

State of Alabama)
Jefferson County)

588

This instrument prepared in
the Corporate Real Estate
Dept. of Alabama Power Co.
Birmingham, Ala.

By W. D. Rickerson

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of One Thousand and No/100 Dollars (\$1,000.00) to Alabama Power Company, a corporation (hereinafter referred to as "Grantor"), in hand paid by Ester V. Etress, (hereinafter referred to as "Grantee"), the receipt of which is hereby acknowledged the said Alabama Power Company does by these presents, grant, bargain, sell and convey unto the said Ester V. Etress, individually, surface rights only in and to the following described real estate, situated in Shelby County, Alabama, to-wit:

J.P.R.
That portion of the parcel of land which is described in detail on Exhibit A hereto, and shown on the map attached as Exhibit B hereto, which lies above that certain datum plane of 397 feet above mean sea level as established by the United States Coast and Geodetic survey as adjusted in January 1955.

Such land is conveyed subject to any existing easements for any purpose including easements for public roads, utilities, lines, and pipelines, and ad valorem tax liens for the current tax year which will be paid when due by Grantor.

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Grantor reserves for itself, its successors and assigns, all rights necessary or convenient to the operation of its dams and the manufacture of electricity, and this conveyance is accepted by Grantee as full compensation for all damages consequential or otherwise arising from the operation of such dams, the manufacture of electricity or any and all actions incident thereto, together with rights of ingress and egress over and across that part of the lands so described which lies above such datum plane first above described.

This conveyance is made subject to that certain mortgage or indenture executed by Alabama Power Company to the Chemical Bank and Trust Company (now Chemical Bank), as Trustee, dated January 1, 1942, as amended and supplemented, and Alabama Power Company agrees that it shall with one hundred twenty (120) days from the date of this conveyance secure a release from said indenture of the land interests and land rights conveyed hereunder.

TO HAVE AND TO HOLD, to the said Ester V. Etress, her heirs and assigns forever.

IN WITNESS WHEREOF, the said Alabama Power Company has caused this instrument to be executed in its name by Ollie D. Smith, its Vice President and its corporate seal to be affixed and these presents to be attested by John H. Snyder, its Asst. Secretary thereto respectively authorized on this the 2 day of October, 1984.

ATTEST

ALABAMA POWER COMPANY

By W. D. Rickerson

Vice President

APPROVED AS
TO FORM

APPROVED AS
TO TERMS AND
DESCRIPTION

BALCH, BINGHAM, BAKER, WARD,
SMITH, BOWMAN & THAGARD L

By Harold H. Williams

By W. D. Rickerson
LAND MANAGEMENT MANAGER
CORPORATE REAL ESTATE

Ester V. Etress
Rt. 1 Box 54
Shelby, Ala
35143

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, J. D. Roberson, a Notary
Public in and for said County in said State hereby certify
that Olle D. Smith, whose name as Vice President
of Alabama Power Company, a corporation, is signed to the
foregoing conveyance 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 3
day of October, 1984.

J. D. Roberson
Notary Public State at Large.

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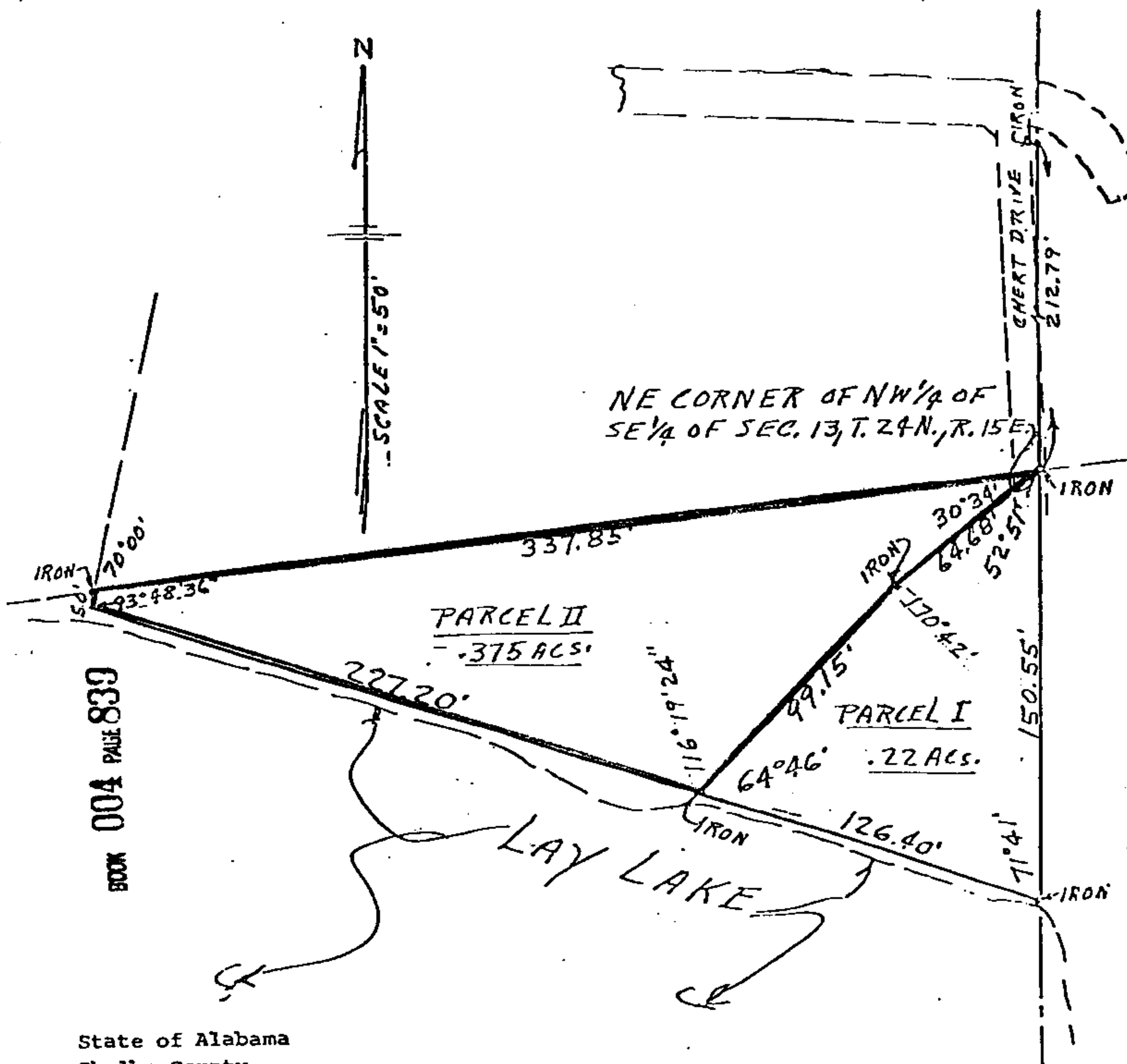
Narrative Description

A parcel of land in the Northwest quarter of the Southeast quarter (NW $\frac{1}{4}$ of the SE $\frac{1}{4}$) of Section 13, Township 24 North, Range 15 East, Shelby County, Alabama being more particularly described as follows:

MP
J.D.R. Parcel 11: Begin at the NE corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section and run westerly along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ section 337.85 ft.; thence turn 70° 00' left and run 5.00 ft. to a point on Lay Lake (397.0 ft. el. contour line); thence turn 86° 11' 24" left and run southeasterly along said Lay Lake a chord distance of 227.20 ft.; thence turn 63° 40' 36" left and run northeasterly 99.15 ft.; thence turn 9° 18' right and run northeasterly 64.68 ft. to the point of beginning.

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Exhibit "A"



State of Alabama
Shelby County

I, M. D. Arrington, a registered Land Surveyor and Engineer of Birmingham, Alabama, hereby certify the foregoing to be a true and correct map or plat of part of the NW 1/4 of the SE 1/4 of Section 13, T. 24 N. R. 15 E., more particularly described as follows:

PARCEL II: Begin at the NE corner of said 1/4 - 1/4 section and run westerly along the North line of said 1/4 - 1/4 section 337.85 ft.; thence turn 70° 00' left and run 5.00 ft. to a point on Lay Lake (397.0 ft. el. contour line); thence turn 86° 11' 24" left and run southeasterly along said Lay Lake a chord distance of 227.20 ft.; thence turn 63° 40' 36" left and run northeasterly 99.15 ft.; thence turn 9° 18' right and run northeasterly 64.68 ft. to the point of beginning.

According to my survey this the 18th day of August, 1984.

1984 OCT -9 AM 10:43

Deed Tax 1.00
Rec. 10.00
Ind. 1.00
12.00

M. D. Arrington
M. D. Arrington
Reg. No. 10686
Phone 853-2275

Exhibit "B"