STATE OF ALABAMA **COUNTY OF SHELBY**

WE #A6170-06-AJ10

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, BellSouth Telecommunications, Inc., d/b/a AT&T Alabama, for and in consideration of the sum of One and No/100 Dollar (\$1.00), to it in hand paid by Alabama Power Company, a corporation, the receipt whereof is acknowledged, does, to the extent of BellSouth's rights in the property described herein, hereby grant to said Alabama Power Company, its successors and assigns, the right from time to time to construct, install, operate and maintain, upon, over, under and across a route as indicated on Alabama Power Company Drawing # A6170-05-BD10, Exhibit "A", attached hereto and made a part hereof, all poles, wires, guy wires and anchors, fiber optics, and other Facilities useful or necessary in connection therewith (collectively, "Facilities"), and also the right to clear and keep clear a strip of land fifteen feet (15') to either side of the center line of overhead Facilities and five feet (5') either side of the centerline of underground facilities; further the right in the future to install and utilize intermediate poles in line for overhead Facilities and the right to trim and cut and keep trimmed and cut all dead weak, leaning or dangerous trees or limbs outside of the thirty foot (30') strip for overhead Faciliites that, in the sole opinion of Alabama Power Company, might now or may hereafter endanger, interfere with or fall upon any of the overhead Facilities across the following described property:

See EXHIBIT "B" attached hereto and made a part hereof for a sketch and legal description of the property involved.

Alabama Power Company shall defend, indemnify, and hold harmless BellSouth Telecommunications, Inc., d/b/a AT&T Alabama its directors, officers, employees, and agents, from and against any and all liabilities, lawsuits, claims, or demands ("liabilities") arising out of or relating to Alabama Power's construction, operation, or maintenance of its facilities or otherwise arising out of or relating to this agreement. Liabilities and defense costs arising out of or relating to the joint or concurrent negligence of BellSouth Telecommunications, Inc., d/b/a AT&T Alabama and Alabama Power Company shall be shared according to the relative responsibilities of the parties. Alabama Power Company shall not be obligated to defend and indemnify BellSouth Telecommunications, Inc., d/b/a AT&T Alabama for liabilities arising out of or relating to the sole negligence of BellSouth Telecommunications, Inc., d/b/a AT&T Alabama

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

IN WITNESS WHEREOF, the said BellSouth Telecommunications, Inc., d/b/a AT&T Alabama has caused this instrument to be executed by Curtis J. Thomasson as its Area Manager - OSP Plng & Eng Design on this, the <u>21st</u> day of <u>SEPTEMBER</u>, 2010.

WITNESS

BELLSOUTH TELECOMMUNICATIONS, INC.

d/b/a AT&T Alabama

Curtis J. Thomasson

Area Manager – OSP Plng & Eng Design

Its authorized signatory

56# 1+30 to 5tat H40 (Vdg) [cssre

Shelby County, AL 10/12/2010

State of Alabama Deed Tax : \$.50

Shelby Cnty Judge of Probate, AL

10/12/2010 02:52:55 PM FILED/CERT

STATE OF ALABAMA COUNTY OF JEFFERSON

Before me, Elizabeth M. Smith, a Notary Public of the State and County aforesaid, personally appeared Curtis J. Thomasson, with whom I am personally acquainted or who proved to me his identity upon the basis of satisfactory evidence, and who, upon oath, acknowledged himself to be Manager OSP Plng & Eng Design for BellSouth Telecommunications, Inc., d/b/a AT&T Alabama the within named Grantor, a corporation, and that he as such Manager OSP Plng & Eng Design for BellSouth Telecommunications, Inc., d/b/a AT&T Alabama executed the foregoing instrument for the purpose therein contained, by signing the name of the Corporation by himself as Manager OSP Plng & Eng Design for BellSouth Telecommunications, Inc., d/b/a AT&T Alabama.

Witness my hand and seal, at office, this 2/st day of 5eptember R

Notary Public

My commission expires NOTARY PUBLIC STATE OF ALABAMA AT LARGE MY COMMISSION EXPIRES: Jan 3 2013 BONDED THRU NOTARY PUBLIC UNDERWHITEHS

20101012000339470 2/4 \$ Shelby Cnty Judge of Probate, AL 10/12/2010 02:52:55 PM FILED/CERT

EXHIBIT "A"

Parcel # 70234290

Map Center LatLon

FOWER

SKETCH OF PROPOSED WORK SIMPLIFIED W.E.

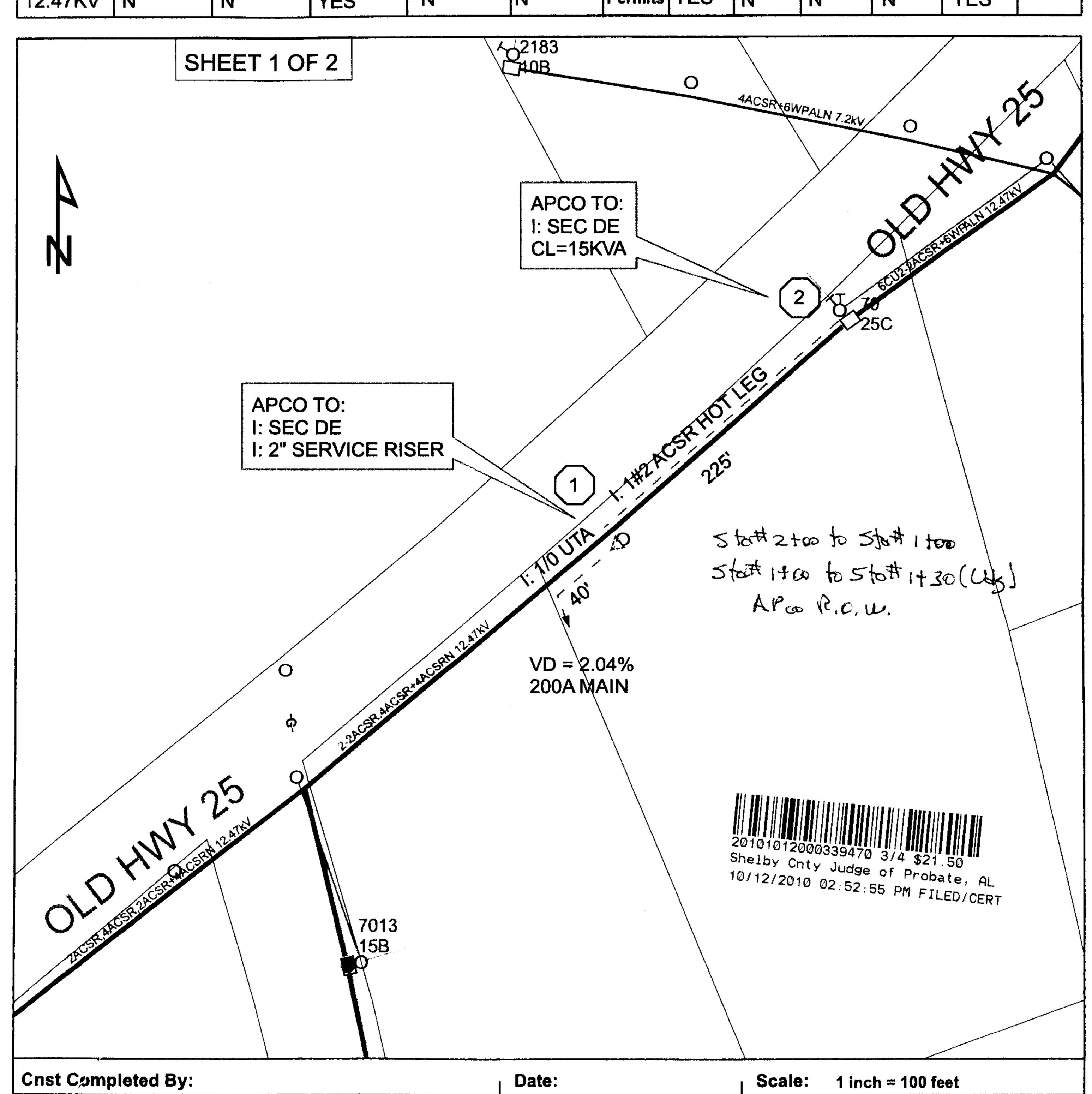
Map Center UTM

12042568

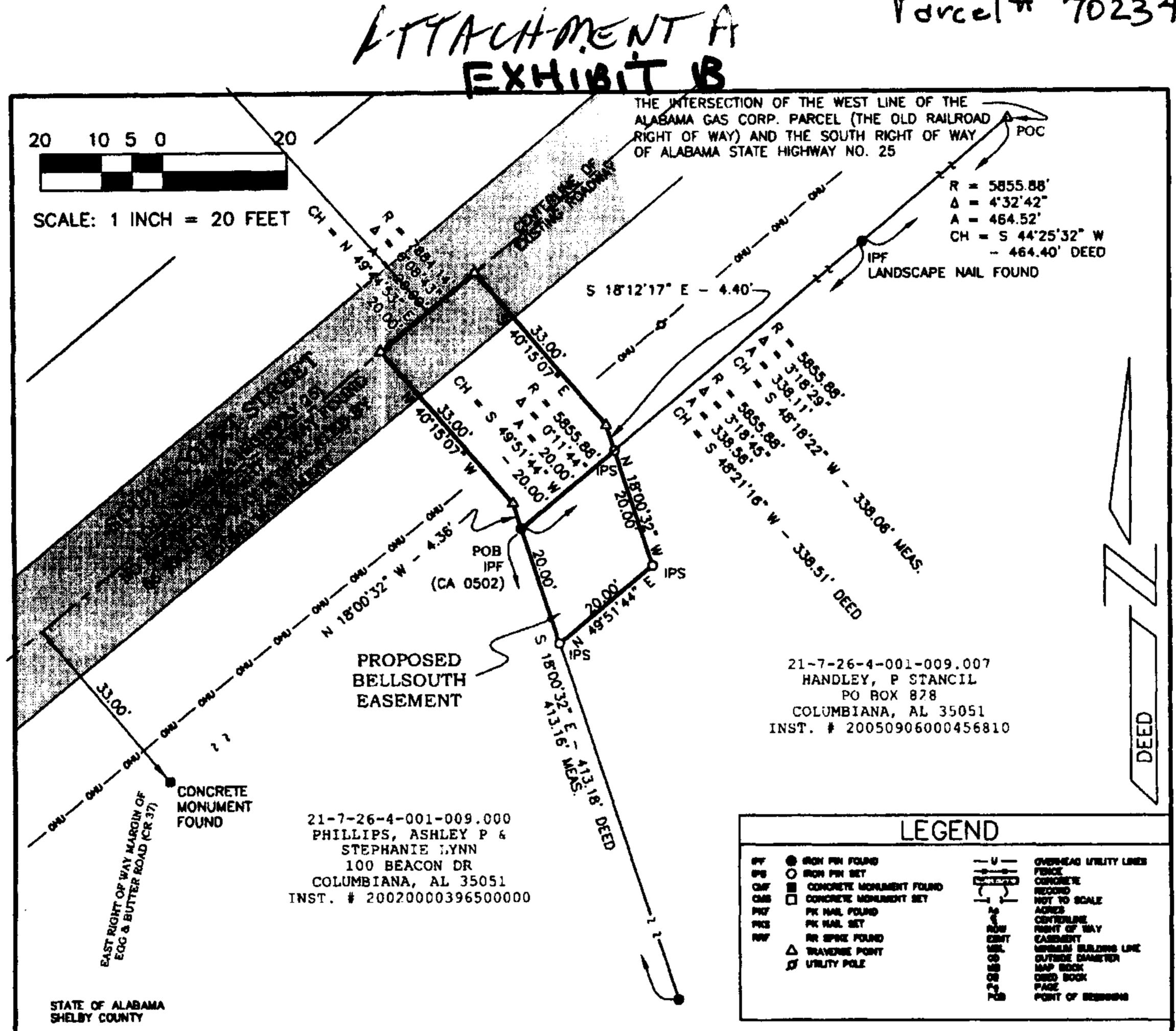
33.173438

-86.610438

1759577 Agreed Serv. Date Estimate No. Customer Location 12/15/2010 A6170-06AJ10 313 OLD HWY 25 AT&T Town/City Oper. Cntr. UserID Region **Created:** COLUMBIANA kdmcdani 8/25/2010 METRO SOUTH **BIRMINGHAM** Add'I Info Range Township Section County **ENG: K.McDANIEL SOLINC: 10341** 01W 218 26 Shelby Transformer Loading Date R/W Cleared **Spatial Reference** LOC Date R/W Assigned **Acquisition Agent** County Miss All Other Accessible City State Rock Hole R/W **Tree Crew** Phone Co CATV Co Voltage Permits YES YES N N N N N 12.47KV YES N N







PROPOSED BELLSOUTH EASEMENT

A proposed Bellsouth ecomment situated in the Southeast quarter of Section 26, Township 21 South, Range 1 West, Shelby County, Alabama. Said ecomment being more particularly describes as follows:

Commence of the Intersection of the West line of the Alabama Gas Corp. Porcel (the old railroad right of way) with an arc purported to be the South right of way margin of South Court Street (Old Alabama Highway 25) by document recorded as instrument number 20050905000456810 in the office of the Judge of Probate of Shelby County, Alabama, sold document describing sold South right of way margin to have a radius of 5855.88 feet and a chard bearing of 5 44"25"32" W; thence proceed Southwesterly, along the previously described arc for 484.52 feet to a landscape not found on a curve purported to be the South right of way margin of South Court Street (Old Alabama Highway 25). sold curve having a radius of 5855.88 feet and a chord bearing of 5 4878'22" W; thence proceed Southwesterly, along the previously described arc for 338.08 feet to the FOINT OF BECONNEYS, which is an Iron pin found (CA 0502); thence, along the West boundary of percei described by document recorded as instrument number 20050906000456810 in the office of the Judge of Probate of Shelby County, Alabama, proceed S 18'00'32" E for 20.00 feet to an Iron pin est; thence, departing sold West boundary, proceed N 49'51'44" E for 20,00 feet to an iron pin set; thence proceed H 18'00'32" W for 20.00 feet to an iron pin set on a curve purported to be the South right of way margin of South Court Street (Old Alabama Highway 25), sold curve having a radius of 5855.88 feet and a chard bearing of

5 49'51'44" W; thence proceed Southwesterly along previously described arc for 20.00 feet to the POINT OF BEGINNING. Sold eccement contains 370.2 ± square feet or 0.01 ±

PROPOSED BELLSOUTH ACCESS EASEMENT

A proposed Bellsouth access easement situated in the Southeast quarter of Section 26. Township 21 South, Range 1 West, Shelby County, Alabama. Said easement being more particularly described as follows:

Commence at the intersection of the West line of the Alebema Gas Corp. Parcel (the old railroad right of way) with an arc purported to be the South right of way margin of South Court Street (Old Alabama Highway 25) by document recorded as instrument number 20050906000456810 in the office of the Judge of Probots of Shelby County, Alabama, sold document describing sold South right of way margin to have a radius of 5855.88 feet and a chard bearing of 5 44'25'32" W: thence proceed Southwesterly, along the previously described are for 484.52 feet to a landscape noti found on a curve purported to be the South right of way margin of South Court Street (Old Alabama Highway 25), add curve having a radius of 5855.88 feet and a chard bearing of S 4818'22" W; thence proceed Southwesterly, along the previously described arc for 338.06 feet to the POINT OF BECOMNING, which is an Iron pin found (CA 0502); thence, along an extension of the West boundary of parcel described by document recorded as instrument number 20080906000458810 in the office of the Judge of Probate of Shelby County, Alabama, proceed N 18'00'32" W for 4.36 feet to a point; thence proceed N 40'15'07" E for 33.00 feet to a point on the centerline of located roadway of South Court Street (Alabama Highway 25), sold centerline being in a curve to the left, sold curve having a radius of 7884.14 and a chard which bears N 49'44'53" E: thence along the arc of said curve and along the centerline of the located roadway of South Court Street (Alabama Highway 25) proceed for 20.00 feet to a point; thence proceed

5 40"15"07" E for 33.00 feet to a point; thence proceed S 18"12"17" E for 4.40 feet to an Iron pin previously set on a curve purported to be the South right of way margin of South Court Street (Old Alabama Highway 25), solid curve having a radius of 5855.88 feet and a chard bearing of S 49'51'44" W; thence proceed Southwesterly along previously described arc for 20.00 feet to the POINT OF BEGINNING. Said essement contains 741,2 ± square feet or 0.02 ± acres,

I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief.

15154

Alabama License No. 15154 Date: August 23, 2006

GENERAL NOTES:

Economic or restrictions offsetting property may exist of which the surveyor has no knowledge. Surveyor accepts no responsibility for research in this matter.

Other utilities may exist other than shown or mentioned.

It is intended for the agreement created by this survey to be contiguous with the South right of way mergin of South Court Street (Old Mobarno Highway 25) and the West boundary of property described by document recorded as instrument number 20050906000456810 in the office of the Judge of Probate of Shelby County, Alaboma.

It is intended for this easement to encompass Bellsouth cables or equipment. If at any time the locally accepted corners prove to be in error or any discrepancies are discovered then the location of the easement shall revert to such an orientation as to encompase the cobles or equipment.

Basis of bearing is document recorded as instrument number 20050906000456810 in the office of the Judge of Probate of Shelby County, Alabama.

Underground utilities may exist that have not been shown.

BELLSOUTH INFORMATION PM TOOL 44386 TAX ID 21-7-26-4-001-009.007

McCullers-Capps & Associates, inc.

Surveyors-Mappers-Consultants (205) 957-1519 5533 Bankhead Highway Birmingham, Alabama 35210

PROPOSED BELLSOUTH EASEMENT ON SOUTH COURT STREET (OLD AL 25) NEAR EGG AND BUTTER ROAD (CR 36) SEC 26, T 21 S, R 1 W COLUMBIANA, SHELBY COUNTY, ALABAMA

date B/23/2005	Job no. 06096	dwn. by	dwg. no.	rev.
acale:	f.b. no.	chkd. by	7 '	0

