

4
STATE OF ALABAMA)
SHELBY COUNTY)

484

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

By 

SUBORDINATION OF MINERAL RIGHTS TO SURFACE RIGHTS

WHEREAS, Geneva Lyon, a widow,
(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 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 Geneva Lyon, a widow,
in and to the surface of said Subordinated Tract, to the extent as
described in the recitals hereof:

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PARCEL 49

That part of a strip of land 375 feet wide that is located in the Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) of Section 25, Township 20 South, Range 1 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 southeast corner of said Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) of Section 25, as marked by a two-inch crimped pipe in a rock pile having coordinates in the East Zone of the Alabama State Plane Coordinate System of North 1006773.93 and east 301389.45; thence North 88 degrees 58 minutes 29 seconds West, 43.17 feet along the south line of said Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) of Section 25 to the beginning of the center line to be described; thence North 00 degrees 01 minutes 25 seconds East, 1312.38 feet to a point on the north line of said Section 25, such point being the point of ending of the center line herein described, and being located South 89 degrees 17 minutes 58 seconds West, 64.35 feet from the northeast corner of said Section 25 as marked by a two-inch 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 Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) of Section 25.

Containing 7.6 acres, more or less.

PARCEL 55

That part of a strip of land 400 feet wide that is located in the Southwest Quarter of the Southwest Quarter (SW 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 southwest corner of said Section 19, 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 Section 24, 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, 1329.40 feet to a point on the north line of the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) of Section 24, such point being the point of ending of the center line herein described, and being located North 89 degrees 27 minutes 28 seconds West, 85.97 feet from the northeast corner of said Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) of Section 24 as marked by a one-inch capped pipe.

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 Southwest Quarter (SW 1/4 of SW 1/4) of Section 19.

Containing 3.8 acres, more or less.

The above described lands contain a total of 11.4 acres.

TO HAVE AND TO HOLD to the said Southern Electric Generating Company, its successors and assigns forever.

Given under my hand and seal, this 30th day of JANUARY,

A.D. 1990.

Executed and delivered in the presence of

_____	<u>Geneva Lyon</u>	(SEAL)
_____	_____	(SEAL)
_____	_____	(SEAL)
_____	_____	(SEAL)

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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 Geneva Lyon, a widow,

whose name _____ 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 _____ has _____ executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 30th day of

JANUARY, 1990.

Milton J. Johnson
Notary Public - State at Large

Notary Public - State at Large

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STATE OF ALABAMA

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

90 FEB -8 AM 10:55

1. Deed Tax	\$	
2. Mtg. Tax	\$	
3. Recording Fee	\$	10.00
4. Indexing Fee	\$	3.00
5. No Tax Fee	\$	
6. Certified Fee	\$	1.00
Total	\$	14.00

I, James H. Sullivan, Jr.
JUDGE OF PROBATE
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: