

**THIS INSTRUMENT WAS PREPARED
WITHOUT THE BENEFIT OF A
TITLE REVIEW OR EXAMINATION**

STATE OF ALABAMA
COUNTY OF BALDWIN

EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of zero dollars (\$0.00) and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the Baldwin County, Alabama, a political subdivision of the State of Alabama, by and through the Baldwin County Commission (hereinafter referred to as Grantor), does hereby grant to **New Cingular Wireless PCS, LLC**, a **Delaware** limited liability company (hereinafter referred to as Grantee), a non-exclusive easement to construct, operate, maintain, and/or remove such systems of communications (including broadcast), facilities, poles, stand by generators and associated fuel supply systems as a means of providing uninterrupted service during commercial power outages, upon, over, along, and under that certain real property described below which is located in Baldwin County, Alabama:

COMMENCING at a Plastic Right-of-Way Marker found on the north right-of-way line of Fairhope Avenue (73' Right-of-Way), said point also being the common south corner of land conveyed to Baldwin County, Alabama (Parcel No.: 05-46-05-16-0-000-020.079, Document No. 1150103) and Baldwin County Commission (Parcel No.: 05-46-05-16-0-000-020.004, Book 199, Page 1418) thence along the northern Right-of-Way of Fairhope Avenue N 89°58'00" E a distance of 301.27 feet to the Point of Beginning; thence leaving said Right-of-Way of Fairhope Avenue N 00°02'00" W a distance of 14.25 feet; thence N 89°58'00" E a distance of 5.00 feet; thence S 00°02'00" E a distance of 14.25 feet to the north Right-of-Way of Fairhope Avenue; thence continuing along said Right-of-Way S 89°59'00" W a distance of 5.00 feet to the Point of Beginning.

The following rights are also granted: ingress to and egress from said easement at all times; the right, upon receipt of prior written consent of Grantor which shall not be unreasonably withheld, to relocate said facilities, systems of communications, or related services on said lands to conform to any future highway relocation, widening, or improvements; and the right to test and maintain generators and associated equipment.

Grantee shall keep the easement cleared of all trees, undergrowth, and other obstructions; and shall keep trimmed and cut all dead, weak, leaning, or dangerous trees or limbs outside the easement which might interfere with or fall upon the lines or systems of communication or power transmission or distribution.

Grantor shall continue to have the right of ingress and egress upon, over, along, and across the lands described herein.

TO HAVE AND TO HOLD the above granted easement unto New Cingular Wireless PCS, LLC, its successors and assigns FOREVER.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed on the _____ day of _____, 2021.

Baldwin County Commission

By: James E. Ball

Its: Chairman

ATTEST:

By: Wayne Dyess

Its: County Administrator

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, _____, a Notary Public in and for said County and State, hereby certify that Joe Davis, III, as Chairman of the Baldwin County Commission, and Wayne Dyess as County Administrator of the Baldwin County Commission, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that being informed of the contents of this instrument, they, in their capacities as such officers and with full authority on this day, executed the same voluntarily for and as the act of said Baldwin County Commission.

GIVEN under my hand and seal on this the _____ day of _____, 2021.

Notary Public

Commission Expires: _____

Grantor's name and address:	Grantee's Name and Address
Baldwin County Commission	New Cingular Wireless PCS, LLC
312 Courthouse Square, Suite 12	Joe Mike Montgomery
Bay Minette, AL 36507	1876 Data Dr Hoover, AL 35244

Property Address: Parcel No. 46-05-16-0-000-024.001

This Instrument was Prepared By:

Millman Surveying, Inc

411 Bradley Circle NW, Suite 240

Canton, Ohio 44718