

PREPARED BY AND AFTER
RECORDING RETURN TO:
Telepak Networks, Inc. d/b/a C Spire Fiber
1018 Highland Colony Parkway, Suite 400
Ridgeland, Mississippi 39157
Telephone: (601) 355-1522

20211229000610860
12/29/2021 11:06:29 AM
ESMTAROW 1/5

RIGHT-OF-WAY/EASEMENT
(Alabaster Cabinet)

For Ten Thousand Dollars (\$10,000.00) cash in hand paid, the sufficiency and receipt of which are hereby acknowledged,

M&J PROPERTY INVESTMENTS, LLC
an Alabama limited liability company
(Grantor)
1196 Highland Village Trail
Birmingham, Alabama
Telephone: _____

hereby grants, conveys, assigns and warrants to

TELEPAK NETWORKS, INC., d/b/a C Spire Fiber
its successors and assigns (Grantee)
Attn: OSP Manager
1018 Highland Colony Parkway, Suite 400
Ridgeland, Mississippi 39157
Telephone: 601-355-1522

a perpetual exclusive easement and right-of-way running with the land to lay, construct, place, repair, operate, test, maintain, improve, replace and remove, in whole or in part, as the Grantee may from time to time require, communications equipment, cabinets and related facilities, and a buried communications cable system with fiber cables **(INCLUDING VOICE, VIDEO OR DATA)** on, under and across the Grantor's property more particularly described as follows and shown on the survey attached hereto as Exhibit "A" and incorporated herein:

A fifteen foot by fifteen foot easement for a communications facility compound lying and being situated in Shelby County, Alabama and being more particularly described by metes and bounds as follows:

15' X 15' EASEMENT AREA

A 15' BY 15' easement area situated in Section 2 Township 21 South, Range 3 West, Shelby County, Alabama, Lot 2 of CVS Addition to Alabaster as recorded in Map Book 25 Page 58 in the Office of the Judge of Probate in Shelby County, Alabama, being more particularly described as follows:

Commence at a 5/8" rebar capped Weygand at the southern most corner of Lot 2 of CVS Addition to Alabaster as recorded in Map Book 25 Page 58 in the Office of the Judge of Probate in Shelby County, Alabama; thence northeasterly along the south line of said Lot 2 and the northerly right of way of Alabama Highway 119 a distance of 88.54 feet to a point; thence turn 90°00'00" left leaving said right of way and run northerly 1.00 feet to the POINT OF BEGINNING of a 15 foot by 15 foot Easement Area; thence continue along the last described course a distance of 15.00 feet to a point; thence turn 90°00'00" right and run northeasterly 15.00 feet to a point; thence turn 90°00'00" right and run southeasterly a distance of 15.00 feet to a point; thence turn 90°00'00" right and run southwesterly a distance of 15.00 feet to the POINT OF BEGINNING.

The Grantor also grants, conveys, assigns and warrants to Grantee, pursuant and subject to that Certain Declaration of Easements and Covenants made as of March 15, 1999, by Johnny W. and Carol M. Reese and CS-Alabaster, LLC, and joined in by Big B, Inc. and Renters Choice, Inc., recorded as Instrument No. 1999-10921 in the records in the Office of the Judge of Probate in Shelby County, Alabama, a perpetual, nonexclusive easement running with the land for pedestrian and vehicular access, ingress and egress thereto, as well as parking, seven (7) days a week, twenty-four hours a day, on foot and motor vehicle, including trucks and/or other equipment, and for the installation, operation, maintenance, repair, replacement, and use of any utilities in, under, over, across and through Lot 1 and Lot 2 of CVS Addition to Alabaster as recorded in Map Book 25, Page 58, in the Office of the Judge of Probate in Shelby County, Alabama. Utilities include, but are not limited to, utility wires, lines, cables, fiber cables, conduits, pipes and other facilities such as electrical utility facilities, telephone utility facilities, and communications/data facilities for the provision of electric power service, telephone service, communications/data service and such other utility services as Grantee, its successors and assigns, may require from time to time.

By accepting this Easement, Grantee understands and agrees with Grantor that:

- (1) All cables along the access and utility easement will be installed below the ground surface, except at necessary access pedestals. Service lines off of cables will be installed below ground surface.
- (2) Grantee shall have the right to cut or trim such trees, vegetation, and shrubbery as may, from time to time, threaten, impede or interfere with the purposes for which this instrument is given.
- (3) Grantor, its successors and assigns, shall indemnify, defend and hold Grantee, its successors and assigns harmless from and against any loss or damages incurred by Grantee, its successors and assigns, or the cable system due to any acts or omissions in connection

20211229000610860 12/29/2021 11:06:29 AM ESMTAROW 3/5

with this easement by Grantor, its successors and assigns or the agents of Grantor, its successors and assigns.

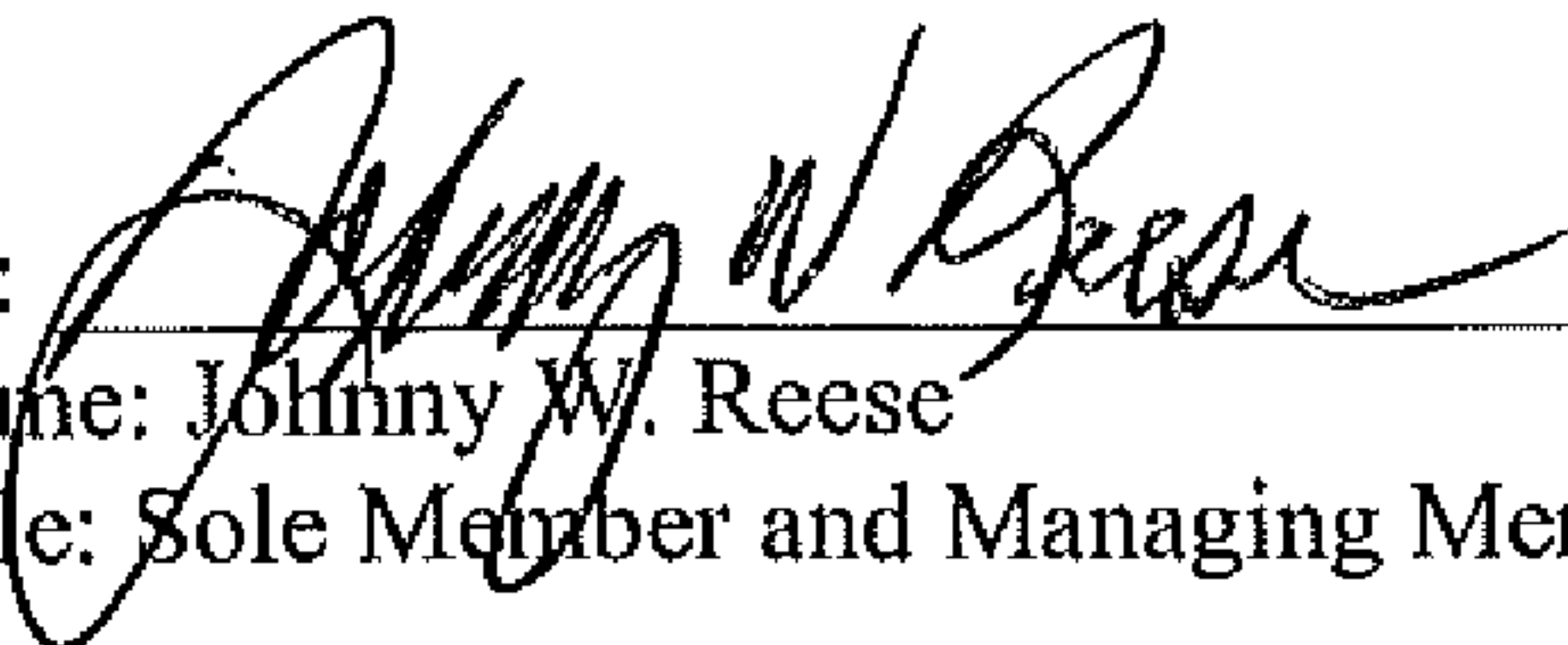
The undersigned Grantor covenants that Grantor is the owner of the above-described lands, Grantor has the authority to grant the rights to the Grantee granted herein and the said lands are free and clear of encumbrances and liens of whatsoever character, except as listed on Exhibit "B", incorporated herein.

[SIGNATURE PAGE FOLLOWS]

Executed on the date of the Grantor's acknowledgment below.

GRANTOR:

M&J PROPERTY INVESTMENTS, LLC

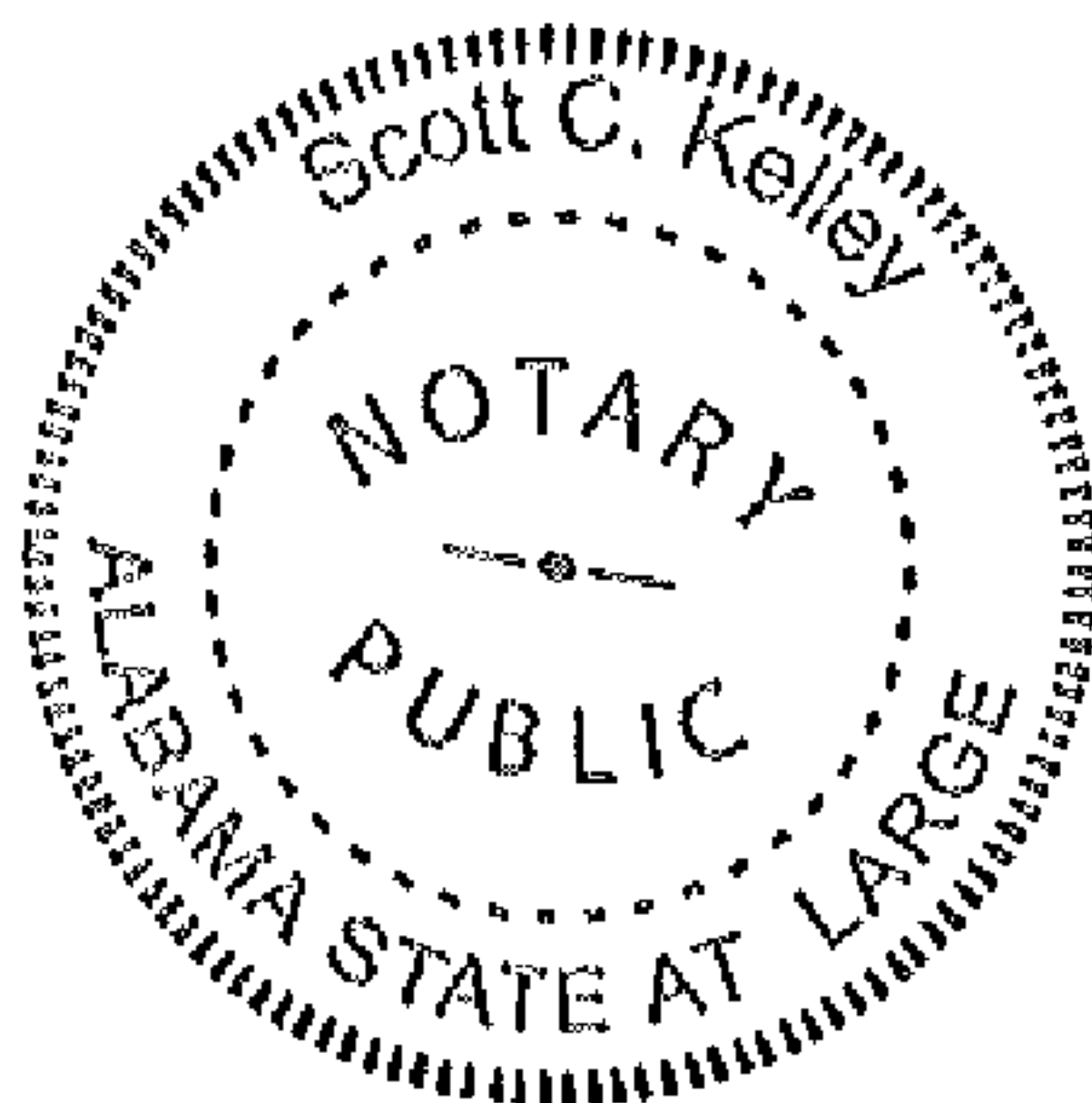
By: 
Name: Johnny W. Reese
Title: Sole Member and Managing Member

STATE OF ALABAMA:
COUNTY OF Shelby:

I, the undersigned Notary Public in and for said County in said State, hereby certify that Johnny W. Reese, whose name as Sole Member and Managing Member of the M&J Property Investments, LLC, an Alabama limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, being informed of the contents of the instrument, he, as such Sole and Managing Member and with full authority, executed same voluntarily for and as the act of said limited liability company.

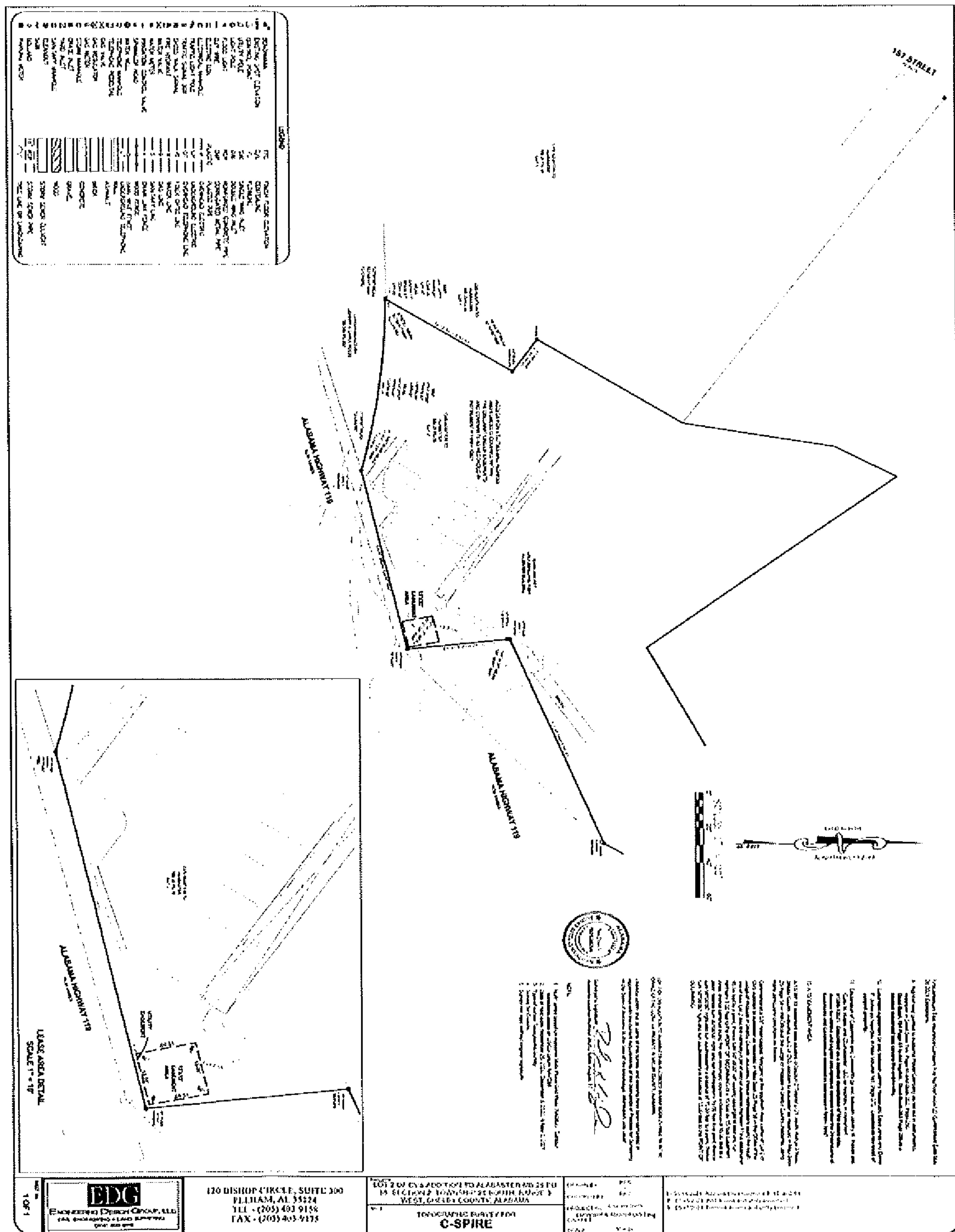
Given under my hand and seal this 09th day of December, 2021.

[NOTARIAL SEAL]




NOTARY PUBLIC
My Commission Expires: 12/19/2023

Exhibit "A"
Survey



M#236551
7373857_1



Filed and Recorded
Official Public Records
A-1
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
12/29/2021 11:06:29 AM
\$35.00 BRITTANI
20211229000610860

Alvin S. Bayl