

6
STATE OF ALABAMA)
SHELBY COUNTY)

486

SUBORDINATION OF MINERAL RIGHTS TO SURFACE RIGHTS

WHEREAS, We, Mary John Weldon, a single woman; and Elizabeth Weldon Bentley, a divorced woman,

(hereinafter sometimes referred to as Grantors) are the present owners of an undivided interest in mineral rights in and to the hereinafter described parcel of land and

WHEREAS, Southern Electric Generating Company, a corporation, is desirous of constructing and operating a railroad line upon the surface of the hereinafter described land, Grantors hereby agrees with Southern Electric Generating Company, its successors and assigns, that in the extraction and utilization of the minerals owned by Grantors that they will not use the surface of such lands hereinafter described for the construction, operations and maintenance of any facilities for the purposes of extracting and utilization of such minerals, or interfere in any way with the use of the surface of such lands by the Southern Electric Generating Company for the construction, operations and maintenance of its railroad line and that it will not use the surface for any purposes or in any manner; and Grantors hereby expressly reserves the full right to mine, explore, operate for and produce minerals from and under said lands by means of directional drilling from locations on other tracts, or otherwise by the use of wells, machinery, equipment and operations not located or conducted upon the surface of said land.

WHEREAS, the Grantors and Southern Electric Generating Company have agreed that this conveyance shall have no effect as to all other mineral rights and interests in, to and under said lands and such interests are hereby expressly reserved in Grantors.

NOW THEREFORE, for and in consideration of the sum of One and No/100 Dollar (\$1.00) in hand paid by Southern Electric Generating Company, and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby agree that said mineral rights shall be and the same are hereby subordinated to the surface rights in and to the hereafter described parcel of land acquired by Southern Electric Generating Company from Mary John Weldon and Elizabeth Weldon Bentley, in and to the surface of said Subordinated Tract, to the extent as described in the recitals hereof:

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Jerry Johnson

That part of a strip of land 400 feet wide that is located in Section 24, Township 20 South, Range 1 East, of the Huntsville Meridian, and the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) of Section 19, Township 20 South, Range 2 East, of the Huntsville Meridian, Shelby County, Alabama. Said strip of land being 200 feet on each side of a center line described as follows:

Commence at the southeast corner of said Section 24, as marked by a two-inch pipe in a rock pile having coordinates in the East Zone of the Alabama State Plane Coordinate System of North 1008086.01 and East 301411.44; thence South 89 degrees 17 minutes 58 seconds West, 64.35 feet along the south line of said Section 24 to the beginning of the center line to be described; thence North 00 degrees 01 minutes 25 seconds East, 1590.49 feet to a tangent spiral point; thence northerly along a Euler spiral, concave to the west, central angle 2 degrees 00 minutes 00 seconds, 100 feet to a spiral curve point; thence northerly along the central curve, concave to the west, radius 1432.69 feet, central angle 24 degrees 57 minutes 18 seconds, 523.89 feet to a curve spiral point; thence northerly along a Euler spiral, concave to the west, central angle 2 degrees 00 minutes 00 seconds, 100 feet to a spiral tangent point; thence North 24 degrees 56 minutes 59 seconds West, 3296.68 feet to a point on the north line said Section 24, such point being the point of ending of the center line herein described, and being located North 88 degrees 56 minutes 46 seconds East, 355.98 feet from the northeast corner of the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) of said Section 24 as marked by a one pine knot in a rock pile.

The side lines of said described strip being elongated or shortened to terminate at points marked by axles on the north and south lines of said Section 24 and on the south line of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) of said Section 19.

Containing 47.7 acres, more or less.

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TO HAVE AND TO HOLD to the said SOUTHERN ELECTRIC
GENERATING COMPANY, its
heirs, successors and assigns forever.

Given under OUR hands and seal, this 25th day of
JANUARY, A.D. 1990.

Executed and delivered in the presence of

_____	<u>Mary John Weldon</u> (SEAL)
_____	<u>Elizabeth Weldon Bentley</u> (SEAL)
_____	_____ (SEAL)
_____	_____ (SEAL)

STATE OF ALABAMA)

MADISON COUNTY)

I, MILTON J. JOHNSON,
a Notary Public in and for said County in said State, hereby
certify that MARY JOHN WELDON
& ELIZABETH WELDON BENTLEY
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 the instrument they executed the
same voluntarily on the day the same bears date.

Given under my hand and official seal, this 25th day of
JANUARY, 1990.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
90 FEB -8 AM 10:57

Milton J. Johnson
Notary Public

JUDGE OF PROBATE

STATE OF ALABAMA)

COUNTY)

I, _____,

a Notary Public in and for said county, in said state, hereby certify that

whose name as _____ of

_____, 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 conveyance, 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 _____ day of
_____, 19____.

Notary Public

My commission expires:

1. Deed Tax	-----	\$	-----
2. Mtg. Tax	-----	\$	-----
3. Recording Fee	-----	\$	<u>7.50</u>
4. Indexing Fee	-----	\$	<u>3.00</u>
5. No Tax Fee	-----	\$	-----
6. Certified Fee	-----	\$	<u>1.00</u>
Total	-----	\$	<u>11.50</u>