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ESMTAROW 1/7

DOCUMENT PREPARED AND  
RECORDING REQUESTED BY

**verizon**

AFTER RECORDING RETURN TO:

Verizon - Wireline Network Contracts  
Attn: Johnny Garza, Contract Negotiator  
600 Hidden Ridge Drive, Room E02G234  
Irving, Texas 75038

## EASEMENT AGREEMENT

**THIS EASEMENT AGREEMENT** ("this Agreement"), made and entered into as of the 21<sup>st</sup> day of \_\_\_\_\_, June, 2021, by and between **Folmar & Associates LLP**, an Alabama limited liability partnership, having an office at 3472 Springhill Avenue, Mobile, Alabama 36608 ("**Grantor**"), and **MCImetro Access Transmission Services Corp.**, a Delaware corporation, having an office at 600 Hidden Ridge, Irving, Texas 75038 ("**Grantee**").

### WITNESSETH:

THAT, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants, sells, and conveys to Grantee, its successors and assigns, a perpetual, non-exclusive right of way and easement to install, maintain, and operate a telecommunications system of wires, cables, and other related fixtures (collectively "**the Communications Transmission System**") over and across a strip of land located in the Counties of Shelby and Jefferson, State of Alabama, and being more particularly described in **Exhibit A and Exhibit B** attached hereto and made a part hereof ("**the Easement Property**"); provided, however, that the Communications Transmission System shall be attached to existing Alabama Power Company power poles located within the Easement Property (the "**Existing Poles**"), and Grantee shall not install, and shall have no right to install, any portion of the Communications Transmission System anywhere on the Easement Property other than the Existing Poles.

TOGETHER with the right of ingress and egress over and across Grantor's property located adjacent to the Easement Property to and from the Easement Property for access, repair, maintenance and construction purposes, and the right to clear and keep cleared all trees, roots, brush, and other obstructions located in the Easement Property which may interfere with the construction, maintenance, or operation of the Communications Transmission System.

TO HAVE AND TO HOLD the easement and rights of way granted herein unto Grantee, together with the right to assign or transfer the said easement and rights of way, in whole or in part. Grantor hereby binds itself, its successors and assigns, to warrant and forever defend all and singular the easement and rights of way granted herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same by, through or under Grantor, but not otherwise.

Notwithstanding anything contained herein to the contrary, Grantee shall defend, indemnify and hold harmless Grantor from and against any and all loss, cost, damage and/or expense (including

reasonable attorneys' fees) incurred by Grantor arising out of any act or failure to act of Grantee hereunder on the Easement Property or any other adjacent property of Grantor.

This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

[Signatures on following page]

IN WITNESS WHEREOF, Grantor and Grantee have hereunto set their hands as of the day and year first above written.

**GRANTOR:**

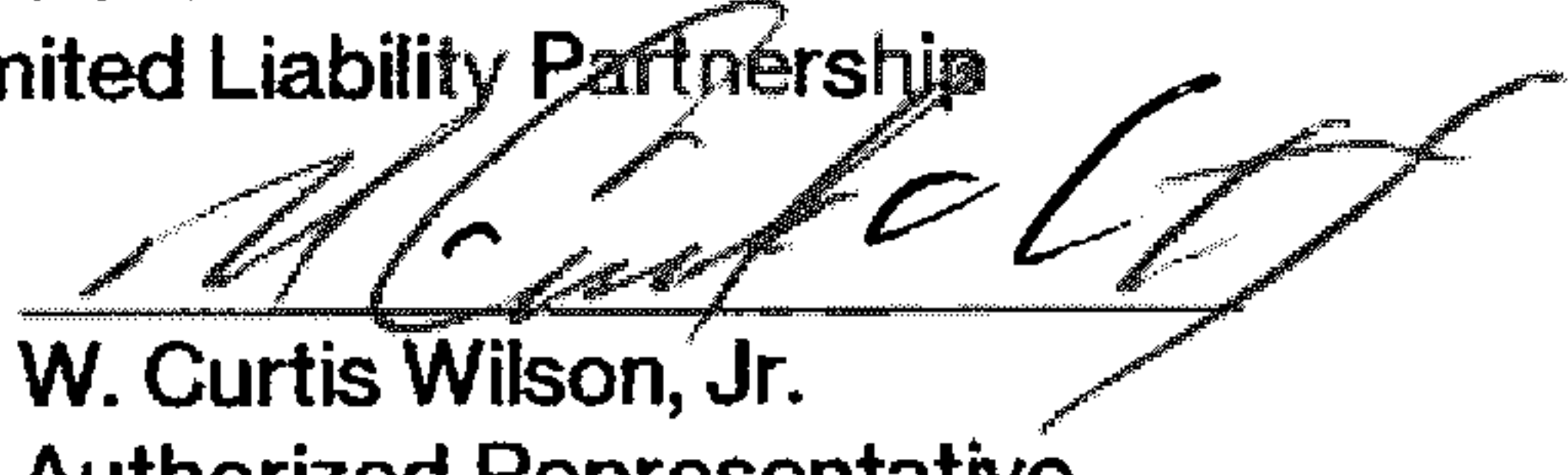
**Folmar & Associates LLP**

an Alabama Limited Liability Partnership

By:

Printed Name: W. Curtis Wilson, Jr.

Title: Authorized Representative



**GRANTEE:**

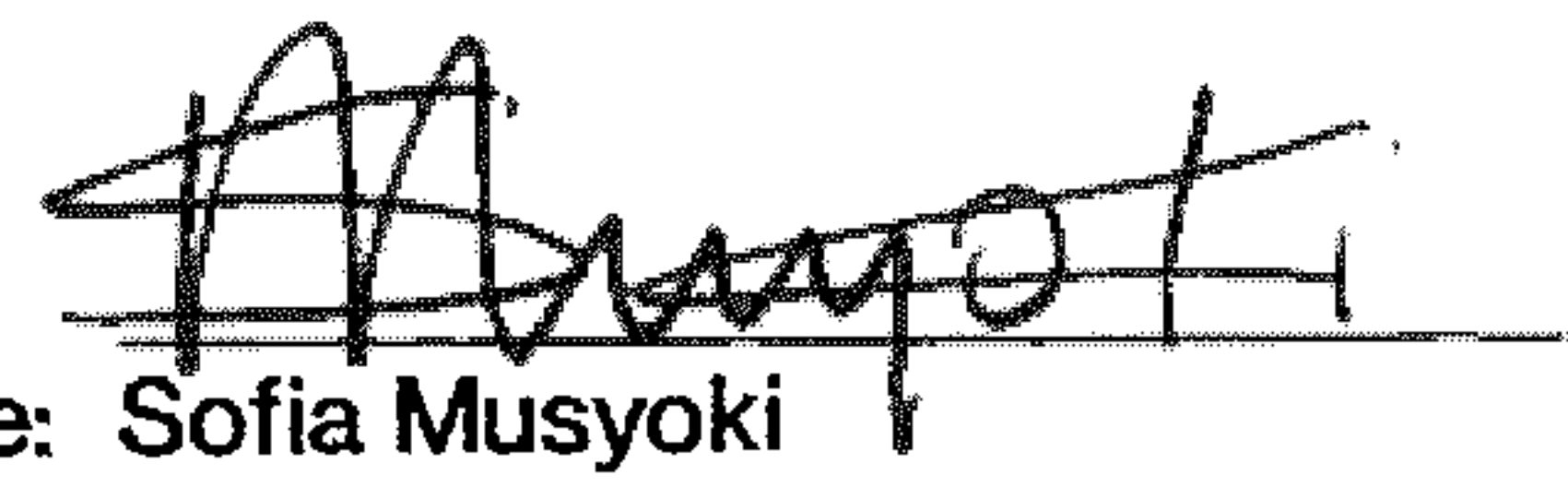
**MCImetro Access Transmission Services Corp**

a Delaware corporation

By:

Printed Name: Sofia Musyoki

Title: Principal Engineer  
Network Reg/RE  
Right of Way




(Acknowledgments Attached)

**GRANTOR'S ACKNOWLEDGEMENT**

STATE OF ALABAMA           )  
  ) ss  
COUNTY OF MOBILE        )

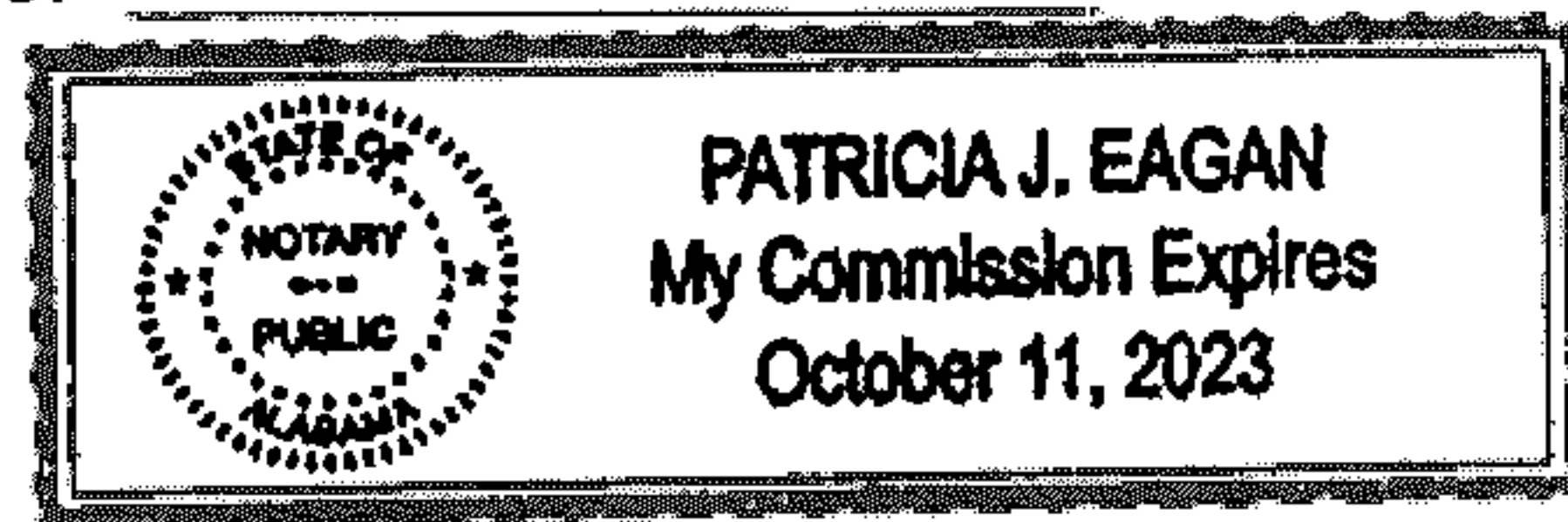
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that W. Curtis Wilson, Jr., whose name as Authorized Representative of Folmar & Associates LLP, an Alabama limited liability partnership, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, as such authorized representative and with full authority, he executed the same voluntarily for and as the act of said limited liability partnership.

Given under my hand and official seal of office this 21<sup>st</sup> day of June, 2021.

  
\_\_\_\_\_  
Notary Public

Printed Name: PATRICIA J. EAGAN

My Commission Expires: \_\_\_\_\_



[S E A L]

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**GRANTEE'S ACKNOWLEDGEMENT**

STATE OF TEXAS                    )  
  ) ss  
COUNTY OF DALLAS            )

BEFORE ME, Johnny Mendrano, Notary Public, on this day personally appeared **Sofia Musyoki**, known to me to be the person whose name is subscribed to the foregoing instrument and known to me to be the **Principal Engineer, Network Engineering & Operations, Right of Way of MCI metro Access Transmission Services Corp.**, a Delaware corporation, and acknowledged to me that she executed the said instrument for the purposes and consideration therein expressed, on behalf of said Corporation.

Given under my hand and seal of office this 9<sup>th</sup> day of June, 2020.

Johnny Mendrano  
Notary Public  
Printed Name: Johnny Mendrano  
My Commission Expires: 7.28.2022



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**EXHIBIT "A"**

AN EASEMENT LOCATED IN SE 1/4  
SECTION 24, T. 19 S, R. 3 W  
SHELBY COUNTY, AL &  
NE 1/4 SECTION 24, T. 19 S, R. 3 W  
JEFFERSON COUNTY, AL

**RECORD OWNER**

SHELBY COUNTY INFO  
FOLMAR & ASSOCIATES  
DOCUMENT: RB. 173 PG. 126  
RECORD DATE: 2/29/1988 1:53 PM  
PARCEL: 11 6 24 0 001 002.000

JEFFERSON COUNTY INFO  
FOLMAR & ASSOCIATES  
DOCUMENT: DB. 3334 PG. 831  
RECORD DATE: 2/18/1988 3:06 PM  
PARCEL: 39 00 24 1 000 001.002

**EASEMENT AREA**

2925 +/- SQUARE FEET  
0.067 +/- ACRES  
CL EASEMENT 195.02 +/- LINEAR FEET

**GPS DATA**

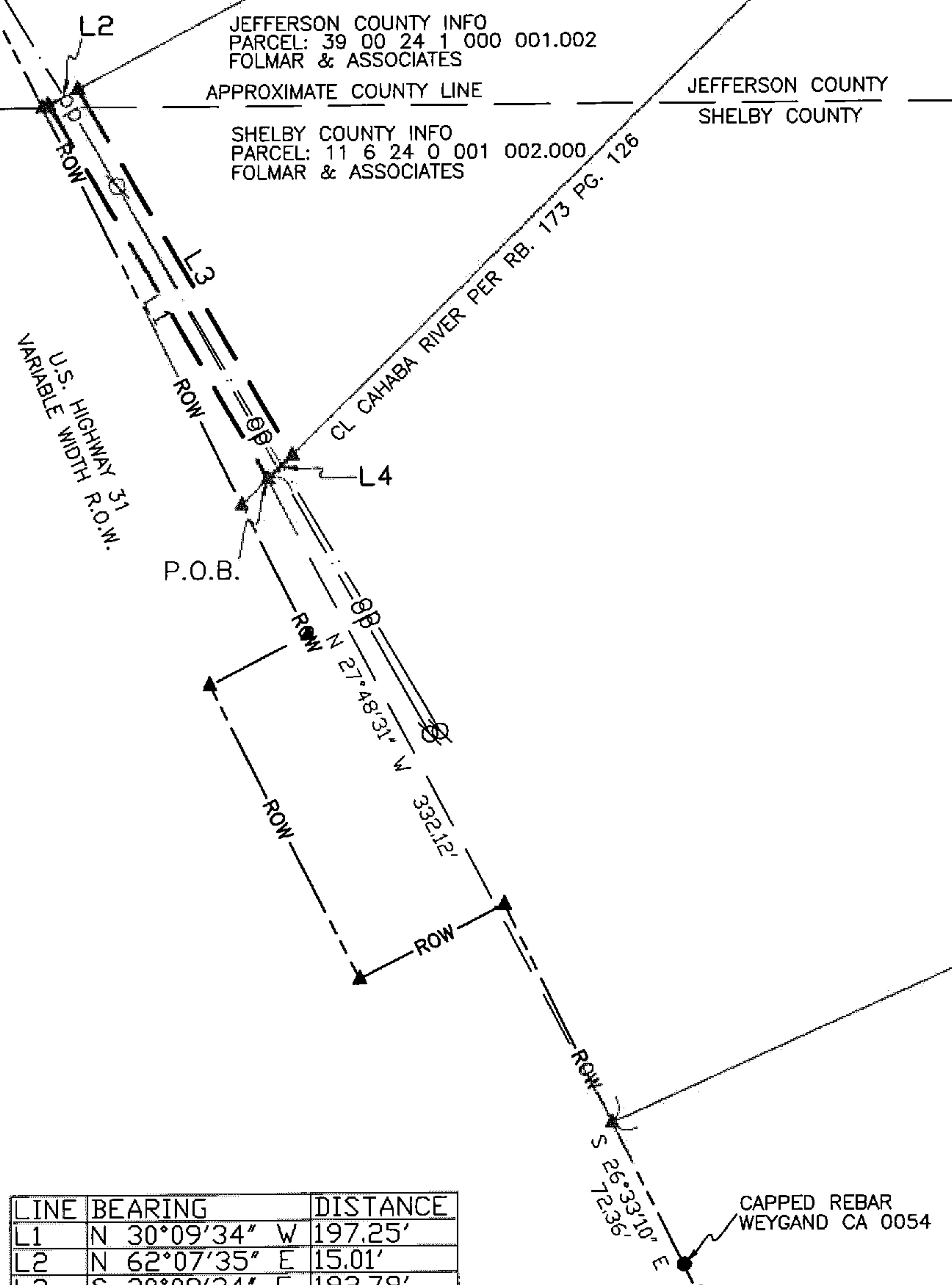
P.O.B.  
LATITUDE: N33°22'00.440"  
LONGITUDE: W86°47'48.887"  
N:1225424.93  
E:2183161.01

**HORIZONTAL DATUM:**

NAD83(2011 ADJ.)  
STATE PLANE, AL WEST  
US SURVEY FOOT  
GRID DISTANCES

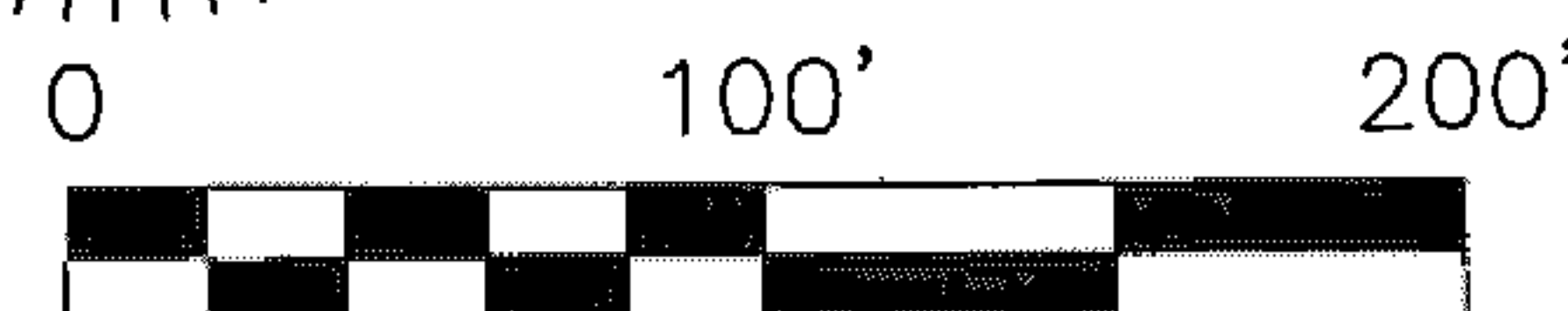
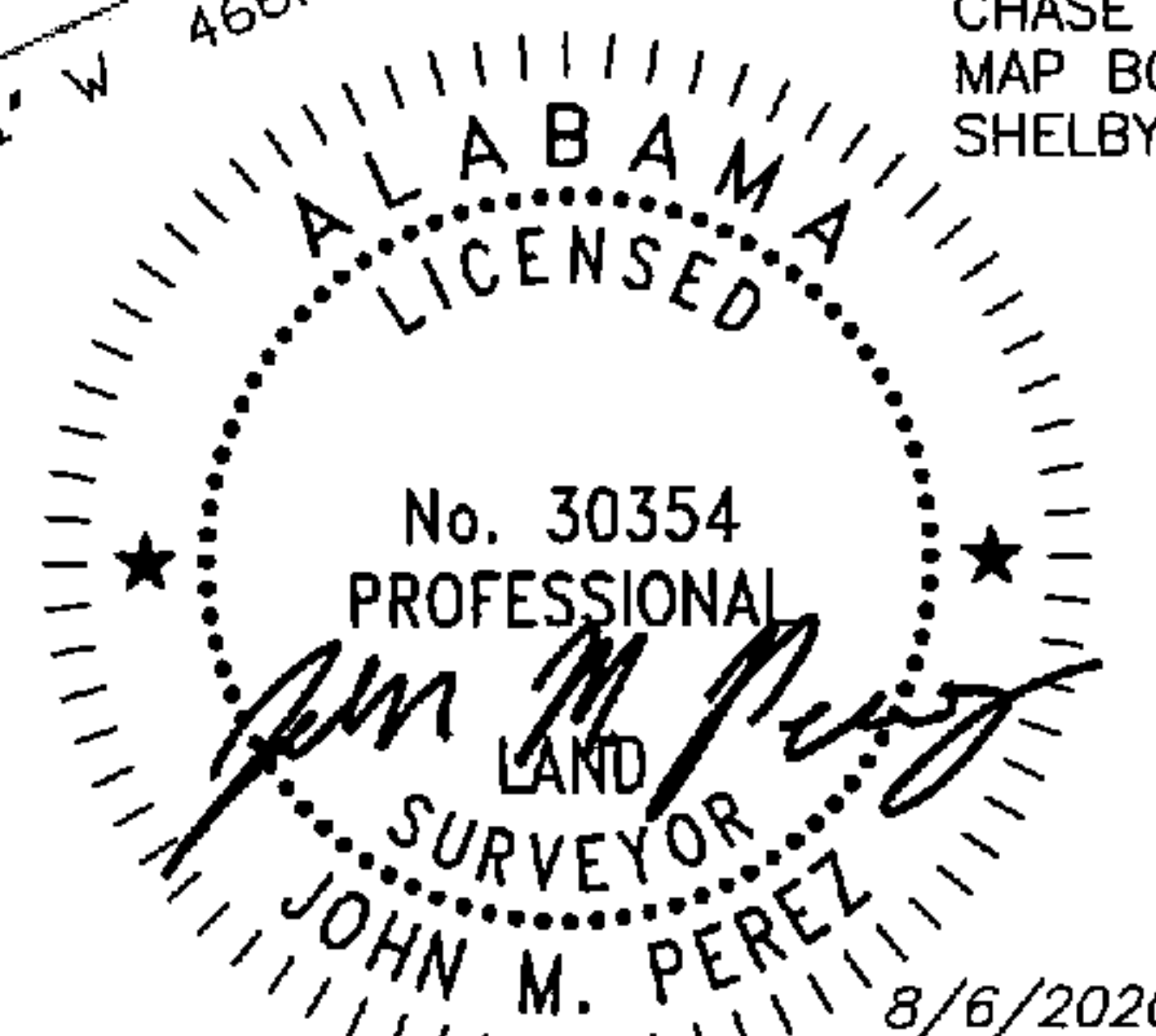
**LEGEND**

- = FOUND PROPERTY MARKER
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- ▲ = CALCULATED POINT
- (R) = REFERENCED INFORMATION
- (M) = MEASURED
- ⊗ = POWER POLE
- ⊞ = TELEPHONE PEDESTAL
- ROW --- = RIGHT-OF-WAY
- op --- = OVERHEAD POWER



LINE	BEARING	DISTANCE
L1	N 30°09'34" W	197.25'
L2	N 62°07'35" E	15.01'
L3	S 30°09'34" E	192.79'
L4	S 45°24'18" W	15.49'

P.O.C.  
WEYGAND REBAR CA 0054  
NE CORNER LOT 1  
CHASE PARK SOUTH II  
MAP BOOK 41, PAGE 150  
SHELBY COUNTY, AL



SCALE: 1" = 100'



Kadrmas, Lee & Jackson, Inc.  
PO Box 4130  
Bismarck, ND 58502-4130  
1-800-213-3860 kljeng.com

Exhibit "A"  
Utility Easement  
MCImetro Access Transmission  
Services Corp.

ON POINT SURVEYING, LLC  
4011 Virginia Lane  
Helena, Alabama 35080  
Ph: 205-706-9508 onpointssurveying.pro  
Alabama CA# 1171 expires 01/31/2021

Project Number: 19-0105

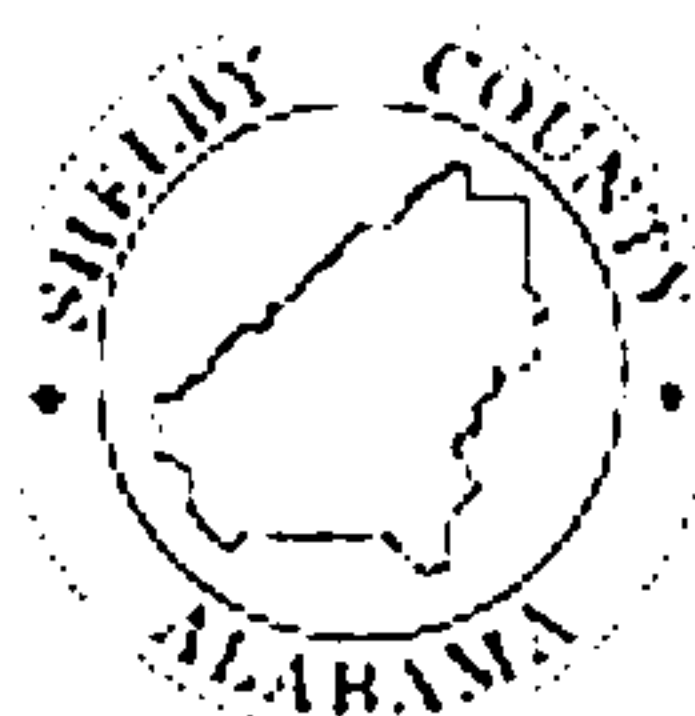
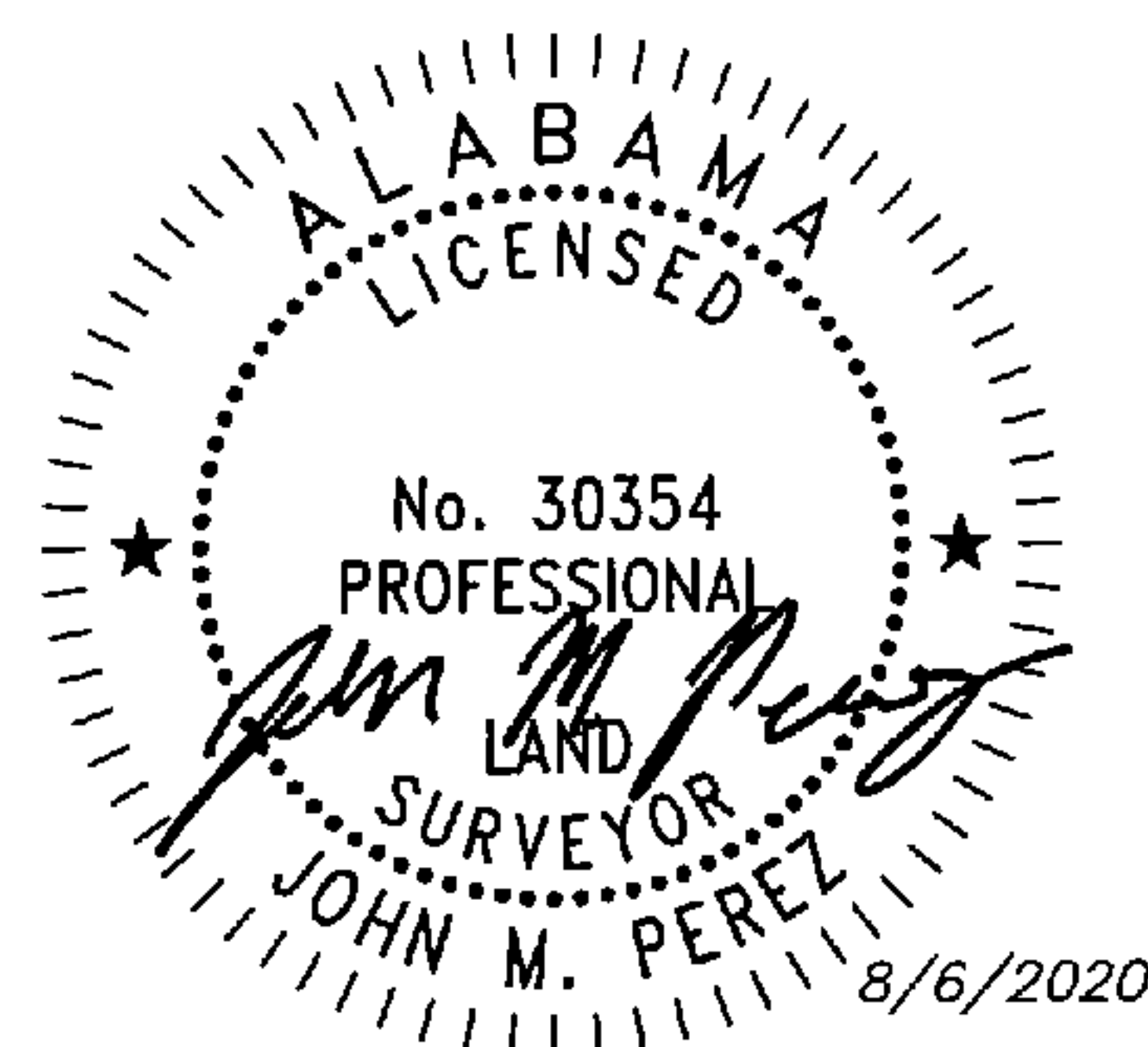
**EXHIBIT "B"**

AN EASEMENT LOCATED IN SE 1/4  
SECTION 24, T. 19 S, R. 3 W  
SHELBY COUNTY, AL &  
NE 1/4 SECTION 24, T. 19 S, R. 3 W  
JEFFERSON COUNTY, AL

**MCImetro Access Transmission Services Corp Easement (AS-SURVEYED)**

An Easement being part of the Folmar and Associates tract as described in Real Book 173 Page 126 as recorded in the Office of Probate for Shelby County, Alabama, being in the SE 1/4 Section 24, Township 19 South, Range 3 West, Shelby County, Alabama, also being part of the Folmar and Associates tract as described in Deed Book 3334 Page 831 as recorded in the Office of Probate for Jefferson County, Alabama, being in the NE 1/4 Section 24, Township 19 South, Range 3 West, Jefferson County, Alabama and being more particularly described as follows;

Commencing at a 5/8" capped rebar (Weygand CA#0054) found at the NE corner of Lot 1 of the Chase Lake South II Subdivision described in Map Book 41, Page 150 as recorded in the Office of Probate for Shelby County, Alabama thence S 65°51'31" W along the North line of said Lot 1 a distance of 466.58 feet to the NW corner of said Lot 1, thence N 27°48'31" W a distance of 332.12 feet to a point in the center line of the Cahaba River and the Point of Beginning; thence N 30°09'34" W a distance of 197.25 feet to a point; thence N 62°07'35" E a distance of 15.01 feet to a point; thence S 30°09'34" E a distance of 192.79 feet to a point in the center line of the Cahaba River; thence S 45°24'18" W along the center line of the Cahaba River a distance of 15.49 feet; to the Point of Beginning. Said Easement area contains 0.0067 acres more or less.



**Filed and Recorded**  
**Official Public Records**  
**Judge of Probate, Shelby County Alabama, County**  
**Clerk**  
**Shelby County, AL**  
**08/02/2021 02:44:16 PM**  
**\$41.00 BRITTANI**  
**20210802000372550**

*Allen S. Bayl*



Kadmas, Lee & Jackson, Inc.  
PO Box 4130  
Bismarck, ND 58502-4130  
1-800-213-3860 kljeng.com

Exhibit "B"  
Utility Easement  
MCImetro Access Transmission  
Services Corp.

ON POINT SURVEYING, LLC  
4011 Virginia Lane  
Helena, Alabama 35080  
Ph: 205-706-9508 onpointsurveying.pro  
Alabama CA# 1171 expires 01/31/2021

Project Number: 19-0105