

STATE OF ALABAMA )

SHELBY COUNTY )

469

the Corporate Seal of  
Dep. of Alabama Power Co.  
Birmingham, Ala

By 

SUBORDINATION OF MINERAL RIGHTS TO SURFACE RIGHTS

WHEREAS, RUTH LUCK GORDON, 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 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 RUTH LUCK GORDON, in and to the surface of said Subordinated Tract, to the extent as described in the recitals hereof:

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STATE OF ALABAMA )

SHELBY COUNTY )

I, Eva D. Mooney,  
a Notary Public in and for said County in said State, hereby  
certify that Ruth Luck Gordon, A widow

whose name is 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 she executed the  
same voluntarily on the day the same bears date.

Given under my hand and official seal, this 1st day of  
February, 19 90.

Eva D. Mooney

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STATE OF ALABAMA )

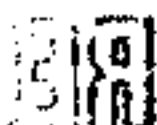
COUNTY )

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:



NOTARY PUBLIC

That part of a strip of land 375 feet wide that is located in the Northwest Quarter of the Northwest Quarter (NW 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 Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section 30, as marked by a two (2) 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 the Northeast Quarter of the Northeast Quarter (NE 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, 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 (2) 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 Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4) of Section 30.

Containing 3.7 acres, more or less.

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

90 FEB -8 AM 10:42

*Thomas P. Sullivan, 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

TO HAVE AND TO HOLD to the said Southern Electric

Generating Company, ITS

heirs, successors and assigns forever.

Given under my hand and seal, this 1 day of

February, A.D. 1990.

Executed and delivered in the presence of

_____	<u>Ruth Luck Gordon</u> (SEAL)
_____	<u>Ruth Luck Gordon</u> (SEAL)
_____	_____ (SEAL)
_____	_____ (SEAL)