

STATE OF ALABAMA)
JEFFERSON COUNTY)

2490

19750214000007120 1/3 \$.00
Shelby Cnty Judge of Probate, AL
02/14/1975 12:00:00AM FILED/CERT

THIS MEMORANDUM OF LEASE effective as of the 7th
day of October, 1974, between KIMBERLY-CLARK CORPORATION,
a corporation, herein referred to as the "Lessor", and SOUTHERN
ELECTRIC GENERATING COMPANY, a corporation, herein referred to
as the "Lessee".

W I T N E S S E T H:

1. The Lessor and the Lessee have the 20th day of
September, 1974, entered into a lease demising and letting to
the Lessee the right and privilege of mining and removing by the
strip mining technique the coal contained in the following described
lands located in Shelby County, Alabama, to wit:

Location

Township 21 South, Range 4 West

Section 16

SW 1/4 of the SW 1/4, South and East of Southern Railway	30 Acres More or Less
SE 1/4 of the SW 1/4	40 Acres More or Less
NW 1/4 of the SW 1/4, South and East of Southern Railway	10 Acres More or Less
NE 1/4 of the SW 1/4, South and East of Southern Railway	39 Acres More or Less
SE 1/4 of the NW 1/4, South and East of Southern Railway	15 Acres More or Less
SE 1/4 of the SE 1/4, excluding all lands within 300' of Jesse Creek	39 Acres More or Less
SW 1/4 of the SE 1/4	40 Acres More or Less
NW 1/4 of the SE 1/4, excluding all lands within 300' of Piney Woods Creek	35 Acres More or Less
NE 1/4 of the SE 1/4, excluding all lands within 300' of Piney Woods Creek	30 Acres More or Less
SW 1/4 of the NE 1/4, excluding all lands within 300' of Piney Woods Creek	25 Acres More or Less
SE 1/4 of the NE 1/4, excluding all lands within 300' of Piney Woods Creek	5 Acres More or Less

BOOK 290 PAGE 710

Section 16 continued

NW 1/4 of the NE 1/4, South and East of the Southern Railway; South of a line 300' of the Cahaba River and West of a line 300' west of Piney Woods Creek	5 Acres More or Less
NE 1/4 of the NE 1/4, South and East of a line 300' east of the Cahaba River and East of a line 300' east of Piney Woods Creek	20 Acres More or Less

Section 15

SW 1/4 of the SW 1/4, excluding all lands within 300' of Jesse Creek	20 Acres More or Less
SE 1/4 of the SW 1/4, excluding all lands within 300' of Piney Woods Creek	30 Acres More or Less
NW 1/4 of the SW 1/4, excluding all lands within 300' of Piney Woods and Jesse Creeks	<u>10</u> Acres More or Less

Total Acreage	393 Acres More or Less
---------------	------------------------

2. Said lease sets forth the names and addresses of said parties thereto.

3. The term of said lease is for a period of ^{TWO (2)} ~~five (5)~~ years from its date with the Lessee having the right to renew for an additional period of ^{TWO (2)} ~~five (5)~~ years under the same conditions contained herein, provided Lessee is not in arrears with any royalties or in default of any conditions of this lease.

4. Said lease recites consideration therefor.

5. Said lease contains the recital that the Lessor owns the surface rights of said lands.

IN WITNESS WHEREOF, the parties hereto have caused this memorandum of lease to be executed by their respective officers duly authorized this 7th day of October, 1974, for the purpose of providing an instrument for recording.



19750214000007120 2/3 \$.00
Shelby Cnty Judge of Probate, AL
02/14/1975 12:00:00AM FILED/CERT

BOOK 290 PAGE 711

ATTEST:

Roger A. Baird
Roger A. Baird, Secretary

ATTEST:

SECRETARY

KIMBERLY-CLARK CORPORATION

By Marvin F. Gade
Marvin F. Gade
Senior Vice President
& Group Executive
SOUTHERN ELECTRIC GENERATING
COMPANY

By Vice-President and General Manager

STATE OF ALABAMA)

JEFFERSON COUNTY)

19750214000007120 3/3 \$.00
Shelby Cnty Judge of Probate, AL
02/14/1975 12:00:00AM FILED/CERT

I, Mildred Morriss, a Notary Public in and for said County in said State, hereby certify that Marvin F. Gade, whose name as Sr. Vice-President of Kimberly-Clark Corporation, a corporation, 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 7th day of October, 1974.

Mildred Morriss
Notary Public
My commission expires:
5-17-76

Notary Public, State of Alabama at Large
My Commission Expires May 17, 1976

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Virginia Stovall, a Notary Public in and for said County in said State, hereby certify that C.E. Brackett, whose name as Vice President and General Manager of Southern Electric Generating Company, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 6th day of September, 1974.

Virginia Stovall
Notary Public
My commission expires:
February 26, 1976

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1975 FEB 14 PM 3:01

FILE NUMBER OR
PAGE AS SHOWN ABOVE

JUDGE OF PROBATE

BOOK 290 PAGE 712