

Site Name: Copena

Prepared by and return to:
Thomas J. Buchanan
Baker, Donelson, Bearman,
Caldwell and Berkowitz, P.C.
420 20th St. N, Suite 1400
BIRMINGHAM, ALABAMA 35203

\$ 500.00 value


20140325000083080 1/6 \$29.50
Shelby Cnty Judge of Probate, AL
03/25/2014 11:50:35 AM FILED/CERT

UTILITY EASEMENT and RIGHT OF WAY

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW BY ALL MEN THESE PRESENTS:

That in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is acknowledged, **County Board of Education of Shelby County, Alabama** (herein referred to as Grantor) does grant, bargain, sell and convey unto **Cellco Partnership d/b/a Verizon Wireless** (herein referred to as Grantee), a perpetual utility easement and right of way as described below permitting the Grantee to have rights of ingress and egress and to construct, install and maintain utilities (including fiber optics) under, on, over and across certain real property of the Grantor situated in Shelby County, Alabama, as described below and on the survey attached hereto and incorporated herein, to-wit:

See Exhibit A attached hereto and incorporated herein.

TO HAVE AND TO HOLD to the said Grantee, its successors and assigns forever. Grantee shall use the above described easement for access and utilities only.

Grantor do for themselves and for their successors and assigns covenant with the said Grantee, its successors and assigns, that the Grantor is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that the Grantor has a good right to sell and convey the same as aforesaid; that Grantor, its successors and assigns shall warrant and defend the same to the said Grantee, its heirs, executors and administrators forever, against the lawful claims of all persons.

(Signature Page Follows)

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IN WITNESS WHEREOF said Grantor has hereunto set its hand and seal this the 21 day of March, 2014.

GRANTOR:

**County Board of Education of
Shelby County, Alabama**

By: Assistant Superintendent
Name: Thomas D. Ferguson
Title: Deputy Superintendent

**STATE OF ALABAMA)
COUNTY OF SHELBY)**

Acknowledgment

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Thomas D. Ferguson, whose name as Deputy Superintendent of **County Board of Education of Shelby County, Alabama** 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 foregoing instrument, he/she executed the same voluntarily for and as the act of said Board on the day the same bears date.

Given under my hand this 21 day of March, 2014.

Notary Seal

Sharon A. Lee
Notary Public
My Commission Expires: 2-14-16

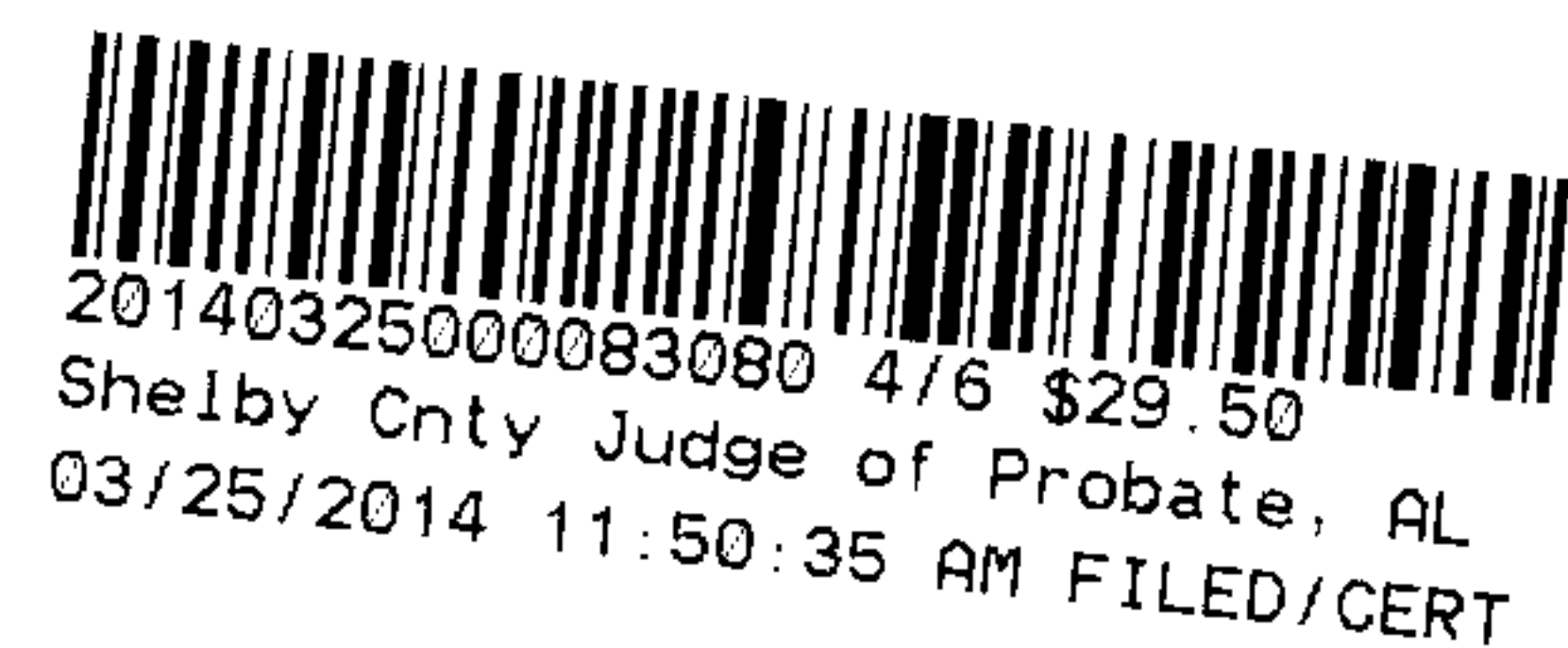
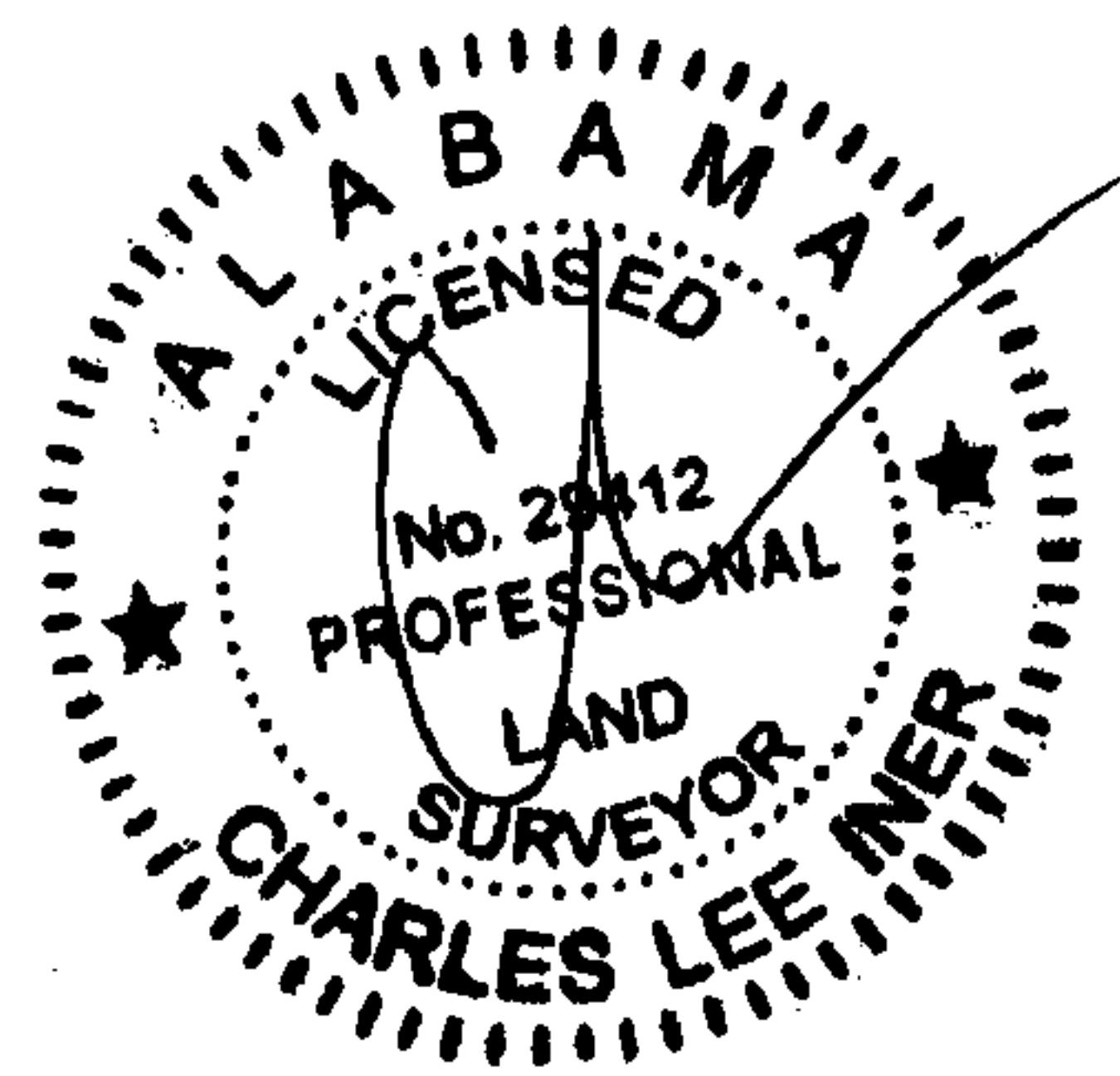
Exhibit "A"
(Survey and Legal Description Attached)

PROPOSED 10' UTILITY EASEMENT
VERIZON WIRELESS
"COPENA"

Being a proposed 10-foot wide utility easement lying and being in Section 22, Township 19 South, Range 2 West, City of Indian Springs Village, Shelby County, Alabama, and being more particularly described by the following centerline data:

To find the point of beginning, COMMENCE at a point created by the centerline intersection of Caldwell Mill Road (also known as Highway 29 and having a variable width right-of-way) and Lee Street Drive (having a 40-foot right-of-way); thence leaving said centerline intersection and running along a tie line, North $63^{\circ}49'55''$ West, 1289.03 feet to a point, said point having an Alabama West Zone (NAD-83) state plane coordinate value of Northing: 1225695.36 and Easting: 2201556.63, and said point being the true POINT OF BEGINNING; Thence running, North $86^{\circ}05'50''$ East, 31.46 feet to a point; Thence, North $11^{\circ}39'42''$ West, 253.27 feet to a point; Thence, North $58^{\circ}26'06''$ West, 109.96 feet to a point; Thence, North $77^{\circ}24'59''$ West, 113.84 feet to a point; Thence, South $82^{\circ}13'22''$ West, 95.06 feet to a point; Thence, South $65^{\circ}36'04''$ West, 48.40 feet to the ENDING at a point.

As shown in a survey prepared for VERIZON WIRELESS by POINT TO POINT LAND SURVEYORS, INC. dated March 6, 2014 and last revised March 11, 2014.



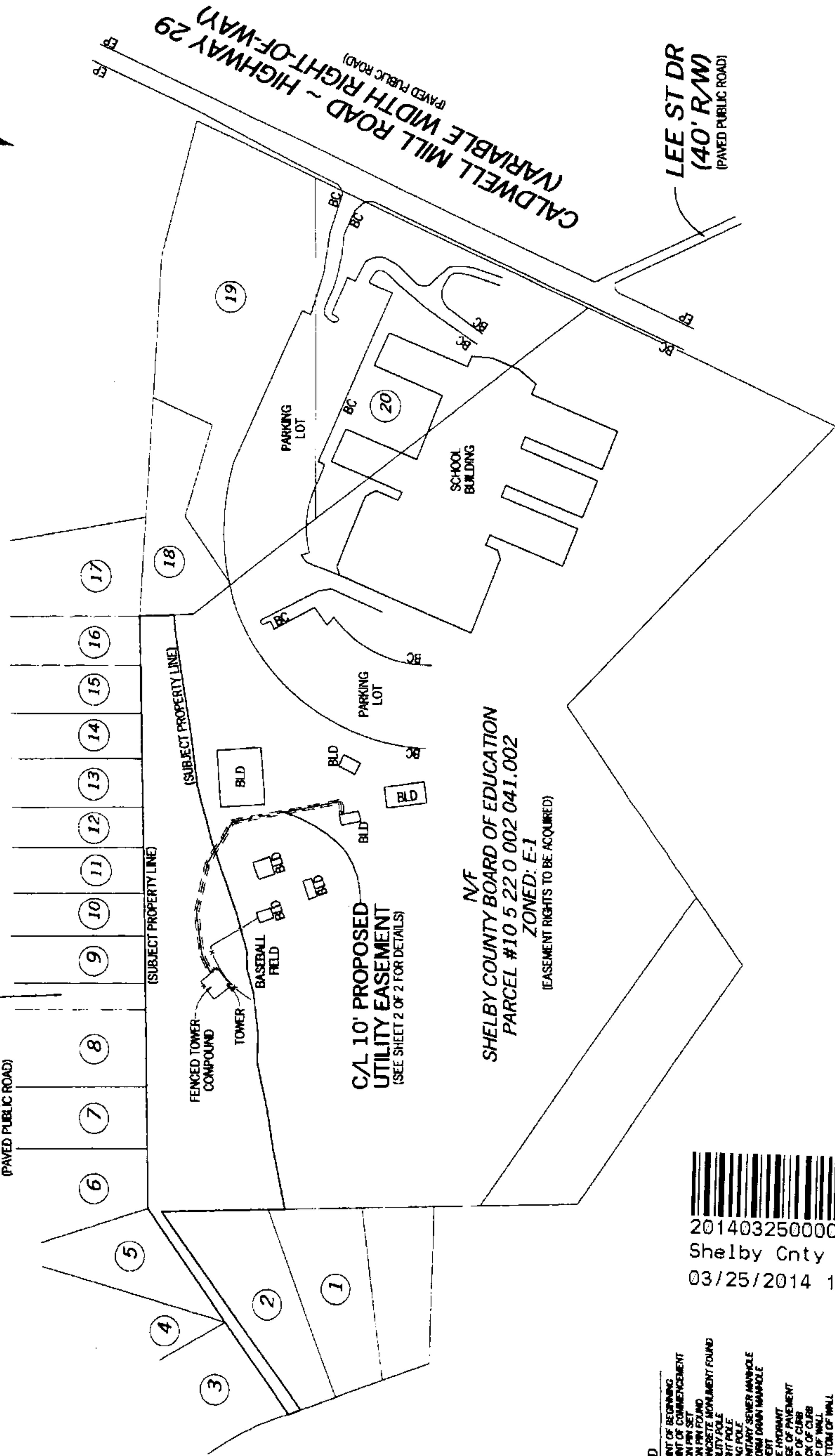
SUBJECT PROPERTY

OWNER: SHELBY COUNTY BOARD OF EDUCATION (PER TAX ASSESSOR)
SITE ADDRESS: CALDWELL MILL ROAD, INDIAN SPRINGS VILLAGE, AL 35124
PARCEL ID: 10 5 22 0 002 022.057
AREA: 6.79 ACRES (PER TAX ASSESSOR)
ZONED: E-1
REFERENCE: INSTRUMENT #19971216000409261

ADJOINERS

1. N/F - DAVID L. & MONIKA O. VEASEY - PARCEL #10 5 22 0 002 040.003 - ZONED: E-1
2. N/F - ANTHONY & REBECCA ODDO - PARCEL #10 5 22 0 002 040.000 - ZONED: E-1
3. N/F - BRYAN D. & MARGARET ANN PITTS - PARCEL #10 5 22 0 002 022.030 - ZONED: E-1
4. N/F - MICHAEL T. & LUCY R. SCHLEY - PARCEL #10 5 22 0 002 022.035 - ZONED: E-1
5. N/F - JASON S. & AMY EDWARDS - PARCEL #10 5 22 0 002 022.034 - ZONED: E-1
6. N/F - SANDRA M. ENTREKIN - PARCEL #10 5 22 0 002 022.033 - ZONED: E-1
7. N/F - LOUIS F. JR. & MARGARET M. HEERTEN - PARCEL #10 5 22 0 002 022.032 - ZONED: E-1
8. N/F - CARROLL SHELBY JETT - PARCEL #10 5 22 0 002 022.031 - ZONED: E-1
9. N/F - JAMES P. JR. & WALLACE K. LAMB - PARCEL #10 5 22 0 002 022.065 - ZONED: E-2
10. N/F - FEDERAL HOME LOAN MORTGAGE - PARCEL #10 5 22 0 002 022.064 - ZONED: E-2
11. N/F - SHELIA J. PAINTE - PARCEL #10 5 22 0 002 022.063 - ZONED: E-1
12. N/F - JAMES & THALIA RIBE - PARCEL #10 5 22 0 002 022.062 - ZONED: E-2
13. N/F - ANNIE TIE H. COSGROVE - PARCEL #10 5 22 0 002 022.061 - ZONED: E-1
14. N/F - JOHN A. & KELLEY H. ENGLISH - PARCEL #10 5 22 0 002 022.060 - ZONED: E-1
15. N/F - TONYA L. BUSSEY - PARCEL #10 5 22 0 002 022.059 - ZONED: E-1
16. N/F - DONALD R. SLOVENSKY - PARCEL #10 5 22 0 002 022.058 - ZONED: E-1
17. N/F - SHELBY COUNTY ALABAMA - PARCEL #10 5 22 0 001 040.005 - ZONED: E-1
18. N/F - SHELBY COUNTY BOARD OF EDUCATION - PARCEL #10 5 22 0 001 040.004 - ZONED: E-1
19. N/F - SHELBY COUNTY BOARD OF EDUCATION - PARCEL #10 5 22 0 001 039.000 - ZONED: E-1
20. N/F - SHELBY COUNTY BOARD OF EDUCATION - PARCEL #10 5 22 0 001 037.000 - ZONED: E-1

TECUMSAH LN
(60' R/W)
(PAVED PUBLIC ROAD)

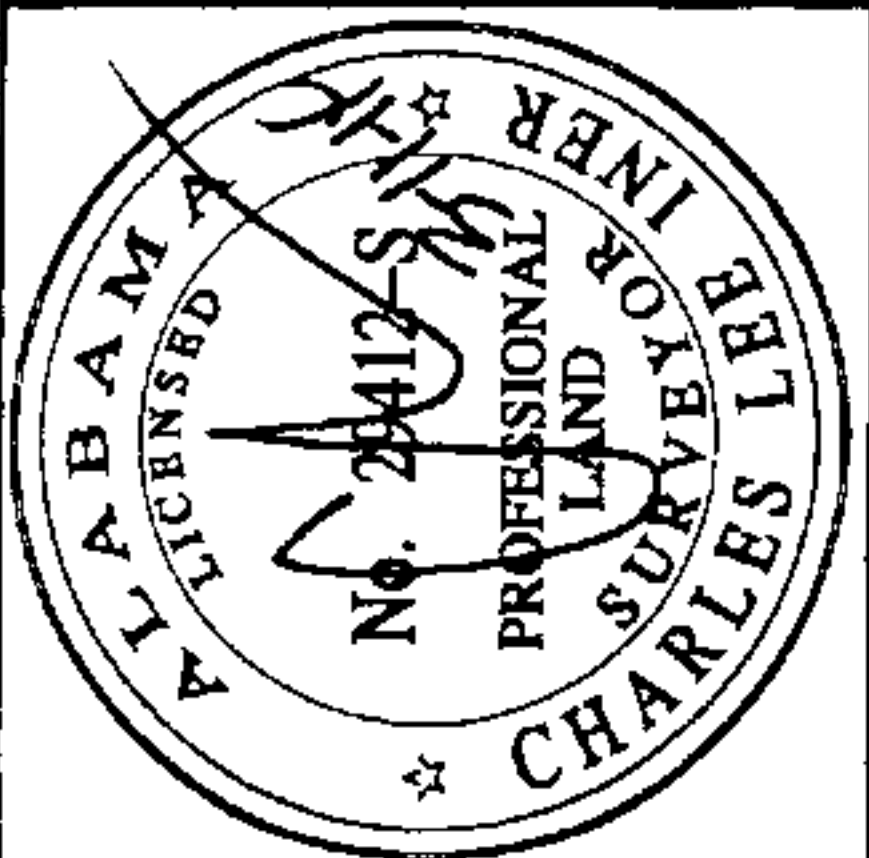


C/L 10' PROPOSED
UTILITY EASEMENT
(SEE SHEET 2 OF 2 FOR DETAILS)

N/F
SHELBY COUNTY BOARD OF EDUCATION
PARCEL #10 5 22 0 002 041.002
ZONED: E-1
(EASEMENT RIGHTS TO BE ACQUIRED)

- LEGEND
- POC POINT OF BEGINNING
 - PPC POINT OF COMMENCEMENT
 - PPS POINT OF SET
 - PPF POINT OF FOUND
 - PPR POINT OF RECOVERY
 - PPU POINT OF UTILITY
 - PPV POINT OF VALVE
 - PPW POINT OF WATER
 - PPX POINT OF CROSSING
 - PPY POINT OF YARD
 - PPZ POINT OF ZONE
 - PPA POINT OF AREA
 - PPB POINT OF BOUNDARY
 - PPC POINT OF COMMENCEMENT
 - PPD POINT OF DEED
 - PPF POINT OF FOUND
 - PPG POINT OF GROUND
 - PPH POINT OF HEIGHT
 - PPI POINT OF INTEREST
 - PPJ POINT OF JUNCTION
 - PPK POINT OF KNOT
 - PLL POINT OF LINE
 - PPM POINT OF MEASURE
 - PPN POINT OF NAME
 - PPO POINT OF OFFICE
 - PPP POINT OF PLACE
 - PPQ POINT OF QUANTITY
 - PPR POINT OF RECOVERY
 - PPS POINT OF SET
 - PPT POINT OF TIME
 - PPU POINT OF UTILITY
 - PPV POINT OF VALVE
 - PPW POINT OF WATER
 - PPX POINT OF CROSSING
 - PPY POINT OF YARD
 - PPZ POINT OF ZONE
 - PPA POINT OF AREA
 - PPB POINT OF BOUNDARY
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 - PPD POINT OF DEED
 - PPF POINT OF FOUND
 - PPG POINT OF GROUND
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 - PPN POINT OF NAME
 - PPO POINT OF OFFICE
 - PPP POINT OF PLACE
 - PPQ POINT OF QUANTITY

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Shelby Cnty Judge of Probate, AL
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NO.	DATE	REVISION
1	03/11/2014	REUSE EASEMENT

POINT TO POINT
LAND SURVEYORS
810 Jackson Street
Locust Grove, Georgia 30248
(p) 678.565.4440 (f) 678.565.4497
(w) pointtopointsurvey.com

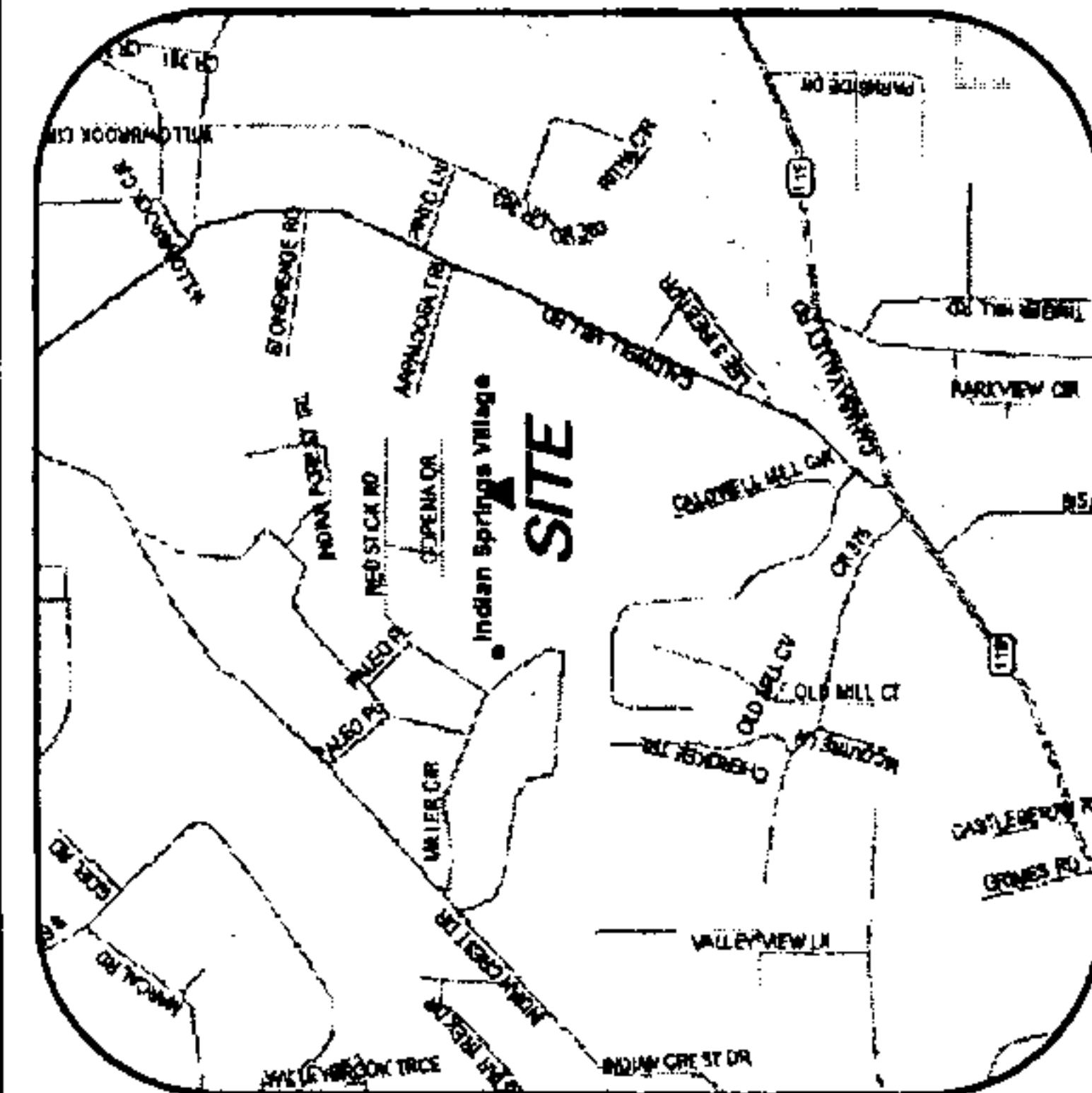


EASEMENT SURVEY PREPARED FOR:
verizon
wireless
10300 OLD ALABAMA ROAD CONNECTOR
ALPHARETTA, GA 30022
"COPENA"

SECTION 22
TOWNSHIP 19 SOUTH RANGE 2 WEST
CITY OF INDIAN SPRINGS VILLAGE
SHELBY COUNTY, ALABAMA
DRAWN BY: N/W
CHECKED BY: C.C.
APPROVED: C. INER
DATE: MARCH 6, 2014
P2P JOB #: 2014.0149
SHEET: 1
OF 2

GENERAL NOTES

THIS EASEMENT SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF VERIZON WIRELESS AND EXCLUSIVITY FOR THE TRANSFER OF THE EASEMENT AND THE RIGHTS TO THE EASEMENT SHALL BE USED IN THE FUTURE FOR THE EASEMENT OF THE SUBJECT PROPERTY FOR ANY PORTION OR PORTIONS THEREOF.
THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS, OR RIGHTS-OF-WAY NOT SHOWN HEREON.
EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA TOTAL STATION 1103 ROBOTTIC, DATE OF LAST FIELD VISIT: MARCH 11, 2014
THE FIELD DATA UPON WHICH THIS EASEMENT SURVEY IS BASED HAS A CLOSEST APPROXIMATION OF ONE FOOT IN 20,000 FEET AND AN ANGULAR ERROR OF 5.0 FEET PER ANGLE POINT AND WAS NOT ADJUSTED.
THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 100,000+ FEET.
THE 1" CONTOURS SHOWN ON THIS EASEMENT SURVEY ARE ADJUSTED TO NAD 83 DATUM AND HAVE A VERTICAL ACCURACY OF $\pm 0.5'$. CONTOURS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.
REASURES SHOWN ON THIS EASEMENT SURVEY ARE BASED ON GRID NORTH AL WEST NAD 83.
NO PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD AREA AS PER F.L.A.M. COMMUNITY PANEL NO. 01117 C 0226 E DATED FEBRUARY 20, 2013.
THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
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. CERTIFICATE OF AUTHORIZATION NO. CA4511LS



(SURVEY NOT VALID WITHOUT SHEET 2 OF 2)



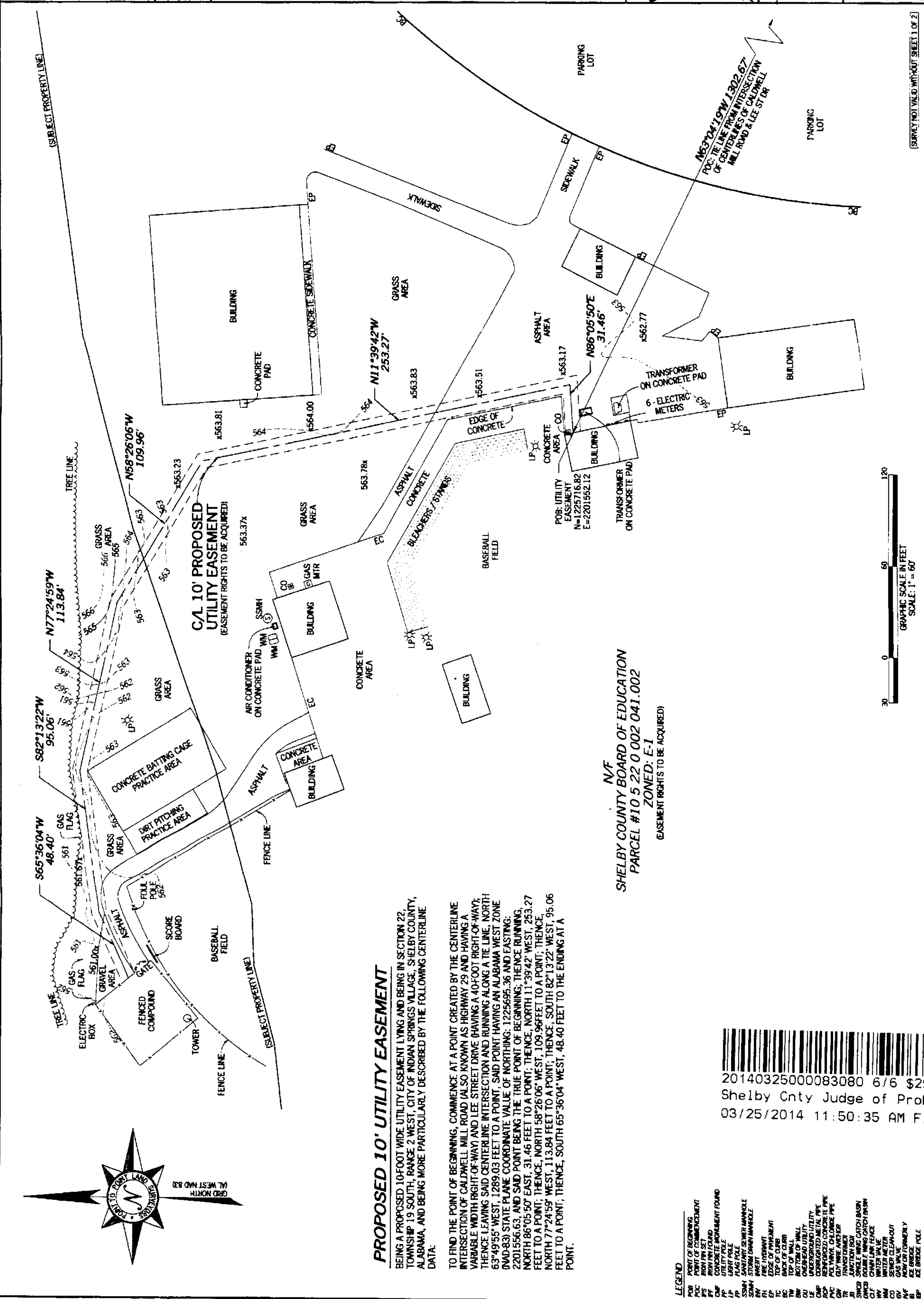
NO.	DATE	REVISION
1	03/11/2014	REVISE EASEMENT

POINT TO POINT
LAND SURVEYORS
810 Jackson Street
Locust Grove, Georgia 30248
(P) 678.565.4440 (F) 678.565.4497
(W) pointtopointsurvey.com



EASEMENT SURVEY PREPARED FOR:
verizon wireless
10390 OLD ALABAMA ROAD CONNECTOR
ALPHARETTA, GA 30022
"COPENA"

SECTION 22
TOWNSHIP 19 SOUTH, RANGE 2 WEST
CITY OF INDIAN SPRINGS VILLAGE
SHELBY COUNTY, ALABAMA
DRAWN BY: NDW
CHECKED BY: CLC
APPROVED: C. INER
DATE: MARCH 16, 2014
P2P JOB #: 2014.0149
SHEET: **2**
OF 2



PROPOSED 10' UTILITY EASEMENT

BEING A PROPOSED 10-FOOT WIDE UTILITY EASEMENT LYING AND BEING IN SECTION 22, TOWNSHIP 19 SOUTH, RANGE 2 WEST, CITY OF INDIAN SPRINGS VILLAGE, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED BY THE FOLLOWING CENTERLINE DATA:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A POINT CREATED BY THE CENTERLINE INTERSECTION OF CALDWELL MILL ROAD (ALSO KNOWN AS HIGHWAY 29) AND HAVING A VARIABLE WIDTH RIGHT-OF-WAY AND LEE STREET DRIVE HAVING A 40-FOOT RIGHT-OF-WAY; THENCE LEAVING SAID CENTERLINE INTERSECTION AND RUNNING ALONG A TIE LINE, NORTH 63°49'55" WEST, 1289.03 FEET TO A POINT, SAID POINT HAVING AN ALABAMA WEST ZONE (NAD-83) STATE PLANE COORDINATE VALUE OF NORTHING: 1225695.36 AND EASTING: 2201556.63; AND SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE RUNNING NORTH 86°05'50" EAST, 31.46 FEET TO A POINT; THENCE, NORTH 11°39'42" WEST, 253.27 FEET TO A POINT; THENCE, NORTH 58°26'06" WEST, 109.96 FEET TO A POINT; THENCE, NORTH 77°24'59" WEST, 113.84 FEET TO A POINT; THENCE, SOUTH 82°13'22" WEST, 95.06 FEET TO A POINT; THENCE, SOUTH 65°36'04" WEST, 48.40 FEET TO THE ENDING AT A POINT.

N/F
SHELBY COUNTY BOARD OF EDUCATION
PARCEL #10 5 22 0 002 041.002
ZONED: E-1
(EASEMENT RIGHTS TO BE ACQUIRED)

- LEGEND
- POB POINT OF BEGINNING
 - PCC POINT OF COMMENCEMENT
 - EP END POINT
 - RP RIGHT-OF-WAY FOUND
 - CMF CONCRETE MONUMENT FOUND
 - LP LANTERN
 - UP UTILITY POLE
 - FP FLAG POLE
 - SSMH SANITARY SEWER MANHOLE
 - SSMH STORM DRAIN MANHOLE
 - FW FIRE HYDRANT
 - EP EDGE OF PAVEMENT
 - TC TOP OF CURB
 - TP TOP OF PAVEMENT
 - BM BOTTOM OF WALL
 - CU OVERHEAD UTILITY
 - CU UNDERGROUND UTILITY
 - LP LANTERN
 - RP REINFORCED CONCRETE PIPE
 - PVC POLYVINYL CHLORIDE PIPE
 - GW GUY WIRE ANCHOR
 - JB JUNCTION BOX
 - SWR SINGLE WIRE CATCH BASIN
 - DWCS DOUBLE WIRE CATCH BASIN
 - WV WATER VALVE
 - WM WATER METER
 - CO CEMENT CLEAN-OUT
 - NDW NEW OR EXISTING DRAIN
 - BP BEEHIVE

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