

600 North 18th Street
Post Office Box 2641
Birmingham, Alabama 35291
Tel 205.257.1000

May 31, 2000

Ms. Angela D. Foley
Berkowitz, Lefkovits, Isom & Kushner
420 North 20th Street
1600 SouthTrust Tower
Birmingham, AL 35203



Dear Ms. Foley:

Re: APC Right of Way Document

Alabama Power Company has heretofore acquired and recorded the following easement in the Office of the Judge of Probate, Shelby County, Alabama:

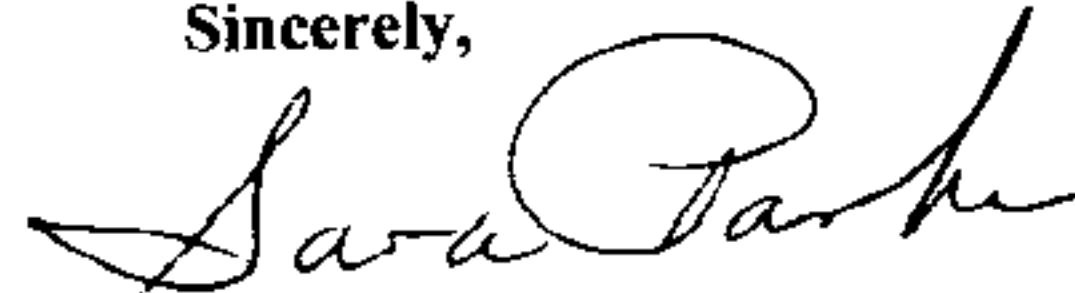
That certain instrument executed by Robert S. Waite, Jr., and wife, Nell Dexter Waite, dated March 8, 1951, recorded in Deed Book 145, page 378, aforesaid records.

The purpose for which the above right of way was acquired was to construct, operate and maintain Alabama Power Company's distribution line facilities; and Alabama Power Company does not claim the right to construct additional lines under the authority granted in the above-described permit.

Should the need arise in the future for any power line facilities to be installed on the property described in the attached Exhibit "A", Alabama Power Company will acquire the necessary rights of way from the owner of record on that date.

We hope this information will be sufficient for your needs. If you do have additional questions, please do not hesitate to contact this office.

Sincerely,



Sara Parks, Supervisor
Corporate Real Estate
Birmingham Division

Inst # 2000-18245

06/02/2000-18245
02:13 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 SMA 11.00

EXHIBIT A

Legal Description

A parcel of land situated in the Southeast $\frac{1}{4}$ of Section 31, Township 19 South, Range 2 West, Huntsville Meridian, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Southwest corner of the Southeast $\frac{1}{4}$ of said Section 31; thence in an Easterly direction, along and with the South line of Section 31, 1826.71 feet to a point; thence with a deflection of $122^{\circ}59'55''$ left (a right interior angle of $57^{\circ}00'05''$) a distance of 399.97 feet to a point on the Northerly right of way margin of Oak Mountain Park Road; thence continue last described course a distance of 846.69 feet to the point of beginning; thence continue along last course 349.11 feet to a point; thence with a deflection of $91^{\circ}18'39''$ right, 160.0 feet to a point; thence with a deflection of $90^{\circ}00'00''$ right 349.02 feet to a point; thence with a deflection of $90^{\circ}00'00''$ right 152.01 feet to the point of beginning, forming a closing interior angle of $91^{\circ}18'39''$.

Situated in Shelby County, Alabama.

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