

## DEED OF EASEMENT

THE STATE OF TENNESSEE

COUNTY OF PUTNAM

Know All Men By These Presents: That James N. Hall and wife, Coleen Hall, for and in consideration of the sum of One dollar (\$1), and other good and valuable consideration, to us paid by Citizens Communications Co. of TN LLC, a Tennessee Corporation, the receipt and sufficiency of which is hereby acknowledged, has this day granted and conveyed and do, by these presents, grant and convey unto Citizens Communications CO of TN LLC, Grantee, its successors and assigns, an easement to install, construct, lay, operate, maintain, repair, review, supplement, replace and remove telecommunications facilities consisting of lines, cable, wires, attachments, anchors, conduits, manholes, pedestals, huts, utility structures and other appurtenances in, along, over, under, beneath and on the following described real property located in the Fifteenth Civil District of Putnam County, State of Tennessee, to wit:

Being ten feet in width and described in detail in the attached survey description and drawing by Clinton Engineering, dated 12-17-07 and containing 0.052 acres, more or less;

Being part of the real estate conveyed to James N. Hall and wife, Coleen Hall from Ronald Thurman and wife, Tina Thurman, dated May 14, 2004, and recorded in the Register's Office of said County in Deed Record Book 152, Page 176.

This easement expressly includes the right of access to the above described real property at such times and places as may be reasonably necessary to accomplish the activity permitted hereunder; the right of use of such additional portions of Grantor's adjacent lands as may be reasonably required to perform such activity; the right to cut and trim trees growing upon or overhanging said real estate and to remove from said real estate such timber, brush, debris and other obstructions as, in Grantee's judgment, should be cut, trimmed and/or removed to prevent interference with said telecommunications facilities; the right to lease or otherwise permit the use of said easement by government bodies or other telephone, telegraph, CATV, or power companies for the purpose of placing wires, cables and appurtenances in, along, over, under and beneath said real property by attachment to Grantee's facilities or otherwise.

Grantor recognizes that the general course of such facilities, as above described, is based upon preliminary survey only, and Grantor expressly agrees that the easement hereby granted shall extend and apply to the actual location of said facilities when constructed.

The rights conveyed hereby are subject to the following:

(1) Grantee will cause its agents, employees and contractors to use reasonable precaution to avoid damage to Grantor's property, and shall compensate Grantor, or at Grantee's election shall have repaired, any damage caused to any fence, gate or other of Grantor's facilities as a result of any activity undertaken pursuant to this grant.

(2) Grantee shall compensate Grantor for any damage to growing crops occasioned by entry upon said easement or adjacent lands by payment of the fair value of such crops as are actually damaged.

(3) Grantee, upon conclusion of any activity upon said real property, shall cause all debris and materials incident to such activity to be removed from Grantor's property shall fill any excavation made, and to the extent reasonably possible, shall restore the property to its pre-existing state.

(4) Grantee shall restore any lawn removed or damaged during activity by or on behalf of Grantee.

(5) Grantor shall have the right to use the surface of said real property for any purpose which does not in any way interfere with Grantee's full use of the easement conveyed; provided Grantor covenants that no building or other structure shall be placed upon said real property, and that no fence, driveway or street will be built upon, and no excavation or change in elevation or grade of the land surface will be made to, said real estate without prior notice to and approval received from Grantee.

(6) Grantor shall reserve the right to landscape said real property.

TO HAVE TO HOLD the above described easement and right unto the said Grantee, its successor and assigns, until said telecommunications facilities shall be abandoned.

And Grantor hereby covenants to generally warrant title to the property hereby conveyed. Grantor's Source of Title is that Warranty Deed by James N. Hall and wife, Coleen Hall dated May 14, 2004, and of record in the in the Register's Office of Putnam County, Tennessee in Deed Record Book 152, Page 176.

IN WITNESS WHEREOF, the Grantor(s) has (have) executed this deed of easement this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

Division Preparer  
Kent Greenwell  
250 S Franklin  
Cookeville, TN 38501

James N. Hall  
(Grantor)

Coleen Hall  
(Grantor)

#### ACKNOWLEDGEMENT

STATE OF TENNESSEE

COUNTY OF PUTNAM

I, Janice E Ashley a Notary Public at Large in and for the County and State aforesaid, do hereby certify that James N Hall and Coleen Hall personally appeared before me on this day and acknowledge the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and official seal, this the 24<sup>th</sup> day of June, 2008.

Janice E Ashley  
Notary Public

Official Seal  
My Commission expires 11-28-2009



**EASEMENT DESCRIPTION**  
**Hall Property**  
**Bear Creek Pointe**  
**Cookeville, Tennessee**  
**Fifteenth Civil District, Putnam County, Tennessee**

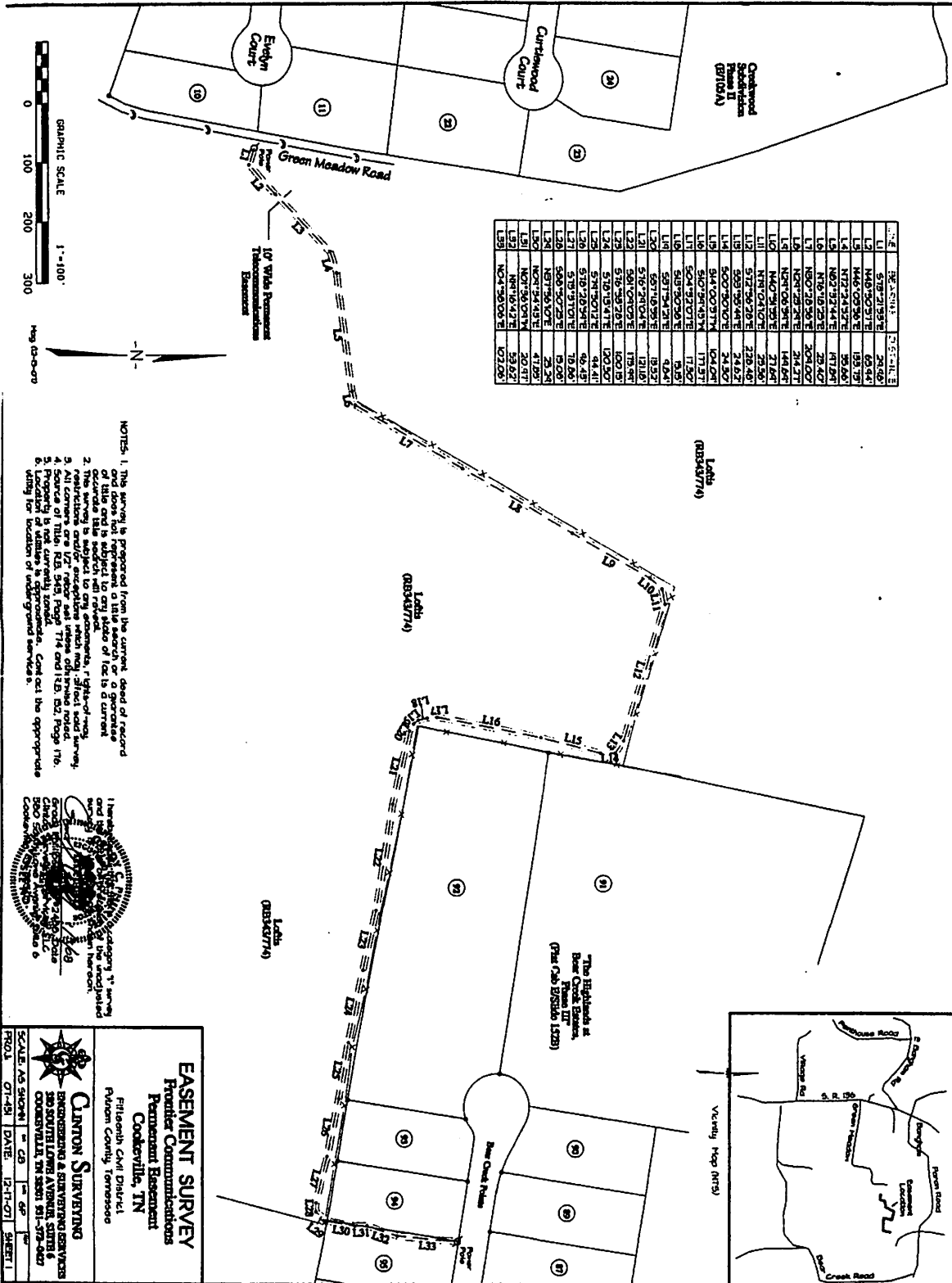
Being a permanent Telecommunications easement, 10' in width, lying and being in the Fifteenth Civil District of Putnam County, Tennessee, the centerline of which being more particularly described as follows: Beginning at a point in the south line of Lot 95, said point being located S78°26'42"E 1.55' from the southwest corner of Lot 95, said point also being the southernmost corner of the easement described herein; thence, running almost parallel with the west line of Lot 95 N09°34'43"E 47.85' to a point; thence, crossing the west line of Lot 95 into Lot 94 N01°36'09"W 20.97' to a point; thence, crossing the east line of Lot 94 into Lot 95 N19°16'42"E 53.62' to a point; thence, running with Lot 95 N04°58'06"E 102.06' to a power pole, said point being located S14°45'29"E 1.92' from the northwest corner of Lot 95, said pole also being the northern end of the easement described herein. Actual field survey performed by Grady C. Phillips, R.L.S. #2488, Clinton Surveying Services, LLC, 380 South Lowe Avenue Suite 6, Cookeville, Tennessee on December 20, 2007.

Being a portion of the same property as conveyed to James N Hall and wife Coleen Hall from Ronald Thurman and wife, Tina Thurman in Record Book 152 Page 176 of the Putnam County Register's Office, Cookeville, Tennessee, which is the previous and last conveyance.

I do hereby certify this survey to be accurate and correct to the best of my knowledge and belief and I do hereby certify that it meets or exceeds the requirements for surveying as set forth by the governing authorities.

**CLINTON SURVEYING SERVICES, LLC**  
380 South Lowe Avenue, Suite 6  
Cookeville, TN 38501





LINE	BEARING	DISTANCE
L1	S78°21'39"E	24.00
L2	N40°20'21"E	69.44
L3	N44°24'32"E	152.22
L4	N62°32'44"E	157.00
L5	N16°16'22"E	22.40
L6	N80°25'50"E	204.00
L7	N87°23'24"E	24.37
L8	N21°05'34"E	141.65
L9	N47°24'29"E	27.64
L10	N11°04'07"E	23.50
L11	S72°06'29"E	228.45
L12	S09°20'44"E	24.02
L13	S00°20'07"E	24.50
L14	S42°06'43"W	45.00
L15	S42°06'43"W	117.97
L16	S04°19'27"E	11.50
L17	S81°10'10"E	70.84
L18	S80°50'22"E	19.00
L19	N87°56'10"E	20.25
L20	N01°54'43"E	47.20
L21	N01°54'43"E	20.07
L22	N84°10'42"E	53.82
L23	N04°30'00"E	102.00

NOTES: 1. This survey is prepared from the current deed of record and does not reference any other records or records of title and is subject to any state of fact in effect at the time this survey is prepared. 2. Restrictions and/or encroachments which may affect said survey, 3. All corners are 1/2" rebar set unless otherwise noted. 4. Source of Title: R.L. 346, Page 774 and R.L. 342, Page 716. 5. Location of witness is approximate. 6. Location of witness is approximate. Contact the appropriate utility for location of underground services.



**EASEMENT SURVEY**  
**Procter Communications**  
**Permanent Easement**  
 Cookeville, TN  
 Fifteenth Civil District  
 Putnam County, Tennessee

**CLAYTON SURVEYING**  
 ENGINEERING & SURVEYING SERVICES  
 380 SOUTHWEST AVENUE, SUITE 4  
 COOKESVILLE, TN 38501 561-379-0487

SCALE: AS SHOWN = 1" = 40'  
 FOOT OF 1/4" DATE: 12-17-07 SHEET 1

Harold Burris, Register  
 Putnam County  
 Rec #: 69854 Instrument #: 93272  
 Rec'd: 20.00 Recorded  
 State: 0.00 6/24/2008 at 11:37 AM  
 Clerk: 0.00 in Record Book  
 EDP: 2.00 472  
 Total: 22.00 Pgs 694-697