

STATE OF ALABAMA)

JEFFERSON COUNTY)

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

By Jerry D. Robinson

KNOW ALL MEN BY THESE PRESENTS

That in consideration of the sum of Thirty Five Thousand and no/100 Dollars (\$35,000.00) to Alabama Power Company, a corporation (hereinafter referred to as "Grantor"), in hand paid by John E. Rice and wife, Ailene Rice, (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 John E. Rice and wife, Ailene Rice, as joint tenants with right of survivorship, surface rights only in and to the following described real estate, situated in Shelby County, Alabama, to-wit:

Said parcel of land is described in detail on Exhibit "A" hereto and generally shown on a reduced copy of the Shelby County Tax Assessor's Map marked 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.

This conveyance is made subject to all existing easements and rights of way of record together with the rights of way and easement herein reserved, including those for roads, electric power lines, telephone lines, telegraphic lines and pipelines which are now located on the property and there is excepted from this conveyance the facilities, lines, and appurtenances attached thereto. This conveyance is made subject to and there is excepted all mineral and mining rights and ad valorem tax liens for the current tax year which will be paid when due by Grantor.

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 those parts of the lands so described which lie 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 within 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 said property unto the said John E. Rice and wife, Ailene Rice, for and during their joint lives and upon the death of either of them, then to the survivor of them, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

IN WITNESS WHEREOF, the said Alabama Power Company has caused this instrument to be executed in its name by Jesse S. Vogtle, its Executive Vice President and Counsel and its corporate seal to be affixed and these presents to be attested by R. H. Bowman, its Secretary, thereto respectively authorized on this the 2 day of May, 1985.



ALABAMA POWER COMPANY

By Jesse S. Vogtle
Executive Vice President and Counsel

APPROVED AS
TO FORM

APPROVED AS
TO TERMS AND
DESCRIPTION

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

By David Williams
LAND MANAGEMENT MANAGER
CORPORATE REAL ESTATE

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, J. D. Roberson, a Notary Public in and for said County in said State hereby certify that Jesse S. Hight, whose name as Executive Vice President and ^{Gen. Mgr.} 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 2 day of May, 1985.

J. D. Roberson
Notary Public State at

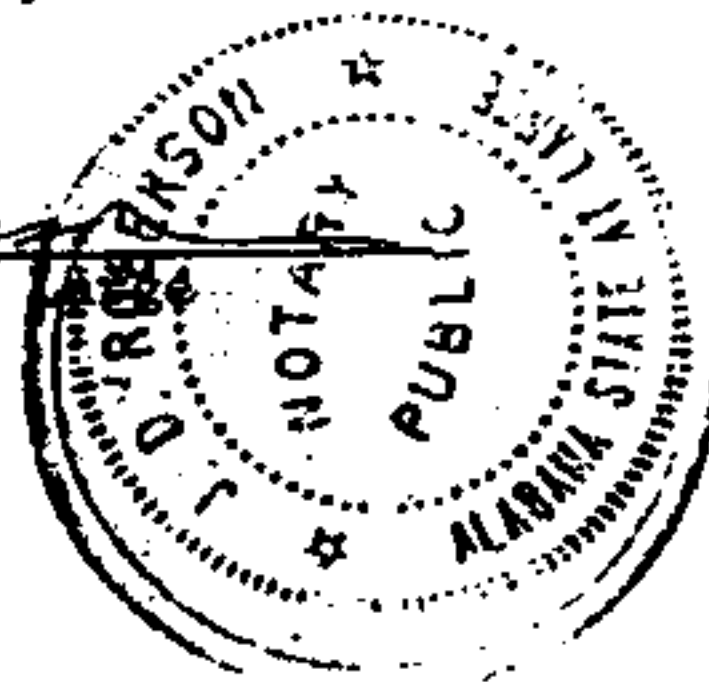


EXHIBIT "A"

A parcel of land in the Fractional Southwest Quarter (SW $\frac{1}{4}$) of Fractional Section 18, Township 24 North, Range 16 East, Shelby County, Alabama, being more particularly described as follows:

J.E.R.
H.P.

Commence at the Northwest corner of Fractional Section 18, Township 24 North, Range 16 East and run South 3° 21' East along the section line 2467.2 feet, more or less, to a point, said point is on the North line of Fractional Southwest Quarter (SW $\frac{1}{4}$), thence North 86° 30' East 160 feet along the North line of the Fractional Southwest Quarter (SW $\frac{1}{4}$), more or less, to a point on the 397 foot contour line above mean sea level as established by the United States Coast and Geodetic Survey as adjusted in January, 1955, for a point of beginning, thence continue North 86° 30' East along the Southerly line of the John E. Rice Property and the North line of the Fractional Southwest Quarter (SW $\frac{1}{4}$) 550 feet, more or less, to a point on the 397 foot contour line, thence Southerly, Westerly and Northerly along the meanderings of the 397 foot contour line to the point of beginning. Said parcel is bounded on the North by lands of John E. Rice, on the East, South and West by Alabama Power Company's Lay Reservoir and contains approximately 5 acres and is generally shown on a reduced copy of the Shelby County Tax Assessor's Map marked Exhibit "B" attached hereto and made a part hereof.

