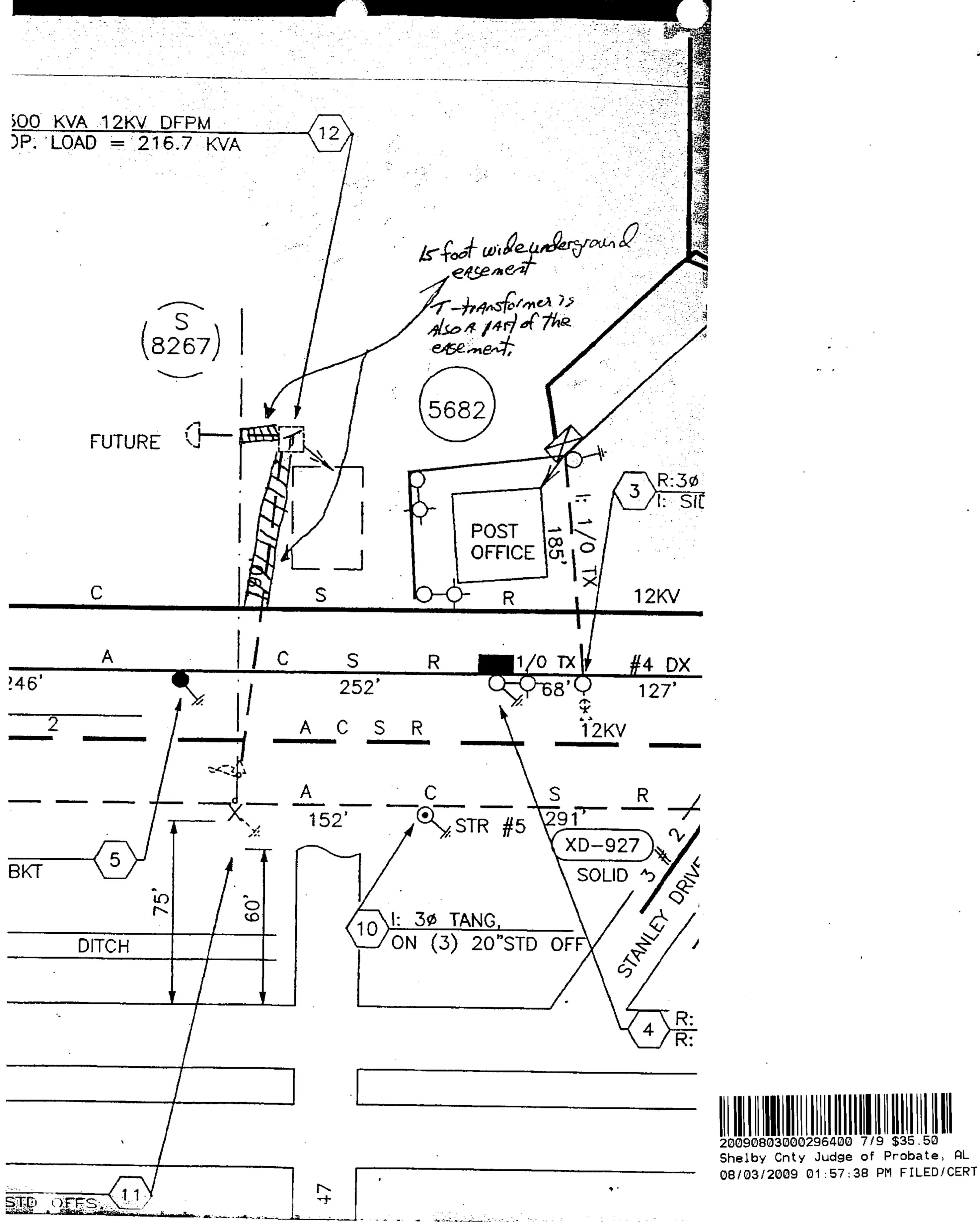
- 1. Grantee agrees to keep the utility line(s) in good repair and further agrees to maintain its installations on the Premises at its sole cost.
- 2. Grantee shall perform the construction, repair and maintenance of its installations ("Grantee's Work") in such a manner so as to not unduly disrupt the operation of the McDonald's restaurant on the Premises.
- 3. Grantee agrees to restore the Premises, at its sole cost, to the same or similar condition which existed prior to the commencement of Grantee's Work.

Shelby Cnty Judge of Probate, AL

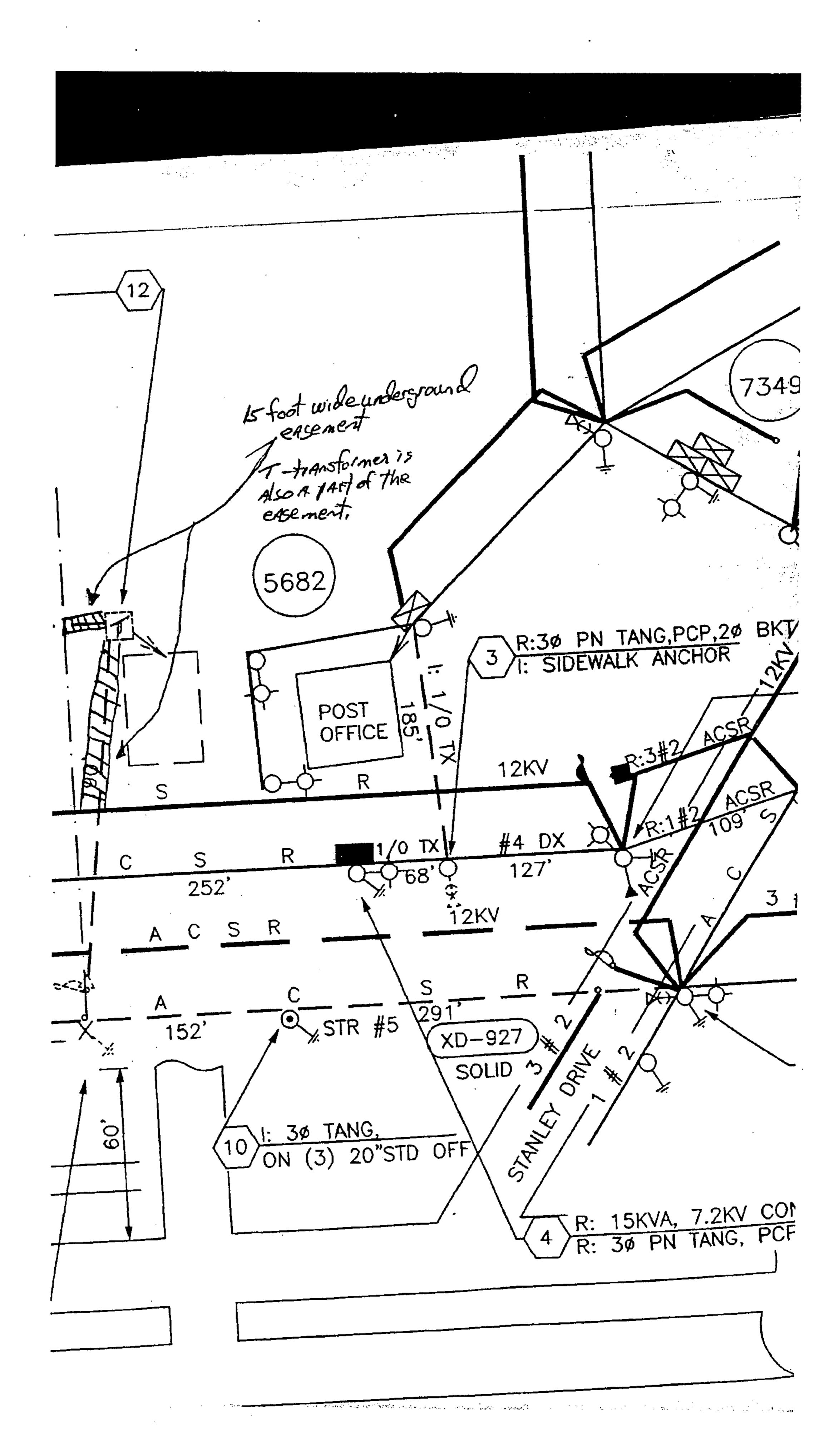
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EXHIBIT A



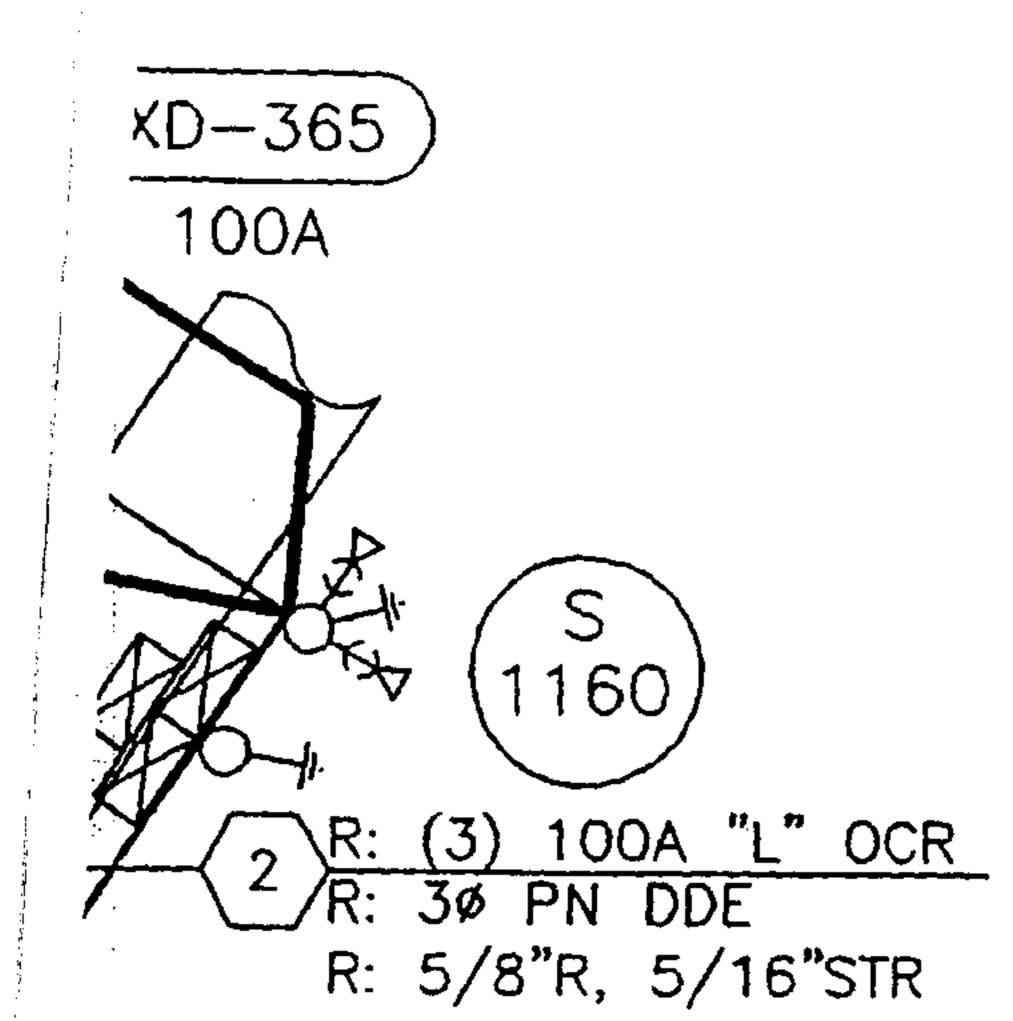


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