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STATE OF ALABAMA )  
SHELBY COUNTY )

467

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

By John Jones

SUBORDINATION OF MINERAL RIGHTS TO SURFACE RIGHTS

WHEREAS, Sarah R. Vansant and husband, Weaver W. Vansant,  
(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

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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 construc-  
tion, 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 Sarah R. Vansant and husband, Weaver W. Vansant,  
in and to the surface of said Subordinated Tract, to the extent as  
described in the recitals hereof:

That part of a strip of land 375 feet wide that is located in the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section 30, Township 20 South, Range 2 East, of the Huntsville Meridian, Shelby County, Alabama. Said strip of land being 175 feet to the right and 200 feet to the left of a center line described as follows:

Commence at the southwest corner of said Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section 30, as marked by a one and one-half inch crimped pipe having coordinates in the East Zone of the Alabama State Plane Coordinate System of North 1005456.41 and East 301367.47; thence North 89 degrees 54 minutes 16 seconds West, 22.45 feet along the south line of the Southeast Quarter of the Northeast Quarter (SE 1/4 of NE 1/4) of Section 25, Township 20 South, Range 1 East, to the beginning of the center line to be described; thence North 00 degrees 01 minutes 25 seconds East, 1318.43 feet to a point on the north line of said Southeast Quarter of the Northeast Quarter (SE 1/4 of NE 1/4) of Section 25, such point being the point of ending of the center line herein described, and being located North 88 degrees 58 minutes 29 seconds West, 43.17 feet from the northeast corner of said Southeast Quarter of the Northeast Quarter (SE 1/4 of NE 1/4) of Section 25 as marked by a two-inch crimped pipe 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 Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section 30.

Containing 4.3 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 30<sup>th</sup> day of  
JANUARY, A.D. 1990.

Executed and delivered in the presence of

|       |                                 |
|-------|---------------------------------|
| _____ | <u>Frank R. Vincent</u> (SEAL)  |
| _____ | <u>Weaver W. Vincent</u> (SEAL) |
| _____ | _____ (SEAL)                    |
| _____ | _____ (SEAL)                    |

STATE OF ALABAMA )

COUNTY )

I, Milton J. Johnson,

a Notary Public-State at Large in and for said County in said State, hereby  
certify that Sarah R. Vansant and husband, Weaver W. Vansant,

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 30<sup>th</sup> day of

JANUARY, 1990.

Milton J. Johnson  
Notary Public - State at Large

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STATE OF ALABAMA )  
COUNTY )

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

90 FEB -8 AM 10:40

James P. Brown, Jr.  
JUDGE OF PROBATE

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

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:

\_\_\_\_\_