

This Instrument Prepared By:
Cassie Mikul
Alabama Power Company
P.O. Box 2641
Birmingham, AL 35291

Send Tax Notice To:

Mr. Daniel Holder

STATE OF ALABAMA)

COUNTY OF SHELBY)

CORPORATE STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Fifty Eight Thousand Three Hundred Fifty Two and 99/100 Dollars (\$58,352.99) and other good and valuable consideration, in hand paid by Daniel B. Holder, Grantee, to Southern Electric Generating Company, a corporation, Grantor, the receipt and sufficiency of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto the said Grantee, the following described real estate, situated in Shelby County, Alabama (herein the "Property") to wit:

A parcel of land situated in the Southwest Quarter of the Southwest Quarter of Section 6, Township 21 South, Range 2 East, Shelby County, Alabama; being more particularly described as follows:

Lots 30 and 31 in the Mitchell Subdivision, a plat or survey of which is recorded in Map Book 4 at page 41 in the Probate Records of Shelby County, Alabama.

This conveyance is made subject to the following:

Ad valorem taxes due and payable October 1, 1994 and general and special taxes or assessments for 1994 and subsequent years not yet due and payable.

Applicable zoning ordinances.

Easements, rights of way, reservations, restrictions, agreements and building set-back line of 30 feet reserved from Breland Street as shown by plat.

Mineral and mining rights not owned by Grantor.

5. Grantor hereby reserves all oil, gas (including without limitation, coal seam gas) and other minerals in and under the Property, together with all rights to mine, drill and otherwise remove the same; provided, that Grantor shall not have the right to use the surface of the Property in connection with the exercise of such right.

Grantor hereby specifically disclaims any warranty, guaranty or representation, oral or written, past, present, or future, of, as to, or concerning (i) the nature and condition of the Property including, but not limited to, the water, soil and geology, and the suitability thereof and of any improvements located on

Inst # 1994-25639

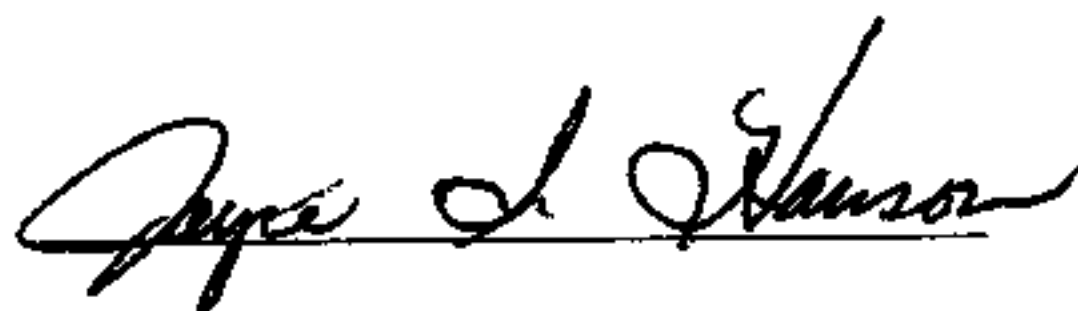
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the Property for any and all activities and uses which Grantee may elect to conduct thereon, and (ii) except for any statutory warranties of title contained herein, the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservations, condition or otherwise. Grantor has not made and does not make any representations concerning the physical condition, leases, rents, expenses, operation, compliance with law or any other matter affecting or related to the Property. By acceptance of this deed, Grantee expressly acknowledges that no such other representations have been made. It is expressly understood and agreed that with respect to the physical condition of th Property, the Property is being sold hereunder "AS IS" and "WITH ALL FAULTS", without any representation or warranty by Grantor. Grantor HAS NOT MADE AND DOES NOT HEREBY MAKE ANY EXPRESS OR IMPLIED REPRESENTATION OR WARRANTIES WHATSOEVER WITH RESPECT TO (I) THE PHYSICAL OR ENVIRONMENTAL CONDITION OF THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, ANY REPRESENTATION OF WARRANTY REGARDING HABITABILITY OR THE QUALITY OF CONSTRUCTION, WORKMANSHIP, MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE, (II) LEASING OR FINANCIAL STATUS OF THE PROPERTY, (III) THE PROPERTY'S COMPLIANCE WITH APPLICABLE LAW, (IV) THE ACCURACY OR COMPLETENESS OF ANY INFORMATION OR DATA PROVIDED OR TO BE PROVIDED BY GRANTOR TO GRANTEE, AND (V) ANY OTHER MATTER RELATING TO THE PROPERTY OR GRANTOR.

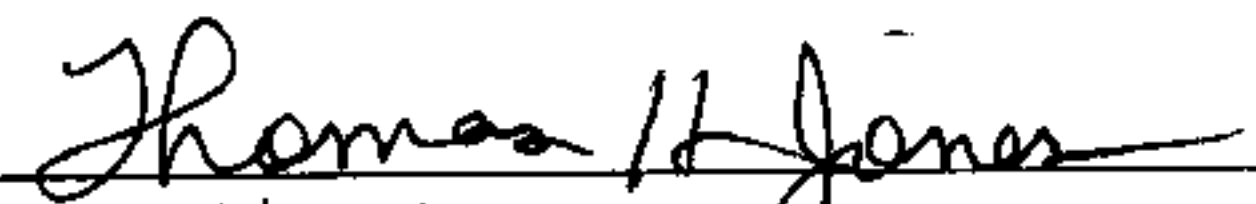
TO HAVE AND TO HOLD, to the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor, by its duly authorized officer, has caused this conveyance to be executed this 9th day of August, 1994.

WITNESS:



SOUTHERN ELECTRIC GENERATING
COMPANY

By: 
Its: Director

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, John M. Usrey, a notary public in and for county in said state, hereby certify that Thomas H. Jones, whose name as Director of SOUTHERN ELECTRIC GENERATING COMPANY, a corporation, 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 such 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 9th day of August, 1994.

John M. Usrey
Notary Public

My Commis: 1994-25639
Inst # 1994-25639 Expires: 3-13-97

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