

## DISCLAIMER

### TO WHOM IT MAY CONCERN:

I, the undersigned, hereby certify that Alabama Power Company does not claim the right to construct additional lines for the transmission of electricity over, across or under the lands described herein below, under the authority granted in the following right of way permit(s):

That certain instrument from AmSouth Bank N.A. as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio (AmSouth or the undersigned) dated 09 November, 1987 (APCo parcel 514836) and recorded in Deed Book 220, pages 521/531 in the Office of the Judge of Probate, Shelby County, Alabama.

That certain instrument from AmSouth Bank N.A. as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio (AmSouth or the undersigned) dated 09 November, 1987 (APCo parcel 514838) and recorded in Deed Book 220, pages 532/542 in the Office of the Judge of Probate, Shelby County, Alabama.

The purpose for which such right of way permit(s) was acquired were for a distribution line(s) that are now in place on the property described below:

That certain instrument from Oden-Elliott Lumber Company dated 16 August, 1941 (APCo parcel 41146A) and recorded in Deed Book 112, page 134 in the Office of the Judge of Probate, Shelby County, Alabama.

The purpose for which such right of way permit(s) was acquired was for distribution line(s) that were constructed but subsequently removed from the property described herein.

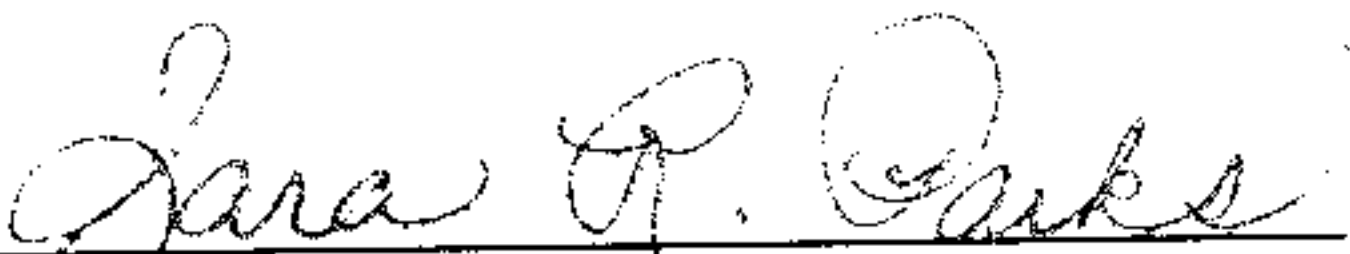
Lot 3-A according to the Triangle Resurvey of Lot 3, Brook Highland Plaza, as recorded in Map Book 24, page 45, in the Office of the Judge of Probate, Shelby County, Alabama.

Inst # 2001-44339

10/12/2001-44339  
01:05 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CH 14.00

Signed this the 11th day of October, 2001


**ALABAMA POWER COMPANY**

  
Sara R. Parks, Supervisor  
Corporate Real Estate-Northeast Operations

STATE OF ALABAMA    )  
                              :  
County of Jefferson    )

I, Don D. Bailey a Notary Public, State at Large, hereby certify that Sara R. Parks, whose name as Supervisor, Corporate Real Estate, Northeast Operations office of Alabama Power Company is signed to the forgoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, she of said office 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 11th day of October, 2001.

  
Don D. Bailey  
Notary Public State at Large

My commission expires on 04 March 2003.

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